

# McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

ATTORNEYS AT LAW  
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Township of Berkeley Heights  
29 Park Avenue  
Berkeley Heights, NJ 07922  
Attn: Mayor Robert Woodruff

Invoice Date: May 15, 2017  
Invoice No.: 962615

Re: Monthly Retainer  
Our File No.: T0349-1001

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STATEMENT FOR LEGAL SERVICES RENDERED WITH REFERENCE TO THE ABOVE CAPTIONED MATTER  
THROUGH 04/30/17

Professional Fees: 2,500.00

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TOTAL CURRENT BILLING 2,500.00

**TOTAL NOW DUE \$ 2,500.00**

RECEIVED  
MAY 17 2017

MAYOR

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| <u>Act. Date</u> | <u>Activity Description</u>                                                                                                                                                                                                                                                                                                                                                                            | <u>Atty</u> | <u>Hours</u> |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------|
| 04/03/17         | Prepare for Berkeley Heights Council Meeting. Review agenda and supporting documentation.                                                                                                                                                                                                                                                                                                              | PS          | 0.80         |
| 04/04/17         | Appear for and attend Town council meeting.                                                                                                                                                                                                                                                                                                                                                            | PS          | 5.00         |
| 04/12/17         | [OPRA] - Communicate with Ana Minkoff, Township Clerk, regarding the Township's response to an OPRA Request for documents relating to the pending land transaction with the Little Flower Church; Review of file with regard to same.                                                                                                                                                                  | JVS         | 0.70         |
| 04/12/17         | [OPRA] - Communicate with Ana Minkoff, Township Clerk, regarding the Township's response to an OPRA Request seeking copies of minutes of various executive session meetings; Review/redact minutes of the executive session meetings in response to the OPRA Request.                                                                                                                                  | JVS         | 0.80         |
| 04/14/17         | [OPRA] - Communicate with Ana Minkoff, Township Clerk, regarding the Township's response to an OPRA Request seeking copies of various police records; Research and review of New Jersey law regarding same; Review/redact police records requested.                                                                                                                                                    | JVS         | 1.30         |
| 04/17/17         | [OPRA] - Communicate with Ana Minkoff, Township Clerk, regarding the Township's response to an OPRA Request seeking copies of communications relating to the transaction with the Little Flower Church.                                                                                                                                                                                                | JVS         | 0.40         |
| 04/18/17         | Review of agenda for the Township Council regular public meeting, including all ordinances and resolutions thereon, in preparation for same; Communicate with John Bussiculo, Township Administrator, and Ana Minkoff, Township Clerk, regarding the items for discussion in executive and regular sessions; Attend regular public meeting of the Township Council at the Township Municipal Building. | JVS         | 3.20         |
| 04/18/17         | [OPRA] - Communicate with Ana Minkoff, Township Clerk, regarding the Township's response to various OPRA Requests; Research and review of New Jersey law regarding same.                                                                                                                                                                                                                               | JVS         | 0.60         |
| 04/20/17         | Legal research re. OPRA requests; review, analyze and annotate case law and statutes re. same; prepare email to J. Sordillo re. findings of same.                                                                                                                                                                                                                                                      | YZ          | 2.60         |
| 04/25/17         | [OPRA] - Communicate with Ana Minkoff, Township Clerk, regarding the Township's response to various OPRA Requests seeking voluminous copies of public records; Research and review of New Jersey law regarding same; Draft memorandum regarding the Township's response to such OPRA Requests.                                                                                                         | JVS         | 2.20         |
| 04/26/17         | [OPRA] - Revise/finalize memorandum regarding the Township's response to OPRA Requests seeking voluminous copies of public records; Communicate with Ana Minkoff, Township Clerk, regarding same.                                                                                                                                                                                                      | JVS         | 0.70         |

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Client: T0349-Berkeley Heights  
Matter: 1001-Monthly Retainer  
Billed Through: April 30, 2017

Invoice No.: 962615  
Invoice Date: May 15, 2017

| <u>Act. Date</u> | <u>Activity Description</u>                                                                                                                                                                                                                                                                                                    | <u>Atty</u> | <u>Hours</u> |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------|
| 04/27/17         | [OPRA] - Communication with Ana Minkoff, Township Clerk, regarding the Township's response to voluminous OPRA Requests and the reasonable efforts to respond to same.                                                                                                                                                          | JVS         | 0.40         |
| 04/28/17         | [OPRA] - Conference with Ana Minkoff, Township Clerk, regarding the Township's response to various OPRA Requests.                                                                                                                                                                                                              | JVS         | 0.50         |
| 04/28/17         | [OPRA] - Receipt and review of an OPRA Request submitted by Thomas Foregger seeking copies of legal bills for March 2017, along with the documents in response thereto; Review/redact legal bills for March 2017 in response to the OPRA Request; Exchange of communications with Ana Minkoff, Township Clerk, regarding same. | JVS         | 0.80         |

Professional Fees:

2,500.00

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\$ 2,500.00

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Township of Berkeley Heights  
29 Park Avenue  
Berkeley Heights, NJ 07922  
Attn: Mayor Robert Woodruff

