

NBHA RESOLUTION 2020 - 1/22 # 1
ACING AS REDEVELOPMENT AGENCY

**RESOLUTION approving Redevelopment Agreement between the
Redevelopment Agency and Somerset Urban Renewal, L.L.C. (“SUR” or
“Redeveloper”) and approving Guaranty Agreement with AST Development
Corporation for the construction of a multi-story medical office building in
the French Prospect Redevelopment Area**

WHEREAS, the Housing Authority of the City of New Brunswick, acting as the City of New Brunswick Redevelopment Agency (“Redevelopment Agency”), pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-21, may exercise all powers, duties and functions relating to redevelopment in the manner of a redevelopment entity under the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 to 49, which powers include contracting with redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work under N.J.S.A. 40A:12A-8.f; and

WHEREAS, the City Council of the City of New Brunswick has adopted a Redevelopment Plan (“Redevelopment Plan”) for the French Prospect Redevelopment Area (“Redevelopment Area”), as amended, which Redevelopment Area includes Lot 1.05 in Block 28 as shown and designated on the official Tax Map of the City of New Brunswick, the Project Site being bordered by Somerset, Plum and Prospect Streets (“Project Site”); and

WHEREAS, by Resolution 2006-6/28 #75, the Redevelopment Agency approved the formation of French Street Urban Renewal Corporation (“FSURC”) as an urban renewal entity affiliated with AST Development Corporation and the assignment to FSURC of AST Development Corporation’s (“AST”) redevelopment designation and the rights and obligations of AST pursuant to Redevelopment Agency; and

WHEREAS, by Resolution 2006-7/26 #91, the Redevelopment Agency approved a modification of a Concept Plan to provide for a parking garage and medical office building on Lots 1.03 and 1.04 in Block 28 (“Phase I”) of the Project and a mixed-use residential/commercial project (“Phase II”) of the Project on Lot 1.05 in Block 28; and

WHEREAS, FSURC constructed Phase I of the Project, which included the parking garage and medical office building but due to economic and other issues was unable to complete Phase II of the Project (mixed-use commercial and residential) on Lot 1.05 in Block 28; and

WHEREAS, FSURC has requested to be dedesignated as Redeveloper for Phase II of the Project Site and the Redevelopment Agency has approved the dedesignation by NBHA Resolution 2019-12/18#48; and

WHEREAS, AST has requested to be designated Redeveloper of the Phase II Project on Lot 1.05 in Block 28 which will consist of a multi-story 228,000± square foot medical

office building with an estimated cost of One Hundred Sixty (\$160,000,000) Million (“Phase II Project” or “Project”); and

WHEREAS, AST submitted evidence of their development experience and financial strength and a letter indicating that Provident Bank would finance 75% of the construction of Phase II (\$120,000,000) and AST will provide the remaining 25% (\$40,000,000) in equity; and

WHEREAS, AST estimates that the Project will commence by September of 2020 and be completed within 24 months thereafter; and

WHEREAS, AST submitted a Concept Plan prepared by Jarmel Kizel showing an architectural rendering of the Project and Plans showing the location of the Project on the Site and over a portion of Plum Street (**Exhibit “A”**); and

WHEREAS, based upon AST’s submissions and its appearance before the Commissioners, the Redevelopment Agency by Resolution 2019-12/18 #48 designated AST, or an affiliated urban renewal entity created by AST for the purpose of developing the Project, as redeveloper of the Phase II Project Site, for purposes of constructing a mutli-story 228,000± square foot medical office building; and

WHEREAS, AST created Somerset Urban Renewal, L.L.C. (“SUR”)an affiliated urban renewal entity and assigned the Redeveloper designation and the right to enter into the Redevelopment Agreement with the Redevelopment Agency to SUR; and

WHEREAS, Special Redevelopment Counsel for the Redevelopment Agency has prepared and negotiated with Somerset Urban Renewal, L.L.C. a proposed Redevelopment Agreement, a form of which is attached to this Resolution, setting forth the terms and conditions by which Redeveloper will carry out the Project; and

WHEREAS, Special Redevelopment Counsel has prepared and negotiated a Guaranty Agreement with AST Development Corporation, a form of which is attached to this Resolution; and

WHEREAS, the Commissioners of the Redevelopment Agency have considered the proposed form of Redevelopment Agreement and Guaranty Agreement and find that they further the Redevelopment Agency’s interest in carrying out the Redevelopment Plan and are consistent with the public purposes set forth in the Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED by the Housing Authority of the City of New Brunswick, acting as Redevelopment Agency, that

1. The proposed form of Redevelopment Agreement is approved in substantially the form attached hereto.
2. The proposed form of the Guaranty Agreement with AST Development Corporation is approved in substantially the form attached hereto.

3. The Chairperson, Vice Chairperson, or Second Vice Chairperson is authorized to execute the Redevelopment Agreement in substantially the form attached hereto, along with any other documents and/or agreements necessary to implement the Redevelopment Agreement in accordance with the Redevelopment Plan.

