

**PERTH AMBOY REDEVELOPMENT AGENCY
TUESDAY, FEBRUARY 7, 2012
REGULAR MEETING AGENDA**

Pursuant to the Open Public Meetings Act, please take notice that a regular public meeting of the Perth Amboy Redevelopment Agency will take place on Tuesday, February 7, 2012 at 6:00 pm in the Council Chambers of the Perth Amboy City Hall Building, at 260 High Street, Perth Amboy, New Jersey 08861. Notices of this meeting have been sent to the Home News Tribune and the Amboy Guardian and posted in the City Clerk's Office.

1. Salute to the Flag

2. Roll Call

	Present	Absent
Comm. Bolanowski	X	
Comm. Gonzalez		X
Comm. Haborak	X	
Comm. Jacobs	X	
Comm. James-Waldon		x
Comm. Jasko	X	
Chairwoman Diaz	X	

3. Bill List - The bill list in the amount of \$69,655.96.

	Move	2 nd	In favor	Opposed	Absent	Abstain
Comm. Bolanowski		x	X			
Comm. Gonzalez						
Comm. Haborak			X			
Comm. Jacobs	X		X			
Comm. James-Waldon					X	
Comm. Jasko			X			
Chairwoman Diaz						

4. Meeting Minutes from December 2012 Meeting

	Move	2 nd	In favor	Opposed	Absent	Abstain
Comm. Bolanowski			X			
Comm. Gonzalez					X	
Comm. Haborak			X			
Comm. Jacobs		X	X			
Comm. James-Waldon					X	
Comm. Jasko	X		X			
Chairwoman Diaz			X			

5. Developer's Presentation: No presentation.

6. Executive Director's Report

Resignation - Ms. van Eckert informed the commissioners that this will be her last meeting as the Director of the PARA. She has valued her time with this board and the miss everyone tremendously. Great things are happening in Perth Amboy but she has accepted a position with the County of Flagler in Florida and will begin in March.

Hampshire Property – Ms. van Eckert explained that PARA was approached by Anne Babineau, who represents the property owner. They are seeking designation of the property that VIRA Manufacturing is currently leasing. This is the site that recently added solar panels to the roof. Designation will need to be presented to the Board and an amendment to the Redevelopment Plan will be necessary to allow for the existing use to continue.

Bunzl – Ms. van Eckert reported that Bunzl is a new company that has relocated to Perth Amboy. They are on the Perth Amboy Business Park property.

2nd Street – Ms. van Eckert reported that she recently met with an engineering firm looking to relocate their corporate offices. She showed them the 2nd Street property as a possible location. Given the proximity to the rail and waterfront, they are very interested.

7. **Attorney's Report** – Mr. Maraziti reported that his information will be provided in closed session. He will be discussing the Redevelopment Agreement with Viridian is key, Landings at Harborside status, European Homes litigation and Hobart Street conditional agreement.
8. **Engineer's Report** - Mr. Herits reported he will be focused on Viridian report during closed session.
9. **Public Session** – as related to resolutions R 2:12:100 through R 2:12:104. The resolutions were read to the public. Commissioner Jacobs opened to public Commissioner Jasko seconded. All approved.

Ken Balut, Council – The Council President asked who is JBW? What was the basis for the litigation? Mr. Brewer, of MFH, explained settlement structure. The JBW is settling with European Homes by paying European Homes. Councilman Balut asked that PARA sue JBW separate and apart from this lawsuit. Attorney Brewer explained that PARA did make claims against JBW in the litigation. Mr. Brewer explained that NJ law does not allow for attorney fees to be returned. Mr. Balut recommended that this board send a letter to the attorney general's office explaining this and the Market Street project contracts and Federal crime as well as filing claim against the developer. Mayor Diaz explained that PARA did seek to have JBW held accountable for violation of the contract immediately upon learning about the violation. Mr. Brewer explained the history of the project and violations, including the claim that was started against JBW. European Homes then initiated litigation against JBW, PARA and the City. Mr. Maraziti explained that by settling the case we can allow the project to move forward and the City can receive the increased ratables as well as avoid further legal fees. We agree with Mr. Balut and attempted to insure that the project gets to move forward. His point is that the City had to spend money and we are getting nothing out of the deal. PARA agrees that it is unjust but needs to decide if this is the least imperfect solution to a very imperfect situation. This should go to the DAG's office – they let this go and should not have done so.

