

MEETING OF THE
HARRISON REDEVELOPMENT AGENCY
TOWN OF HARRISON

AUGUST 29, 2022
1:00 P.M.

AGENDA

MEETING – via ZOOM

1:00 P.M. – CALL TO ORDER/SUNSHINE NOTICE

PLEDGE OF ALLEGIANCE

ROLL CALL

- APPROVAL OF THE MINUTES OF 7-25-2022
- RESOLUTION APPROVING THE BILL LIST
- RESOLUTION AUTHORIZING THE EXECUTION OF A CERTIFICATE OF COMPLETION FOR HARRISON BUILDING 4 URBAN RENEWAL, LLC (BLOCK 99, LOT 4.01))

PUBLIC COMMENT

ADJOURN

MINUTES
HARRISON REDEVELOPMENT AGENCY MEETING
Via ZOOM
1:00 p.m.
July 25, 2022

PUBLIC STATEMENT

Adequate notice of this meeting was sent to two newspapers and was posted on the bulletin board in compliance with the Open Public Meetings Act.

Chairman James Fife, presiding.

Chairman Fife called the meeting to order at 1:38 p.m. The Pledge of Allegiance was recited and the roll was called.

HRA COMMISSIONERS	PRESENT	ABSENT
James Fife, Chair	✓	
Anthony Comprelli, Vice Chair		✓
Robert Gerris	✓	
Judith Listwan	✓	
Raymond Lucas		✓
Miguel Simoes		✓
Harold Stahl	✓	

Also Present: Elena Gable, Planner, Heyer, Gruel & Associates; Stuart R. Lederer, Eastone Equities LLC; Paul J. Zarbetski, Town Clerk/Attorney; HRA; Mary Cushing, HRA.

The first item of business was approval of the minutes for the meeting of May 23, 2022. A motion to approve the minutes was made by Commissioner Stahl and seconded by Commissioner Gerris. A roll call followed with Commissioner Listwan abstaining and all other commissioners present voting aye. The motion was carried.

A motion was then made by Commissioner Stahl to approve bills for payment submitted by Chairman Fife (Resolution No. 1-7-2022). Commissioner Gerris seconded the motion, and a roll call followed with all commissioners present voting aye. The motion was carried.

Before meeting today, Eastone Equities had asked that deadlines for their project be extended yet again. At this meeting, Stuart Lederer of Eastone Equities asked that both deadlines be extended by one month from previously agreed upon target dates. Lederer explained that they needed a resolution from the HRA documenting that Eastone was in compliance with all agreements before their lender would release funds. Lederer estimated that two to three months' work needed to be completed on Building D.

The HRA commissioners agreed to extend the deadline for completion of Building D and the deadline for commencement of Phase II to October 31, 2022 and February 28, 2023, respectively. Commissioner Gerris made a motion to approve Resolution No. 2-7-2022 approving the fifth extension of deadlines for the redevelopment of property at 600 Rodgers Blvd. South (Block 133, Lots 1.03, 1.05, 1.06 and 1.07). Commissioner Stahl seconded the motion, and a roll call followed with all commissioners present voting aye. The motion was carried.

Then, Elena Gable of Heyer, Gruel, the agency planner, gave a brief overview of plans for the Cape May Street Park. Once the plans are approved by the HRA and the Planning Board, the Town will put the project out for bid.

Commissioner Stahl made a motion to approve Resolution No. 3-7-2022 conceptually approving the Town's plan for the Cape May Street Park. Commissioner Gerris seconded the motion, and a roll call followed with all commissioners present voting aye. The motion was carried.

There being no requests from the public to address the commissioners, a motion to adjourn was made by Commissioner Gerris and seconded by Commissioner Stahl. The vote to adjourn was unanimous, and the meeting was adjourned at 1:58 p.m.