5. This Resolution shall take effect immediately.



Commissioner



JOHN CLARKE, Executive Director
And Secretary to the Board

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the French Prospect Redevelopment Area**

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
MEDINA-HERNANDEZ					✓	
CALDWELL		✓	✓			
WOLDE			✓			
JONES	✓		✓			
DUNLAP			✓			
WRIGHT			✓			
CHAIRMAN GIORGIANNI					✓	

NBHA RESOLUTION 2020 - 1/22 # 2

Resolution Ratifying, Authorizing and Approving Payment of Bills for the Month of December 2019

WHEREAS, the Housing Authority of the City of New Brunswick (including any successors or assigns, the "Housing Authority"), was duly created as an agency and instrumentality of the municipality of the State (the "Local Unit") in which such Housing Authority is located, and has been continued as a housing authority pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State, and the acts amendatory thereof and supplemental thereto (*N.J.S.A. 40A:12A-1 et seq.*) (the "Local Housing Law");

WHEREAS, the Executive Director and Finance Administrator certify that the amounts and payment contained herein are correct and accurate to the best of their knowledge and they are in compliance with all applicable Housing Authority Procurement Policy and HUD No.24CFR 85.3G.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick hereby ratifies, approves and directs that the Executive Director and/or Finance Administrator to process and pay the following bills for the month of December 2019:

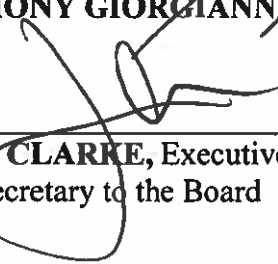
AUGUST BILLS

<u>Description</u>	<u>Amount</u>
Section 8 Payments	\$ 819,972.96
Payroll	89,504.82
Accounts Payable	60,527.40
Capital Fund	147,089.93
Local General	1,050.00

Passed on this 22nd day of January, 2020 (See attached Vote Box)



ANTHONY GIORGIANNI, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2020 - 1/22 # 2

**Resolution Ratifying, Authorizing and Approving Payment of Bills for the
Month of December, 2020**

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
MEDINA-HERNANDEZ			✓			
CALDWELL		✓	✓			
WOLDE			✓			
JONES	✓		✓			
DUNLAP			✓			
WRIGHT			✓			
CHAIRMAN GIORGIANNI			✓			

NBHA RESOLUTION 2020 - 1/22 # 3

Resolution Approving the Purchase of Security Camera Equipment for the AMP1 Property from Grainger through NJ State Contract 19-Fleet-00566 in the amount of \$60,000.00

WHEREAS, the Housing Authority of the City of New Brunswick (including any successors or assigns, the "Housing Authority"), was duly created as an agency and instrumentality of the municipality of the State (the "Local Unit") in which such Housing Authority is located, and has been continued as a housing authority pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State, and the acts amendatory thereof and supplemental thereto (*N.J.S.A. 40A:12A-1 et seq.*) (the "Local Housing Law");

WHEREAS, the Housing Authority is in need of additional security equipment and repairs and replacement equipment for the AMP 1 property and has received some initial quotes for some items (see attached) but will need additional items over the next 90 days to replace other broken and/or outdated items; and

WHEREAS, the Housing Authority's 5 Year and Annual Plan calls for improvements and updates to the Housing Authority security system; and

WHEREAS, funds for the purchase of this equipment are available in the Housing Authority's CFP 2019 budget and AMP 1 Operating budgets; and

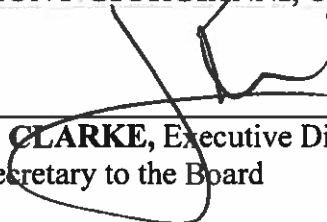
WHEREAS, this contract is awarded pursuant to a fair and open process as defined by NJSA 19:44A-20.5 through NJ State Contract 19-Fleet-00566.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick does hereby approve the purchase of security cameras and equipment from Grainger through NJ State Contract 19-Fleet-00566 in an amount not to exceed \$60,000.00.

Passed on this 22nd day of January, 2020 (See attached Vote Box)



ANTHONY GIORGIANNI, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2020 - 1/22 # 3

Resolution Approving the Purchase of Security Camera Equipment for the AMP1 Property from Grainger through NJ State Contract 19-Fleet-00566 in the amount of \$60,000.00

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
MEDINA-HERNANDEZ			✓			
CALDWELL			✓			
WOLDE	✓		✓			
JONES			✓			
DUNLAP			✓			
WRIGHT			✓			
CHAIRMAN GIORGIANNI		✓	✓			

NBHA RESOLUTION 2020 - 1/22 # 4

**Resolution Appointing John Clarke as Public Agency Compliance Officer for
the Housing Authority of the City of New Brunswick**

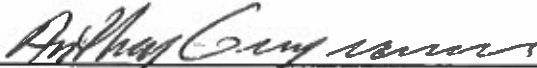
WHEREAS, the Housing Authority of the City of New Brunswick (including any successors or assigns, the "Housing Authority"), was duly created as an agency and instrumentality of the municipality of the State (the "Local Unit") in which such Housing Authority is located, and has been continued as a housing authority pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State, and the acts amendatory thereof and supplemental thereto (*N.J.S.A. 40A:12A-1 et seq.*) (the "Local Housing Law");

WHEREAS, the Housing Authority of the City of New Brunswick as a public agency is required by law to designate a Public Agency Compliance Officer (P.A.C.O.) annually in accordance with N.J.A.C. 17:27-3.2.; and

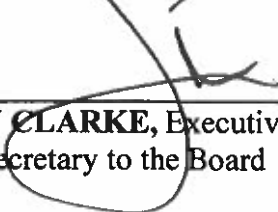
WHEREAS, John Clarke is the Executive Director of the agency and is the most qualified individual employee to be able to serve in this capacity;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick does hereby appoints John Clarke to serve as its Public Agency Compliance Officer (P.A.C.O.) until further notice.

Passed on this 22nd day of January, 2020 (See attached Vote Box)



ANTHONY GIORGIANNI, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2020 - 1/22 # 4

**Resolution Appointing John Clarke as Public Agency Compliance Officer for
the Housing Authority of the City of New Brunswick**

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
MEDINA-HERNANDEZ			✓			
CALDWELL			✓			
WOLDE			✓			
JONES	✓		✓			
DUNLAP			✓			
WRIGHT			✓			
CHAIRMAN GIORGIANNI		✓	✓			