Invoice Date: May 15, 2017  
Invoice No.: 962619  
Billing Attorney: Joseph V Sordillo

Re: Affordable Housing  
Our File No.: T0349-2000

STATEMENT FOR LEGAL SERVICES RENDERED WITH REFERENCE TO THE ABOVE CAPTIONED MATTER  
THROUGH 04/30/17

|                       |          |
|-----------------------|----------|
| Professional Fees:    | 5,082.00 |
| Disbursements:        | 63.68    |
|                       | <hr/>    |
| TOTAL CURRENT BILLING | 5,145.68 |

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|---------------|--------------------|
| TOTAL NOW DUE | <u>\$ 5,145.68</u> |
|---------------|--------------------|

RECEIVED  
MAY 17 2017  
MAYOR

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| <u>Act. Date</u> | <u>Activity Description</u>                                                                                                                                                                                                                                                                                                                                                                     | <u>Atty</u> | <u>Hours</u> | <u>Amount</u> |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------|---------------|
| 04/07/17         | [Berkeley Heights Developers] - Communicate with Township officials and professionals regarding the finalization of the Redevelopment Agreement and PILOT Agreement for the redevelopment of the prior King's property for luxury residential development and affordable housing units pursuant to the Affordable Housing Settlement Agreement; Review of proposed revisions to the Agreements. | JVS         | 0.60         | 99.00         |
| 04/07/17         | Communicate with Township officials and professionals regarding the objections filed in connection with the fairness hearing on the Township's Fair Share Plan and Housing Element of the Master Plan in connection with the Township's affordable housing compliance actions, and the litigation strategy for same.                                                                            | JVS         | 0.40         | 66.00         |
| 04/10/17         | Communicate with Township officials and professionals regarding the objections filed in connection with the fairness hearing on the Township's Fair Share Plan and Housing Element of the Master Plan in connection with the Township's affordable housing compliance actions; Review of objections.                                                                                            | JVS         | 1.10         | 181.50        |
| 04/10/17         | [Elite Properties] - Communicate with Township officials and professionals regarding the Township's response to the revised proposed residential development with inclusionary affordable housing along Springfield Avenue; Review of revised proposal.                                                                                                                                         | JVS         | 0.80         | 132.00        |
| 04/11/17         | Communicate with Township officials and professionals regarding the fairness hearing on the Township's Fair Share Plan and Housing Element of the Master Plan in connection with the Township's affordable housing compliance actions, along with the response to the objectors to same.                                                                                                        | JVS         | 0.80         | 132.00        |
| 04/11/17         | [Elite Properties] - Communicate with Township officials and professionals regarding the Township's response to the revised proposed residential development with inclusionary affordable housing along Springfield Avenue.                                                                                                                                                                     | JVS         | 0.60         | 99.00         |
| 04/12/17         | Communicate with Township officials and professionals regarding the fairness hearing on the Township's Fair Share Plan and Housing Element of the Master Plan in connection with the Township's affordable housing compliance actions, along with the response to the objectors to same.                                                                                                        | JVS         | 0.50         | 82.50         |
| 04/12/17         | [Berkeley Developers] - [Locust Ave] - Communicate with Township officials and professionals regarding the status of the finalization of the Redevelopment Agreement and PILOT Agreement in connection with the age-restricted residential redevelopment on Locust Avenue site pursuant to the Affordable Housing Development Agreement.                                                        | JVS         | 0.40         | 66.00         |
| 04/13/17         | Communicate with Township officials and professionals regarding the fairness hearing on the Township's Fair Share Plan and Housing Element of the Master Plan in connection with the Township's affordable housing compliance actions, along with the response to the objectors to same.                                                                                                        | JVS         | 0.40         | 66.00         |

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Client: T0349-Berkeley Heights  
Matter: 2000-Affordable Housing  
Billed Through: April 30, 2017

