

# Exhibit A-2

## township of wayne

### Legal Department

475 Valley Road

Wayne, New Jersey 07470

Phone: (973) 694-1800, Ext. 3255

Fax: (973) 872-9498

Internet: <http://www.WayneTownship.com>

January 16, 2020

#### Via Email Only

Stephen Sinisi, Esq., Attorney for 220 Berdan Ave LLC ([firm@sinisilaw.com](mailto:firm@sinisilaw.com))

The Law Offices of Stephen P. Sinisi, Esq., LLC

Two Sears Drive, 2nd Floor

Paramus, NJ 07652

Re: 220 Berdan Avenue LLC  
Planning Board Resolution PB-2019-009

Dear Mr. Sinisi;

The Township is in receipt of your client Louay Akil's "At Risk" letter dated December 16, 2019 regarding the above-referenced matter and accepts same to the extent that the issuance of any footing and foundation permit(s) remains subject to any outstanding Township requirements for same.

Also, due to recent developments regarding the Board of Education's letter dated yesterday, January 15, 2020, the Township has decided to take over control and maintenance of the drainage facilities located within the Township-owned parcel identified as Block 3200, Lot 17. Accordingly, your client has preliminarily agreed to enter into a Developer's Agreement with the Township for maintenance and repair of same through an escrow account (amount to be determined) to be held in perpetuity with the Township.

In addition, acceptance of the "At Risk" letter is subject to your client 1) obtaining Wayne Planning Board approval for the revision/changes in this respect, if required, and 2) obtaining the necessary easement from the Municipal Council as noted in the Township Engineer's report to the Wayne Planning Board, if at all required.

Please be advised accordingly and acknowledge by return correspondence.

Sincerely,



LISA M. SCORSOLINI, ESQ.

Assistant Township Attorney

Cc: Neal Bellet, Business Administrator  
Matthew Cavaliere, Esq., Attorney for the Wayne Planning Board  
Fernando Zapata, Township Engineer  
Christopher Kok, Township Planner  
Maria Lowe, Project Manager