

## Maraziti, Falcon & Healey, LLP



We focus on redevelopment and environmental law matters. Our experience includes negotiating and drafting agreements that maximize the client's position of strength and minimize ambiguity. Our clients are often other attorneys who have us assist them as co-counsel for environmental assignments, which enables them to broaden the scope of services they can provide to their clients.

## Eikon Planning and Design, LLC

We specialize in assisting clients understand and remedy complex soil and groundwater issues quickly and aggressively. We are client advocates, first and foremost, and pride ourselves on understanding the business aspects of the project, whether it is a real estate matter, litigation support, portfolio management or regulatory compliance. We help our clients achieve their business goals.

**Maraziti, Falcon & Healey, LLP**  
150 JFK Parkway  
Short Hills, New Jersey 07078  
Phone: 973-912-9008  
Fax: 973-912-9007

MARAZITI  
& FALCON  
HEALEY  
LLP  
ATTORNEYS AT LAW

EIKON  
PLANNING  
AND  
DESIGN,  
LLC

## 10 Clever Ways to Buy/Sell Contaminated Property in 2011 with or without an LSRP

Wednesday, February 23, 2011  
7:30am to 10am

Best Western Morristown Inn  
270 South St.

Morristown, NJ (Exit 35 Rt. 287)

*Free admission/breakfast*

*RSVP Emily 973-912-6801*

*ekunz@mfhenvlaw.com*

Pending CLE Accreditation: 2 credits

For real estate attorneys and commercial realtors



We can help you handle it

## Albert I. Telsey, Esq.

Partner, Maraziti, Falcon & Healey, LLP

atelsey@mfhenvlaw.com

Albert Telsey has been practicing environmental law for 25 years. He helps real estate practitioners effectively handle their client's environmental risks associated with property/asset/stock sale; purchase; lease; mortgage; lending; bankruptcy; condemnation; foreclosure; tax/estate planning; permitting; using LSRPs/consultants; environmental cost recovery; insurance; grant/tax/credit incentives and penalty defense. Mr. Telsey has negotiated hundreds of agreements for environmental sites, recovered significant sums in cost recovery and obtained government cleanup incentives. He is a regular lecturer for the NJ Redevelopment Authority Training Institute.

## Glenn Brukardt

Eikon Planning and Design, LLC  
gbrukardt@eikonplanning.com

Glenn has been an environmental consultant in NJ for over 25 years. He has been involved with the investigation and cleanup of over 3,300 projects, including sites with complicated soil and groundwater issues. He brings a creative and cost-effective approach to environmental problem solving and a unique perspective to the LSRP process in NJ.

## Agenda

7:30am to 8:00am Registration

8:00am to 10:00am Presentation

Question/answer period afterwards

*Continental Breakfast served*



The Site Remediation Reform Act (SRRRA) and Licensed Site Remediation Professional (LSRP) Program have been under way for over a year. What have we learned? This program will take you through the new 2011 tactics of negotiating environmental provisions in property agreements with or without an LSRP from the standpoint of various stakeholders with reference to the expectations of a lender and NJDEP.

## Topics

- 1 Using your motivation, bargaining power and end goals to your best advantage
- 2 Knowing when/why seller/landlord or buyer/tenant should control cleanup and how
- 3 How to cleanup fast or slow depending on your preference
- 4 When/why/how to use/not use an LSRP
- 5 How to use pre-purchase audits and lock-in statutory liability protections
- 6 How to craft environmental representations, warranties, indemnities releases, survival clauses
- 7 Closing preconditions, lenders, insurance
- 8 Cost sharing/escrow/funding sources
- 9 Managing environmental legacies (Remedial Action Permits, Deed Notices, CEAs, biennial certifications)
- 10 Dispute resolution techniques using LSRP and not AAA

### Maraziti, Falcon & Healey, LLP

150 JFK Parkway  
Short Hills, New Jersey 07078  
Phone: 973-912-9008  
Fax: 973-912-9007  
www.mfhlaw.com

### Eikon Planning and Design, LLC

PO Box 469, 221 High Street  
Hackettstown, NJ 07840  
Phone: (908) 813-2323  
Fax: (908) 813-8360