Commissioner Jasko asked Mr. Maraziti if there would be a benefit for PARA to send such a letter re the Market Street property. Mr. Maraziti clarified that this litigation does not involve the DAG's office. Mr. Maraziti explained that if the City is doing such a letter it would be advisable that PARA's attorney speak with Mr. Blunda. He will follow up and report back.

Billy Delgado, resident – Mr. Delgado asked if the new projects involve PILOTS or RABS? Mr. Maraziti answered is that there are no PILOTS or RABS. Mr. Delgado asked what was going to be discussed w/r/t Landings. Mr. Maraziti explained that we will be discussing the contract with the Landings that were not acceptable to PARA. The Proposal for the revised design in August 2011 brought PARA back to the table to review financial impact on the project and the assistance that Landings is looking to receive. So far, we have not been able to come to a meeting of the minds w/r/t what is best for the City. Mayor Diaz said that we are continuing to work to develop a plan that will work for the City and the development. He asked what role PARA is playing w/r/t the workmanship of the project. Mayor explained that Eric,

President of the Admiral, was before PARA at our last meeting thanking us for the assistance with the improvements. Mayor explained that our initiatives have resulted in positive results.

Eric Horn, President of the Landings Homeowners Association said the Engineers met three weeks ago and found 4 areas on the exterior. They haven't found out about the exterior. Mr. Maraziti explained that PARA does not have a legal role in the individual concerns of the existing business. That said, PARA brings home at every opportunity that they need to do right in order to have the project go forward. Nonetheless, PARA has been aggressively, unofficially been trying to help. Mr. Horn explained that he is on our side – we are all equally frustrated with the project and the desire to move things forward.

Niel Hunter, on Admiral Board – Future development and existing problems are still linked. There is much frustration. They did meet with Landings and agreed the 2 engineers will meet and inspect the building. This was done 3 weeks ago – actually visited his unit. They wanted to do outside evasive testing as part of the evaluation. They have not heard or seen the report w/r/t anything else. They had not heard about a police permit to block off the street. If it is a minor fee – they will pay it. He understands that the Board feels a moral obligation in trying to assist them. Eric was referring to Jared Kushner's comment in the paper. It was a bullying statement. Mr. Hunter restated that we cannot allow them to bully the project to have it go forward. If it's not a mutual partnership – they need to look to someone else. Mr. Maraziti stated that they need to understand that if this Board could be bullied - there would be a contract in place. The fact that there is not is a clear sign that we will not be pushed into anything less than what the City deserves. The Mayor stated that she doesn't care what the last name is; the developer needs to do what is right for the City.

Mr. Dispensarie – Admiral Building. He referenced the article that Jared Kushner's comment as well. Jared does not recognize that they have an obligation. We should not let him off the hook and require that he build what was promised at the beginning of the project. It appears that everything is his way. We should not give him a dime.

Tracy Jordan, Landings – Ms. Jordan asked who the new contact for Redevelopment Agency will be. Mayor Diaz explained that the Business Administrator or the Mayor's office will take the lead temporarily. Has there been a discussion to go after the City appraiser for the Landings project? Mayor explained that this is being evaluated. Mr. Maraziti explained that this is a City concern. Tracy read Mr. Kushner's comment from the paper. Ms. Jordan requested that PARA pass a resolution that it will not allow Landings to move forward in any way unless all construction concerns are resolved. Mr. Maraziti explained that he could not turn over that responsibility.