Respectfully submitted,

Gregory Kowalski, Executive Director

HARRISON REDEVELOPMENT AGENCY

RESOLUTION APPROVING BILL LIST

RESOLUTION NO. 1-8-2022

BE IT RESOLVED by the Harrison Redevelopment Agency that the following bills are hereby approved for payment:

A. Castano Quigley Cherami - Legal

1. # 1058	333 Somerset Street	Jul 31, 2022	\$ 805.00
2. # 1059	Accordia Harrison	Jul 31, 2022	\$ 317.50
3. # 1060	Cape May Street Park	Jul 31, 2022	\$ 243.75

B. Heyer, Gruel & Associates - Planning

1. # 38872	Cape May Street Park	Jul 31, 2022	\$ 3,821.25
2. # 38872	BRG Harrison Lofts	Jul 31, 2022	\$ 345.00
3. # 38873	Cape May Street Park	Jul 31, 2022	\$ 2,413.75

C. The payroll for the month of August is hereby approved.

ADOPTED: August 29, 2022

RECORDED VOTE

COMMISSIONERS	Moved	Seconded	Yes	No	Abstain	Absent
James Fife, Chair						
Anthony Comprelli, Vice Chair						
Robert Gerris						
Judith Listwan						
Raymond Lucas						
Miguel Simoes						
Harold Stahl						

I certify that the above Resolution was adopted by the Harrison Redevelopment Agency on August 29, 2022.

Gregory P. Kowalski
Executive Director

HARRISON REDEVELOPMENT AGENCY

**RESOLUTION AUTHORIZING THE EXECUTION OF A CERTIFICATE OF COMPLETION
FOR HARRISON BUILDING 4 URBAN RENEWAL, LLC
(BLOCK 99, LOT 4.01)**

RESOLUTION NO. ___-8-2022

WHEREAS, the Agency and CJUF II Harrison Holdings, LLC, successor to Harrison Commons, executed a Redevelopment Agreement dated as of June 30, 2008 (the “Redevelopment Agreement”) for properties within the redevelopment area; and

WHEREAS, the Redevelopment Agreement was recorded on July 29, 2008, in the Hudson County Register’s Office in Deed Book 8573, Page 118; and

WHEREAS, through a series of assignments Harrison Building 4 Urban Renewal LLC, an affiliate of CJUF II Harrison Holdings, LLC (“Redeveloper”) has constructed a residential project (with related retail and parking) commonly known as the “Building 4” on Block 99, Lot 4.01; and

WHEREAS, the Redevelopment Agreement provides for the issuance of the Certificate of Completion which would signify that all work related to the residential project has been substantially completed, acquired and/or installed in accordance with the Redevelopment Agreement; and

WHEREAS, the Agency wishes to authorize the execution of the Certificate of Completion for Block 99, Lot 4.01 subject to payment by the Redeveloper of all fees due from Redeveloper to the Agency or the Town.

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

1. The Chairman is authorized to execute the Certificate of Completion for Block 99, Lot 4.01 in the form attached hereto with any amendments deemed appropriate by the Chairman or Counsel to the Agency or Town.
2. Prior to execution and issuance by the Agency of the Certificate of Completion, the Redeveloper shall make a total payment of \$385,000 (less any amount previously paid) towards its required public art/open space contribution, with a final reconciliation to be made upon receipt of the audited statement of construction costs in accordance with paragraph 23(c) of the Development Agreement dated November 14, 2019.
3. The Chairman is authorized to execute any other documents needed to effectuate the purpose of this Resolution.

ADOPTED: August 29, 2022

RECORDED VOTE

COMMISSIONERS	Moved	Seconded	Yes	No	Abstain	Absent
James Fife, Chair						
Anthony Comprelli, Vice Chair						
Robert Gerris						
Judith Listwan						
Raymond Lucas						
Miguel Simoes						
Harold Stahl						

I certify that the above Resolution was adopted by the Harrison Redevelopment Agency on August 29, 2022.

