

Redevelopment Agency

Meeting

Thursday, May 19, 2022

7:00 p.m.

Zoom Virtual Meeting

ID: 885 9987 0725

Password: 1212

Commissioners Present: Arthur Soto, Ruth Perez, Peter Ceden Castro, Angel Torres and Kimberly Perez*

**Present at 7:20 p.m, during VI Presentation*

Commissioners Absent: Chaim Munk, David Spector

Staff Present: Ricardo Fernandez/Executive Director, Brian Hak, Redevelopment Attorney, Joe Buga/Project Manager; Sonal Patel, Secretary

Proper Notice: Adequate notice of the meeting was provided by notice to the Herald & News and Bergen Record, and by posting on the City Clerk's bulletin board specifying the time, zoom link and known agenda

I. Roll Call

II. Pledge of Allegiance

III. Public Session

No members of the public present

IV. Minutes of the meeting of February 10, 2022

Moved: Angel Torres

Second: Peter Ceden Castro

For: 4 **Against:** 0 **Abstain:** 0 **Not Present:** 3

- V. The bill list for May 19, 2022 in the amount of \$18,519.13 was reviewed and approved.

Moved: Ruth Perez
Second: Angel Torres
For: 4 Against: 0 Abstain: 0 Not Present: 3

VI. PRESENTATION

South Street Apartment LLC Presenting 125 South Street

VII. RESOLUTIONS

RESOLUTION NUMBER 22-09

Resolution De-Designating Contempo Acquisitions, LLC as the Redeveloper for Property located at 125 South Street, Block 1030, Lot 23

WHEREAS, Contempo Acquisitions, LLC (hereinafter referred to as “Contempo”) is the owner of property located at 125 South Street, Block 1030, Lot 23 (hereinafter referred to as the “Property”), which is located within the boundaries of the City of Passaic (hereinafter referred to as the “City”) in an area that has been designated by the City as an area in need of redevelopment, which Property is included in a duly adopted Redevelopment Plan of the City (hereinafter referred to as the “Redevelopment Plan”); and,

WHEREAS, by Resolution Number 14-11, adopted on January 29, 2014, the Passaic Redevelopment Agency (hereinafter referred to as the “Agency”) designated Contempo as the Redeveloper of the Property; and,

WHEREAS, the Property is currently developed with an existing vacant furniture warehouse building; and,

WHEREAS, Contempo has failed to meet the various milestones associated with its Redeveloper designation; and,

WHEREAS, Contempo has entered into a contract to sell the Property to another developer who submitted a redevelopment proposal to the Agency for the Property for uses in conformity with the Redevelopment Plan; and,

WHEREAS, it is in the best interest of the City and the Agency to encourage the redevelopment of the Property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Passaic Redevelopment Agency that:

Redevelopment Agency Meeting Minutes

May 19, 2022

Page #3

1. The above recitations are incorporated herein as if set forth at length; and,
2. Contempo Acquisitions, LLC is hereby de-designated and removed as the Redeveloper for the

Property; and,

BE IT FURTHER RESOLVED that the Chairman, Vice Chairman and/or Secretary of the Agency are hereby authorized to execute any and all documents necessary to effectuate this Resolution subject to review and approval of the Agency’s General Counsel and Executive Director.

INTRODUCED BY: Angel Torres

SECONDED BY: Kimberly Perez

	For	Against	Abstain	Absent
Chair Arthur Soto	X			
Vice Chair David Spector				X
Commissioner Peter Cedeno-Castro	X			
Commissioner Chaim Munk				X
Commissioner Kimberly Perez	X			
Commissioner Ruth Perez	X			
Commissioner Angel Torres	X			

Adopted on May 19, 2022

PASSAIC REDEVELOPMENT AGENCY

ORIGINAL SIGNATURE ON FILE

Ricardo Fernandez, Executive Director

RESOLUTION NUMBER 22-10

Resolution Designating South Street Apartments, LLC as the Redeveloper for Property located at 125 South Street, Passaic, New Jersey, Block 1030, Lot 23 and Authorizing an Interim Costs Agreement

WHEREAS, South Street Apartments, LLC (hereinafter referred to as the “Redeveloper”) is the contract purchaser of property located at 125 South Street in the City of Passaic, Block 1030, Lot 23 (hereinafter referred to as the “Property”), which is located within the boundaries of the City of Passaic (hereinafter referred to as the “City”) in

Redevelopment Agency Meeting Minutes

May 19, 2022

Page #4

an area that has been designated by the City as an area in need of redevelopment by City Council Resolution on February 2, 2004.

