

# PERTH AMBOY REDEVELOPMENT AGENCY

TUESDAY, May 7, 2013

## MEETING MINUTES

Pursuant to the Open Public Meetings Act, please take notice that a Special public meeting of the Perth Amboy Redevelopment Agency will take place on Tuesday, May 7, 2013 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, Star Ledger 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 – There was no bill list presented at the meeting.**

**4. Meeting Minutes from April 2, 2013 Meeting**

Commissioner James-Waldon informed that she was not at the meeting and will be abstaining. But since no Chair or Vice-Chair it was presented, should be added that Commissioner Gonzalez was acting as Chair-Vice Chair. With these changes the commissioner voted as follows:

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

**5. Executive Director's Report :**

**Budget for 2013:**

Mr. Fehrenbach reported on the preparation of the 2013-14 Budget for the agency. Mr. Butvilla of Suplee, Clooney & Co. assisted in the preparation of the budget. The significant elements of the budget include: carrying the remaining note of \$1.5 million following the pay-down of principle by the City; payment of interest and fees for the refinancing in January of next budget year and the asset that offsets the liability. It was also mentioned the \$50,000 of income is anticipated with the sale of 1027 State Street during the budget period.

**Delaney Homes:**

Mr. Fehrenbach reported that the City Council who had previously authorized this site to be in a redevelopment area has introduced an ordinance, based on work done by the City Engineer in cooperation with Mr. Herits, establishing a redevelopment zone for the area. He also reported that a resolution referring the matter to the Planning Board for consideration had also been adopted. Mr. Maraziti prepared a resolution of support for the council action if the Commissioners were interested. This was not on the agenda.

A discussion ensued in which clarifications were sought by Commissioners and determination was made that the Commissioners did not wish to take a position on the matter until it had been acted on by the Planning Board and the City Council.

**500 High Street LLC:**

Mr. Fehrenbach pointed out the status information contained in the packet regarding this matter from Mr. Rios and Mr. Rauch. Final approval has been granted, but regulators are awaiting completion of conditions to be satisfied.

**Landings at Harborside**

Mr. Fehrenbach reported on a meeting to resolve the outstanding public improvements on the portion of phase 1 that has been built. City representatives agreed that the most reasonable method to resolve the issue is to truncate the improvements for the area built, complete these to the satisfaction of the City Engineer and City Council and to then release the performance guarantee with the remainder of the work to be performed under a new bond.

Part of the reason for this action is the partial releases recommended by the prior engineer and the actual release of a large portion of the site improvements by a former City Council.

**6. Developer's Presentation:**

**502 Smith Street** – Jason Tuvel, Esq. has informed that his firm Gibbons PC is glad that they are moving forward with the project. 7 Eleven is looking to have the resolution passed. They would be redeveloping the site that has not been used for some time. 7 Eleven proposed around 2,000 square feet with new landscaping and reduced impervious surfaces. They were approved by the planning board on October 3 and on December 5 they received the conditional approval from the County. They have submitted the required response to the planning board. They reviewed the memo from PARA that there might be a traffic concern.

Robert Freud from In Site Engineering presented the commissioners with a copy of the survey. He explained the existing building and asphalt will be removed. A new building will be construction with a loading dock. The entrance has been moved as far as possible from the intersection. A corner landscape will be done. One of the amenities on site will be sufficient lighting with greater energy efficient LEDs in addition, the building will have a more modern look.

Elizabeth Dolan with Dolan & Dean Consulting Engineers informed the commissioners that during the traffic study they looked into the peak hours. The morning hours when people are on their way to work is their rush hour. 7 Eleven thrives off the traffic therefore the traffic on Smith Street is crucial for them.

**7. Attorney's Report**

**502 Smith Street** – Mr. Maraziti informed the commissioners that he has further reviewed the documentation and has had conversations with their attorney regarding this project. Mr. Maraziti also informed that they have come to a proposal for consideration and in the meeting packet there is a resolution to enter into a conditional designation and interim cost agreement in order to proceed with negotiation of a redevelopment agreement with 7 Eleven Corporation. Mr. Maraziti has identified in the interim cost agreement the need to address traffic issues.

**8. Engineer's Report** – Mr. Herits informed the commissioners of the following:

**Delany Homes** – Mr. Feist and Mr. Herits have been reviewing the plans for this project and have requested some changes.

