



# CITY OF PLAINFIELD

515 WATCHUNG AVENUE, 2ND FLOOR  
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## MEMORANDUM

Office of Economic  
Development

Jacques A. Howard  
Assistant Director

To: Daniel A. Williamson, Corp. Counsel  
Marc D. Dashield, City Administrator  
Jennifer Wenson Maier, Dir. PW&UD

From: Jacques A. Howard, Asst. Dir. ED

Date: January 2, 2008


Re: Resolution to Amend Resolution R 352-07 Authorizing Excel Environmental Resources, Inc. to make and Application on behalf of the City of Plainfield to the NJ Department of Environmental Protection (NJDEP) for Hazardous Discharge Site Remediation Funds for the City-Owned Properties known as Block 645, Lots 7,9 and 11

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The attached resolution requests city council authorization to amend R 352-07 authorizing Excel Environmental Resources, Inc. to submit an application for Hazardous Discharge Site Remediation Funding (HDSRF) from the NJ Department of Environmental Protection (DEP). The amended resolution contains specific language required by NJDEP as a condition for a qualifying application. The new language states that: "a realistic opportunity exists that the subject real property will be developed or redeveloped within three years from the completion of the remediation";

In as much as the City has advanced an In Need of Redevelopment Study for the subject properties, also known as the City Public Works Yard, and the Planning Board has adopted the In Need of Redevelopment Study, the administration will request that the City Council of the City of Plainfield direct the Planning Board to develop a Redevelopment Plan for the subject properties. Interest in the redevelopment of the City Yard is likely to occur within the timeframe specified in the amended language.

I have reviewed the accompanying resolution and attests to its accuracy and viability.

  
1/7/08  
Jennifer Wenson Maier, Director of PW & UD

Approved as to form

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Daniel A. Williamson, Corporation Counsel

RESOLUTION TO AMEND RESOLUTION R 352-07 AUTHORIZING EXCEL ENVIRONMENTAL RESOURCES, INC. TO MAKE AN APPLICATION ON BEHALF OF THE CITY OF PLAINFIELD TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR HAZARDOUS DISCHARGE REMEDIATION FUNDS FOR THE CITY-OWNED PROPERTIES KNOWN AS BLOCK 645, LOTS 7,9 AND 11

WHEREAS, the City Council of the City of Plainfield had adopted Resolution No. 352-07 on July 18, 2007 Authorizing Excel Environmental Resources, Inc. to make and application on behalf of the City of Plainfield to the NJ Department of Environmental Protection for Hazardous Discharge Site Remediation Funds (HDSRF) for the City-owned properties known as Block 645, Lots 7, 9 and 11; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires the inclusion of specific language for approval of an award application; and

WHEREAS, the specific language is as follows: "a realistic opportunity exists that the subject real property will be developed or redeveloped within three years from the completion of the remediation"; and

WHEREAS, the City of Plainfield wishes to amend R 352-07 to include the aforementioned language as a condition for state approval of the City's request for HDSRF funding and facilitate redevelopment of the subject property; now

THEREFORE, BE IT RESOLVED by the city council of the City of Plainfield that

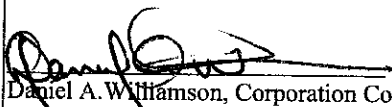
1. The specific language requested by the State of New Jersey Department of Environmental Protection (NJDEP), which reads as follows: "a realistic opportunity exists that the subject real property will be developed or redeveloped within three years from the completion of the remediation" be included as an amendment to R 352-07.
2. A copy of this resolution shall be filed together with resolution R 352-07, Authorizing Excel Environmental Resources, Inc. to make and application on behalf of the City of Plainfield to the NJ Department of Environmental Protection for Hazardous Discharge Site Remediation Funds (HDSRF) for the City-owned properties known as Block 645, Lots 7, 9 and 11.
3. A copy of the application to the New Jersey Department of Environmental Protection (NJ DEP) shall be filed in the Office of the City Clerk.

Adopted by the City Council:

January 24, 2008

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Laddie Wyatt, Municipal Clerk

Approved as to Form:

  
Daniel A. Williamson, Corporation Counsel

RESOLUTION AUTHORIZING EXCEL ENVIRONMENTAL RESOURCES, INC. TO MAKE AN APPLICATION ON BEHALF OF THE CITY OF PLAINFIELD TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR HAZARDOUS DISCHARGE REMEDIATION FUNDS FOR THE CITY-OWNED PROPERTIES KNOWN AS BLOCK 645, LOTS 7,9 AND 11

WHEREAS, the State of New Jersey Department of Environmental Protection (NJDEP) has a source of funding available to municipalities for the purpose of conducting preliminary assessments, site investigations, remedial investigations and/or remedial action to determine the existence or extent of hazardous substance discharge conditions on properties; and

WHEREAS, the NJDEP funding source is called the Hazardous Discharge Site Remediation Fund (HDSRF); and

WHEREAS, the city council adopted resolution number R 177-07 on April 18, 2007 authorizing the award of a professional services contract to Excel Environmental Resources, Inc to submit applications to the NJ DEP for HDSRF grants and Brownfield Development Area designation; and

WHEREAS, the city council adopted resolution R 192-07 directing the Planning Board to conduct a preliminary investigation to determine whether an area in the vicinity of the Netherwood Train Station qualifies as an area in need of redevelopment; and

WHEREAS, the City-owned properties known on the official City Tax Map as Block 645, Lots 7, 9 and 11 are within the area of the Netherwood Train Station In Need of Redevelopment Study; and

WHEREAS, the City of Plainfield wishes to conduct a preliminary assessment, site investigation, remedial investigations and / or remedial action with respect to the subject properties; and

WHEREAS, Excel Environmental Resources, Inc. is qualified to prepare and submit an application to the NJ DEP for HDSRF funding; now

THEREFORE, BE IT RESOLVED by the city council of the City of Plainfield that:

1. Excel Environmental Resources, Inc. is hereby authorized and directed to make an application to the NJ DEP, HDSRF for grant funding to perform preliminary assessments, site investigations, remedial investigations and / or remedial action for the subject City-owned properties known as Block 645, Lots 7,9 and 11.
2. The Mayor and the City Clerk are authorized to execute any and all documents necessary in order to apply to NJ DEP for HDSRF funding.
3. IN the event that the NJ DEP awards the City of Plainfield with the HDSRF funding, Excel Environmental Resources, Inc. is hereby authorized and directed to implement preliminary assessments, site investigations and/or remedial action for the subject City-owned properties, with payment for said services to be made to Excel Environmental Resources, Inc. from grant funds secured from the NJ DEP, in accordance with R 177-07 authorizing a professional services contract with Excel Environmental Resources, Inc.
4. The City will have a Redevelopment Plan or redeveloper agreement for the redevelopment of the subject properties within three years following completion of the remediation of the properties.