Gregory P. Kowalski
Executive Director

CERTIFICATE OF COMPLETION
Block 99, Lot 4.01
Town of Harrison (the “Property”)

(Record in Mortgage Book)

This Certificate of Completion (this “**Certificate**”) is made this ____ day of _____, 2022 by the HARRISON REDEVELOPMENT AGENCY (the “**Agency**”), a public body corporate and politic of the State of New Jersey having its offices at 318 Harrison Avenue, Harrison, New Jersey 07029, in its capacity as redevelopment entity pursuant to *N.J.S.A. 40A:12A-4(c)*.

W I T N E S S E T H

WHEREAS, the Town of Harrison (the “Town”) acting pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40:A12A, *et seq.*, (the “Act”) and following the procedures set forth therein, has: (i) declared certain designated areas of the Town (the “Redevelopment Area”) to be in need of redevelopment as that term is used in the statute; and (ii) adopted the Harrison Waterfront Redevelopment Plan dated November, 1998 (as revised and as thereafter amended, the “Redevelopment Plan”) to govern the redevelopment and improvement of the Redevelopment Area; and

WHEREAS, the Agency was created by the Town as the redevelopment entity for redevelopment projects located in the Redevelopment Area; and

WHEREAS, the Agency and CJUF II Harrison Holdings, LLC, successor to Harrison Commons, executed a Redevelopment Agreement dated as of June 30, 2008 (the “Redevelopment Agreement”) which Redevelopment Agreement was recorded on July 29, 2008, in the Hudson County Register’s Office in Deed Book 8573, Page 118; and

WHEREAS, a portion of the Redevelopment Agreement was assigned to Harrison Building 4 Urban Renewal, LLC, for construction of a residential project including related parking and retail (the “Project”) on property designated as Block 99, Lot 4.01 (the “Property”); and

WHEREAS, the Redevelopment Agreement provides for the issuance of the Certificate of Completion which would signify that all work related to the Project has been Substantially Completed in accordance with the Redevelopment Agreement; and

WHEREAS, the Agency has determined that the Redeveloper has substantially completed the Project on the Property so as to warrant the issuance of a Certificate of Completion in accordance with the provisions of the Redeveloper Agreement, subject to payment by Redeveloper of all fees due to the Agency and/or Town.

NOW THEREFORE, IT IS HEREBY CERTIFIED by the undersigned as follows:

Section 1. Defined terms not otherwise defined herein shall have the respective meanings ascribed to such terms in the Redeveloper Agreement.

Section 2. In accordance with the Redevelopment Agreement, the Agency hereby acknowledges and agrees that all work related to the Project has been Substantially Completed, acquired and/or installed in accordance with the Redevelopment Agreement.

Section 3. This Certificate shall not constitute evidence of compliance with or satisfaction of any obligation of the Redeveloper to any holder of a mortgage, or any insurer of a mortgage securing money loaned to finance construction work on the Property, or any part thereof.

Section 4. All executory terms and conditions of the Agreement and all representations and covenants contained therein shall remain in force and effect and the issuance of this Certificate shall not be construed as a waiver by the Agency of any of its rights and remedies pursuant to such executory terms.

Section 5. Nothing herein shall relieve the Redeveloper of any of the following obligations, all of which shall survive the issuance of this Certificate of Completion: (1) the obligation to complete any construction required to obtain final Certificates of Occupancy for all components of the Project; (2) the obligation to pay or reimburse to the Agency all costs incurred by the Agency pursuant to the Redevelopment Agreement in connection with Project; (3) the obligation to satisfy all remaining conditions of any governmental approvals issued for the Project, including the obligation to fund or contribute to any offsite improvements, affordable housing and/or the public art/open space requirements of the Redevelopment Plan; (4) the obligation to make continued payments to the Town under the Financial Agreement' and (5) the obligation to make affordable housing payments; and (6) the obligation to make public art/open space payments.

IN WITNESS WHEREOF, the undersigned has caused this Certificate of Completion to be executed as of the ____ day of _____, 2022.

WITNESS:

HARRISON REDEVELOPMENT AGENCY

By: _____

By: _____

James A. Fife, Chairman

Record and Return to:

Peter Miller, Esq.
Greenberg Traurig, LLP
200 Park Avenue
New York, NY 10166