WHEREAS, by Ordinance Number 2337-22 adopted on April 12, 2022, the City Council approved a Rehabilitation/Redevelopment Plan for the property (hereinafter referred to as the “Plan”); and,

WHEREAS, the Redeveloper submitted a redevelopment proposal on or about May 6, 2022 (hereinafter referred to as the “Proposal”) to the City of Passaic Redevelopment Agency (hereinafter referred to as the “Agency”) for the Property for uses in conformity with the Plan (as amended if applicable); and,

WHEREAS, the Redeveloper proposes to construct a new three hundred and fifty-one (351) unit apartment building on the Property (hereinafter referred to as the “Project”); and,

WHEREAS, a committee of the Agency’s Board of Commissioners has reviewed the Proposal and found same to be generally consistent with the intent of and uses set forth in the Plan (as amended if applicable); and,

WHEREAS, the Redeveloper shall comply with the Plan and/or shall apply to the Planning Board for all necessary variances, approvals, and/or permits as may be required under the Plan and/or or may seek an amendment of the Plan by request to the Agency and the City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Passaic Redevelopment Agency that:

1. The above recitations are incorporated herein as if set forth at length; and,
2. South Street Apartments, LLC is hereby designated as the Redeveloper for the redevelopment of the Property; and,
3. This designation is expressly contingent upon amendment, if necessary, to the Plan and/or variances and approvals from the Planning Board; and,
4. This designation is expressly contingent upon the Redeveloper being responsible for and assuming all costs incurred by the Agency, including, but not limited to legal, appraisal, title, environmental, financial, engineering, etc.; and,

Redevelopment Agency Meeting Minutes

May 19, 2022

Page #5

5. This designation is also expressly contingent upon the Redeveloper providing all funds for the acquisition, relocation, property maintenance and demolition, if necessary, at the Property and construction of the proposed Project; and,

6. This designation is also based upon the Agency's financial due diligence into the Redeveloper, including the Redeveloper providing the Agency with a non-refundable Application fee of Ten Thousand Dollars (\$10,000.00) and the Redeveloper providing the Agency all of the necessary financial documentation necessary to perform a full financial evaluation and that the Redeveloper is financially qualified to undertake this Project to the satisfaction of the Agency and its professionals; and,

7. This designation is also expressly contingent upon payment by the Redeveloper to the Agency of an Escrow, under the terms of the Interim Costs Agreement, in the amount of Twenty Thousand Dollars (\$20,000.00), such escrow fee to be paid within thirty (30) calendar days of the execution of this Resolution; and,

8. This designation is also expressly contingent upon payment by the Redeveloper to the Agency of a one (1) time non-refundable Administrative Fee of Fifteen Thousand Dollars (\$15,000.00) to be paid within thirty (30) calendar days of the execution this Resolution; and,

9. The Interim Costs Agreement between the Agency and the Redeveloper is approved for signature by the Agency, subject to the final approval of the Agency's General Counsel and Executive Director; and,

10. Once the Interim Costs Agreement is approved and payments are made by the Redeveloper as required hereunder, the parties will commence the negotiation of a redevelopment agreement, which is subject to review and approval by the Agency and its professionals; and,

11. The designation herein is for a period of one hundred eighty-days (180) calendar days, which period may be extended if necessary at the sole discretion of the Agency's Executive Director for an additional period of one hundred eighty (180) calendar days.

BE IT FURTHER RESOLVED that the Executive Director of the Agency is hereby authorized to execute any and all documents necessary to effectuate this Resolution subject to review and approval of the Agency's General Counsel.

INTRODUCED BY: Ruth Perez

SECONDED BY: Peter Cedenno Castro

	For	Against	Abstain	Absent
Chair Arthur Soto	X			
Vice Chair David Spector				X
Commissioner Peter Cedenno-Castro	X			
Commissioner Chaim Munk				X
Commissioner Kimberly Perez	X			
Commissioner Ruth Perez	X			
Commissioner Angel Torres	X			

Adopted on May 19, 2022

PASSAIC REDEVELOPMENT AGENCY

ORIGINAL SIGNATURE ON FILE
Ricardo Fernandez, Executive Director

VIII. CLOSED SESSION

No Closed Session Items

IX. UPDATES BY EXECUTIVE DIRECTOR RICARDO FERNANDEZ

- Wendy's and Taco Bell have made great progress and currently hiring local residents
- The major railyard / Wall Street Project is moving along.
- 2 Market Street has made tremendous progress, 95% completed.
- 18-20 Van Houten is also moving along.
- 217 Brook has been filling up the commercial parts of the site; hopefully they will get started on the residential side of the site
- Main Ave Redevelopment Plan has been submitted to the state in order to get additional funding.
- 711 Main has its footings and foundation in now.
- Working on getting the appropriate funding for the parking deck on State Street
- We have started the Residential parking permits on Main Avenue to help alleviate the lack of parking situation
- Developer assisting the city by creating a Police Substation on Passaic and 5th for added security

XI. ADJOURNMENT

Moved: Peter Cedeno Castro
Second: Angel Torres
For: 5 Against: 0 Abstain: 0 Not Present: 2

Respectfully Submitted,

SONAL PATEL

Sonal Patel

Secretary