**7 Eleven** - Mr. Herits will be reviewing the traffic study with PARA approval.

**Eport** - Mr. Herits informed the commissioners that Viridian has commenced the work on the site.

9. **Public Session** – As related to resolutions R 05:13:133 to R 05:13:135. The resolutions were read to the public. Commissioner Gonzalez opened the public portion. Commissioner Haborak seconded the motion. All approved.

**Tracy Jordan** – Resident at 368 Rector Street had a question regarding the topic of what the physical boundary of phase 1 is. Mr. Fehrenbach explained that the area is larger than the area that is currently developed.

Ms. Jordan requested more examples of the catch basin that were not created. Mr. Herits explained what a catch basin is.

Ms. Jordan asked about the damages to the area since Hurricane Sandy. Mr. Fehrenbach stated that the Sandy damages are part of the overall improvements to the property. And the report that Mr. Fehrenbach submitted (punch list) is a more extensive detail of the responsibilities of the Landings.

Ms. Jordan asked if this is the first time the Landings redevelopment plan has been amended. Mr. Maraziti explained that the agreement has been amended not the plan. PARA can amend the agreement by resolution.

**Daniel San Pietro** – Resident at 358 Rector Street questioned who is responsible for the public safety, for example if one of the kids get hurt on the seawall. Mr. Maraziti informed that whether the City is responsible or not the issue of safety should be addressed for other humanistic reasons.

Mr. San Pietro asked if the Seawall was on the punch list. Mr. Fehrenbach stated that it was on the punch list that was created by the engineer.

On a separate agenda item, there was an election at the Admiral and Mr. San Pietro is the president and is trying to put things together. He would like to advise the board that if they are able to attend the meeting in June.

**Neil Hunter** – Resident of 358 Rector Street questioned what was the advantage of the Council giving authorization to reduce the grantee? Mr. Maraziti informed that the City does not have a choice to release the performance bond and it is a requirement by law.

Is there recourse for the Landings residents due to Hurricane Sandy? Mr. Maraziti informed that he does not know but there could be, but there is a breach of contract with PARA. Mr. Maraziti informed that there has to be a review of the documents and there might be recourse.

**Kristin Despanziro** – Resident of 358 Rector Street is requesting that PARA be conscientious of timeline.

No one else from the public commented on the resolutions. Commissioner Gonzalez moved to close the public portion. Commissioner Bolanowski seconded the motion. All approved.

10. **Resolutions**

**R 05:13:133** – Resolution of the Perth Amboy Redevelopment Agency Approving 2013 Authority Budget

	Move	2 <sup>nd</sup>	In favor	Opposed	Absent	Abstain
Comm. Bolanowski			X			
Comm. Gonzalez	X		X			
Comm. Haborak		x	X			
Comm. Jacobs			X			
Comm. James-Waldon			X			
Comm. Jasko			X			

Chairwoman Diaz			x			
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**R05:13:134** Resolution Authorizing the Execution of a conditional designation and Interim Cost Agreement with 7 Eleven, Inc. including provisions for an escrow deposit to defray the costs of the Perth Amboy Redevelopment Agency in the Negotiations of the Redevelopment Agreement

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

**R05:13:135** Resolution Authorizing Closed Session Pursuant to the Open Public meeting act to Discuss Attorney Client Privilege.

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

**11. Public Comment** – all PARA matters

- A-** Motion to open to public comment on all concerns: Commissioner Gonzalez moved the motion. Commissioner Bolanowski seconded. All in favor.

**Tracy Jordan** -358 Rector Street – The old office for the Landings has large graffiti on the wall and there is still a lot of mud inside the building, and there are a lot of Biological changes in the building for example mold.

Ms. Jordan asked how PARA interacts with the waterfront committee. Mr. Jacobs responded that the Committee will make certain recommendations to council and PARA. Mr. Fehrenbach stated that the initial report asked for \$24M in improvements. Since the City does not have this amount, the staff will be spending a good deal of time and effort to implement as much of that report as possible.

- B-** Motion to close the public comment on all concerns: Chairwoman Diaz moved the motion, Commissioner Bolanowski seconded. All in favor.

Commissioner Bolanowski requested that a resolution be done commending Commissioner James-Waldon for her services to the PARA board. Commissioner Bolanowski moved the motion, Commissioner Jasko seconded all in favor.

**12. Motion to Adjourn** - Commissioner Gonzalez moved and Commissioner Bolanowski seconded the motion to adjourn. All voted in favor of adjourning the meeting.

**Thank you**

Mildred Ramos

Interim Board Recording Secretary