

# RESOLUTION OF THE TOWNSHIP OF IRVINGTON, NJ

No. **OCDP18-0327-1**

Date of Adoption **MARCH 27, 2018**

APPROVED AS TO FORM AND LEGALITY ON THE BASIS OF FACTS SET FORTH BY

*Legislative Research Officer*

PRESENTED BY COUNCIL MEMBER

**COX**

SECONDED BY

**BURGESS**

## INCREASE THE NOT TO EXCEED AMOUNT FOR PLANNER SERVICES

WHEREAS, resolution number OCDP 17-0523-6 was approved by the Municipal Council on May 23, 2017 for Planner services; and

WHEREAS, the Director of Community Development and Planning has advised that based on increase of applicants using the Planner Service as per the creation of ordinance MC 3616 additional funding is needed; and

WHEREAS, it was determined that an additional \$45,000.00 is needed to complete the required work until the expiration of the contract on May 23, 2018; and

THEREFORE, BE IT RESOLVED, that the contract for contract for Planner service is hereby amended to an amount not to exceed \$50,000.00 to Nishuane Group LLC, 105 Grove Street, Ste.1, Montclair, NJ 07042; and,

BE IT RESOLVED, that the Mayor be and is hereby authorized to execute amended contract for this service with Nishuane Group LLC, 105 Grove Street, Ste.1, Montclair, NJ 07042, increasing the total contract amount to \$50,000.00.

BE IT RESOLVED, that Certification of Funds number C7-00229 has been obtained from the Chief Financial Officers for the total sum of \$5,050.00, charged to escrow account numbers T-18-56-860-100-001 and T-18-56-860-100-103 and the remaining balance of \$39,950.00 will be certified as applicant request service and submit escrow funds.

### RECORD OF COUNCIL VOTE

X = Indicates Vote

N.V. = No Vote

A.B. = Absent

COUNCIL MEMBER	YES	NO	N.V.	A.B.	COUNCIL MEMBER	YES	NO	N.V.	A.B.
BURGESS, 1ST VICE PRESIDENT	X				INMAN		X		
COX	X				JONES, 2ND VICEPRESIDENT	X			
FREDERIC	X				LYONS, PRESIDENT	X			
DR. HUDLEY	X								

RESIDENT OF COUNCIL *Lyons* MUNICIPAL CLERK *David E. Man* DATE **MARCH 27, 2018**

hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Municipal Council. In witness whereof I have hereunto set my hand and the Corporate Seal of the Township of Irvington.

MUNICIPAL CLERK *David E. Man*

DATE **MAR 27 2018**

ADMINISTRATOR ☐ ASSESSOR ☐ BLDG ☐ CFO ☐ COLLECTOR ☐ COURT ☐ EDG ☐ ENGINEER ☐ FIRE ☐ CF ☐ HEALTH ☐ HOUSING ☐ INIC ☐  
UDGE ☐ LEGAL ☐ LIBR ☐ LICEN ☐ MAYOR ☐ NPP ☐ OCDP ☒ PARKS ☐ PAYROLL ☐ PUBLIC SAFETY ☐ DIR ☐ PUBLIC WORKS ☐ PURCHASING ☐  
EC~PB/ZBA ☐ TRAFFIC ☐ ZONING~OFF ☐ DLGS ☐ GNCD ☐ OTHER(S):

Certification Of Availability of Funds

This is to certify to the of the Township of Irvington that funds for the following resolutions are available.

Resolution Date: 03/27/18  
Resolution Number: OCDP18-05236

Vendor: NISHUA01 Nishuane Group, LLC  
105 Grove St., Ste. 1  
Montclair, NJ 07042

Contract: C7-00229 Planning Consultant

Account Number	Amount	Department Description
T-18-56-860-100-001	3,775.00	TRUST/ESCROW
T-18-56-860-100-003	1,275.00	TRUST/ESCROW
Total	5,050.00	

Only amounts for the 2018 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.

  
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Chief Financial Officer



105 Grove Street, Suite 1  
Montclair, New Jersey 07042  
(973) 954-2677  
www.NishuaneGroup.com

TO: Genia Phillip, Esq.  
FROM: Michele S. Delisfort, PP, AICP  
DATE: February 20, 2017  
RE: Redevelopment & Planning Scope of Service & Fee Proposal

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#### BACKGROUND

Nishuane Group understands that Irvington Township's Planning & Economic Development Department(s) have a goal to establish efficient protocol to prepare and implement its redevelopment planning strategy. Further, we understand that the Township is in need of assistance to assemble and investigate Township owned land for interested and qualified developers. In order to accomplish this task, we understand that the department(s) must retain a Planner experienced in Redevelopment. The Planner should be proficient in the Local Redevelopment and Housing law (LRHL) and have a sound understanding of the Townships land use procedures as sited in its land use ordinance and or redevelopment plans.

In addition, we understand that the Township's land use boards (i.e. Planning Board and Zoning Board of Adjustment) are in need of licensed professional Planners to review applications scheduled to appear before the land use boards, prepare professional planner reports to assist in the Boards decision-making process and to provide expert testimony on behalf of the land use boards. This level of assistance will provide several benefits to the Township. Specifically, (i) Prevention of the delay and backlog of land use applications; (ii) Provision of technical assistance to redevelopers and applicants during the planning & zoning board process; (iii) Professional interpretation of the Townships land use and zoning ordinance, Master Plan and Redevelopment Plans to the Board members and the applicants professional team during regular and contentious cases, and (iii) Assurance that all planning and redevelopment logistics are adhered to by the Township and the applicant during the pre-submission, review and decision-making process.

#### SCOPE OF SERVICE

Nishuane Group is prepared to offer the below *scope of services* to address the needs of the Township.