Invoice No.: 962619  
Invoice Date: May 15, 2017

| <u>Act. Date</u> | <u>Activity Description</u>                                                                                                                                                                                                                                                                                                                                                                                                   | <u>Atty</u> | <u>Hours</u> | <u>Amount</u> |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------|---------------|
| 04/13/17         | [Mill Creek Residential Trust] - Communicate with Andy Norin, Esq., attorney for Mill Creek, regarding the current revised proposed residential development, along with the inclusionary affordable housing component, for the property located at Block 703, Lot 3 & 4, 91 Lone Pine Drive, and the conference before Judge Kenney.                                                                                          | JVS         | 0.30         | 49.50         |
| 04/14/17         | [Development Fees] - Communicate with John Bussiculo, Township Administrator, regarding the application of the Township's affordable housing development fee to residential additions and reconstructions; Research and review of Township Code and New Jersey law with regard to same.                                                                                                                                       | JVS         | 1.60         | 264.00        |
| 04/16/17         | Review of case file, including all objections and pending developments, in preparation for the fairness hearing before Judge Kenny on the Township's Fair Share Plan and Housing Element of the Master Plan in connection with the Township's affordable housing compliance actions.                                                                                                                                          | JVS         | 1.40         | 231.00        |
| 04/17/17         | Attend fairness hearing before Judge Kenny on the Township's Fair Share Plan and Housing Element of the Master Plan in connection with the Township's affordable housing compliance actions; Communicate with Township officials and professionals regarding same; Communicate with objectors' attorney regarding same and the mediation of the proposed developments.                                                        | JVS         | 4.40         | 726.00        |
| 04/17/17         | [Berkeley Developers] - [Locust Ave] - Communicate with Township officials and professionals regarding the finalization of the Redevelopment Agreement and PILOT Agreement in connection with the age-restricted residential redevelopment on Locust Avenue site pursuant to the Affordable Housing Development Agreement, along with escrow related issues; Review of revisions and comments to the Redevelopment Agreement. | JVS         | 0.50         | 82.50         |
| 04/18/17         | [Mill Creek Residential Trust] - Review of case file, including the revised concept plans and proposals for the potential residential development, along with the inclusionary affordable housing component, for the property located at Block 703, Lot 3 & 4, 91 Lone Pine Drive, in preparation for discussing same with the Council; Communicate with John Bussiculo, Township Administrator, regarding same.              | JVS         | 0.60         | 99.00         |
| 04/19/17         | [Mill Creek Residential Trust] - Communicate with Andy Norin, Esq., attorney for Mill Creek, and Township officials regarding the current revised proposed residential development, along with the inclusionary affordable housing component, for the property located at Block 703, Lot 3 & 4, 91 Lone Pine Drive.                                                                                                           | JVS         | 0.50         | 82.50         |
| 04/19/17         | Attend to matters relating to the various pending redevelopment affordable housing projects, including the status of the draft redevelopment and PILOT agreements; Communicate with Township officials and professionals regarding same.                                                                                                                                                                                      | JVS         | 0.50         | 82.50         |

| <u>Act. Date</u> | <u>Activity Description</u>                                                                                                                                                                                                                                                                                                                                                                                                               | <u>Atty</u> | <u>Hours</u> | <u>Amount</u> |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------|---------------|
| 04/19/17         | [Berkeley Developers] - [Locust Ave] - Communicate with Township officials and professionals regarding finalization of the PILOT Agreement in connection with the age-restricted residential redevelopment on Locust Avenue site pursuant to the Affordable Housing Development Agreement, along with any outstanding issues with same.                                                                                                   | JVS         | 0.30         | 49.50         |
| 04/19/17         | [Berkeley Heights Developers] - Communicate with Township officials and professionals regarding proposed terms of the PILOT Agreement in connection with the redevelopment of the prior King's property for luxury residential development and affordable housing units pursuant to the Affordable Housing Settlement Agreement, along with any outstanding issues with same.                                                             | JVS         | 0.30         | 49.50         |
| 04/20/17         | [Mill Creek Residential Trust] - Communicate with Andy Norin, Esq., attorney for Mill Creek, Township officials, and the Court Special Master regarding the current revised proposed residential development, along with the inclusionary affordable housing component, for the property located at Block 703, Lot 3 & 4, 91 Lone Pine Drive, along with the mediation with the Court Special Master relating to same.                    | JVS         | 0.60         | 99.00         |
| 04/20/17         | [Lockern Property] - Communicate with Township officials and professionals and representatives of Lockern Property regarding the Planning Board's review and comments to the Redevelopment Plan for the proposed mixed-use building with inclusionary affordable housing at the prior movie theater site on Springfield Avenue pursuant to the terms of the Affordable Housing Settlement Agreement, and the Township's adoption of same. | JVS         | 0.50         | 82.50         |
| 04/21/17         | [Elite Properties] - Review of case file with regard to the proposed residential development with inclusionary affordable housing along Springfield Avenue and the pending land use application in preparation for the mediation regarding same; Attend mediation; Attend to matters post-mediation regarding same.                                                                                                                       | JVS         | 3.80         | 627.00        |
| 04/21/17         | [Mill Creek Residential Trust] - Conference with Township officials and the Court Special Master regarding the current revised proposed residential development, along with the inclusionary affordable housing component, for the property located at Block 703, Lot 3 & 4, 91 Lone Pine Drive, along with the mediation relating to same.                                                                                               | JVS         | 0.40         | 66.00         |
| 04/21/17         | Communicate with Township officials and professionals and the Court Special Master regarding review and comments to the Township's affordable housing ordinances and resolutions in connection with the Township's Fair Share Plan and Housing Element of the Master Plan in connection with the Township's affordable housing compliance actions; Review of revised draft ordinances and resolutions.                                    | JVS         | 0.80         | 132.00        |
| 04/23/17         | [Mill Creek Residential Trust] - Communicate with Township officials and professionals regarding the status of the mediation on the proposed residential development, along with the inclusionary affordable housing component, for the property located at Block 703, Lot 3 & 4, 91 Lone Pine Drive, and strategy relating to same.                                                                                                      | JVS         | 0.30         | 49.50         |