No others from public – Closed Open Session

10. Resolutions

R 2:12:100 Resolution of the Redevelopment Agency Authorizing Execution of Interim Redeveloper Agreement with Hobart Plaza Realty, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

	Move	2 nd	In favor	Opposed	Absent	Abstain
Comm. Bolanowski			X			
Comm. Gonzalez					X	
Comm. Haborak		X	X			
Comm. Jacobs	X		X			
Comm. James-Waldon					X	
Comm. Jasko			X			
Chairwoman Diaz			X			

R 2:12:101 Resolution of the Redevelopment Agency Authorizing the Execution of a Redeveloper Agreement with Perth Amboy 440 LLC, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1

	Move	2 nd	In favor	Opposed	Absent	Abstain
Comm. Bolanowski			X			
Comm. Gonzalez					X	
Comm. Haborak			X			
Comm. Jacobs		X	X			
Comm. James-Waldon					X	
Comm. Jasko	X		X			
Chairwoman Diaz			X			

R 2:12:102 Resolution of the Redevelopment Agency Authorizing Closed Session Pursuant to the Open Public Meetings Act to Discuss Real Estate Transactions & Contract Negotiations Amended to include Hampshire

	Move	2 nd	In favor	Opposed	Absent	Abstain
Comm. Bolanowski			X			
Comm. Gonzalez					X	
Comm. Haborak			X			
Comm. Jacobs		X	X			
Comm. James-Waldon					X	
Comm. Jasko	X		X			
Chairwoman Diaz			X			

R 2:12:103 Resolution of the Redevelopment Agency to Retain Annual Professional Services for Auditor, Attorney, Engineer, Appraiser, and Economic Advisor/Planner

	Move	2 nd	In favor	Opposed	Absent	Abstain
Comm. Bolanowski			X			
Comm. Gonzalez			X			
Comm. Haborak					X	
Comm. Jacobs	X		X			
Comm. James-Waldon					X	
Comm. Jasko		X	X			
Chairwoman Diaz			X			

R 2:12:104 Resolution Authorizing the Designation of European Homes LLC as the Designated Redeveloper of 190-192 Hall Avenue and Execution of Settlement Agreement in the Matter of European Homes, LLC v. JBW, Inc. et al

	Move	2 nd	In favor	Opposed	Absent	Abstain
Comm. Bolanowski	X		X			
Comm. Gonzalez					X	
Comm. Haborak		X	X			
Comm. Jacobs			X			
Comm. James-Waldon					X	
Comm. Jasko			X			
Chairwoman Diaz			X			

11. Public Comment – all PARA matters

	Move	2 nd	In favor	Opposed	Absent	Abstain
Comm. Bolanowski	X		X			
Comm. Jacobs			X			
Comm. James-Waldon					X	
Comm. Jasko		X	X			
Comm. Gonzalez					X	
Comm. Haborak			X			
Chairwoman Diaz			X			

Anne Babineau – Ms. Babineau stated that she appreciated opportunity to speak regarding her clients request for designation of redeveloper for the Hampshire property on the corner of High and Buckingham. Hampshire would like to take on the task. Ms. Babineau stated that they met with Helga a few months ago. She looks forward to working with the board. She wanted to make herself available. Commissioner asked if there were specific improvements that they had in mind. Ms. Babineau stated that they will be provided more detail with respect to the redeveloper agreement, possibly a new skin to the building. She also explained that they have spoken with Harbortown and Mr. Rosengarten, they are in agreement

Commissioner Jacobs made a motion to approve entering into a conditional redeveloper agreement.

MOTION OF THE PERTH AMBOY REDEVELOPMENT TO ENTER INTO AN INTERIM REDEVELOPER AGREEMENT WITH HAMPSHIRE HOLDING FOR THE PROPERTY ON THE CORNER OF HIGH AND BUCKINGHAM, ALSO KNOWN AS THE VIRA BUILDING

	Move	2 nd	In favor	Opposed	Absent	Abstain
Comm. Bolanowski			X			
Comm. Jacobs			X			
Comm. James-Waldon					X	
Comm. Jasko	X		X			
Comm. Gonzalez					X	
Comm. Haborak		X	X			
Chairwoman Diaz			X			

Commissioner Jasko made a motion to Close Public Session. Seconded by Commissioner Bolanowski. All were in favor.

Adjourn – Commissioner Haborak made a motion to adjourn. Seconded by Commissioner Jacobs, all were in favor.

Thank you

Helga van Eckert
Executive Director