#### REDEVELOPMENT PLANNING

- Prepare a feasibility analysis of select Township owned parcels in preparation for development activity; The analysis will provide the Township with an understanding of highest and best use for the select parcels and the impact that the



- proposed development will have on the surrounding area based on the existing area demographics.
- Assemble Township owned parcels in preparation for development activity.
- Prepare Area Investigation report(s) of assembled parcels.
- Conduct presentation(s) of Area Investigation(s) to Planning Board
- Upon selection of a Redeveloper, prepare redevelopment plans on site(s) deemed "In Need of Redevelopment".
- Present Redevelopment Plan(s) to the Planning Board for approval(s).
- Update redevelopment plans, as needed.
- Assure compliance with MLUL and the LRHL regulations and legislative requirements; and
- Assist the Township with the project implementation phase, as needed.

#### LAND USE PLANNING

In addition to the redevelopment services listed above, Nishuane Group is prepared to offer the following *land use planning* services to the Township's Planning Board, Zoning Board of Adjustment and Planning Department.

- Review all site plan and site plan applications scheduled to appear before the land use boards.
- Conduct site visits and photo surveys.
- Participate in site plan/developer review meetings and/or review minutes from the same.
- Research all relevant planning statutes (i.e. Municipal Land Use Law (MLUL), Local Housing and Redevelopment Law (LHRL), Master Plan, Redevelopment Plans, Land Development Ordinance, Case Law and Planning Literature).
- Prepare a Professional Planner's report for each assigned land use application.
- Attend all regularly scheduled and special land use board public meetings.
- Offer professional Planning testimony for assigned applications during land use board public hearings.
- Prepare the statutorily required Zoning Board of Adjustment Annual Report; and
- Work in concert with the Planning Director, Zoning Officer, Land Use Administrator and/or designated staff member responsible for land use planning matters.

#### STAFFING:

A total of three (3) Planners (1 licensed and certified Planning Senior Associate, 1 licensed and certified Planning Associate and 1 Junior Associate) will be assigned to work with members of the Planning & Economic Development Department(s). Additionally, the Principal of the firm, will oversee the work and deliverables of the Planners and will report directly to the Director of Planning Department and/or the Economic Development Department either verbally or in writing.

## FEE PROPOSAL

### REDEVELOPMENT PLANNING

Below is a breakdown of the Redevelopment fee. The fee reflects the rate for research, analysis and preparation of one (1) Feasibility Report, one (1) Area Investigation and (1) Redevelopment Plan in a select study area.

Description	Estimated Hours	Timeline (by week)	Fee for Service
Feasibility Study & Parcel Assemblage Recommendations (Per study)	60	4-6	\$ 9,000.00
Redevelopment Area Investigation (Per Study Area)	50	4-6	\$ 5,000.00
Redevelopment Plan (Per Study Area)	45	4-6	\$ 6,750.00
Planning Board Presentation (Includes exhibits & prep time)	10	TBD*	\$ 2,000.00
<b>TOTAL**</b>	<b>164</b>	<b>12-18</b>	<b>\$22,750.00</b>

\*Presentation timelines to the Planning Board is dependent on the municipality. The municipality will be responsible for compliance and execution of all Planning Board/LRHL/land use administration matters (i.e. Filing Planning Board application, copy and delivery of study to Planning Board members, noticing requirements, etc.)

\*\* The total estimated hours and fee for service is calculated on a "per study" basis. Additional work requested by the Township that is not included in the table above will be billed at an hourly rate of \$150.00.

### LAND USE PLANNING

The total estimated fee for Land Use Planning services is \$102,000.00 for a 12-month period. The hours identified reflect the review of six (6) land use (Zoning Board of Adjustment & Planning Board) applications per month maximum. The review includes site visits, photo surveys, mapping, site plan review with developers and professional planning testimony during land use board meetings. Please refer to the scope of service for additional land use planning services included in the total fee. NOTE: Any additional work not included in the scope of service will be billed at an hourly rate of \$150.00.

Description	Rate	Hours	Monthly	Total
Junior Planner	\$ 75.00	6	\$ 450.00	\$ 5,400.00
Associate Planner	\$125.00	20	\$2,500.00	\$30,000.00
Senior Associate	\$150.00	25	\$3,750.00	\$45,000.00
Principal	\$180.00	10	\$1,800.00	\$21,600.00
<b>TOTAL</b>		<b>61</b>	<b>\$8,500.00<sup>1</sup></b>	<b>\$102,000.00</b>

<sup>1</sup> Nishuane Group will bill at this monthly rate during an 11-month period. A retainer of \$8,500.00 is required prior to commencement of service.

### **Essential Duties and Responsibilities**

Gather and analyze data and meet with public officials, developers and community members to develop and present plans. They also need to be able to come up with answers for a community's needs now that can accommodate growth trends 20 or more years into the future. They need to perform field investigations, feasibility studies and site plan reviews.

Conduct field investigations, surveys, impact studies or other research in order to compile and analyze data on economic, social, regulatory and physical factors affecting land use.

Discuss with planning officials the purpose of land use projects such as transportation, conservation, residential, commercial, industrial, and community use.

Mediate community disputes and assist in developing alternative plans and recommendations for programs or projects.

Coordinate work with economic consultants and architects during the formulation of plans and the design of large pieces of infrastructure.

### **Educational Requirements**

**Master's degree in urban or regional planning, environmental planning, urban design, or geography**

The **American Institute of Certified Planners (AICP)** is the professional institute of the American Planning Association (APA). Membership in AICP is the nationally recognized means of attesting to an individual's professional competence and ethics in the field of planning.

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