

BOARD RESOLUTIONS SUMMARY LIST

NBHA RESOLUTION 2020 - 5/27 # 19

ACTING AS REDEVELOPMENT AGENCY

Resolution approving Amended and Restated Redevelopment Agreement including a Concept Plan between New Brunswick – Jersey Urban Renewal, L.L.C. (“NB-JUR”) and Housing Authority of the City of New Brunswick acting as the Redevelopment Agency (“Redevelopment Agency”) for development in Jersey Handy Redevelopment Area and approving the Release of Redeveloper from redeveloping portion of the site and Terminating the Redevelopment Agreement dated September 25, 2019 and the terms and conditions set forth therein.

NBHA RESOLUTION 2020 - 5/27 # 20

Resolution Authorizing and Approving Payments of Bills for the Month of May 2020

NBHA RESOLUTION 2020 - 5/27 # 21

Resolution Authorizing and Approving the State of New Jersey Budget and HUD Budget for All Programs and Operations of the Housing Authority of the City of New Brunswick for FYE 6/30/21

NBHA RESOLUTION 2020 - 5/27 # 22

Resolution Approving the Late Submission of the Housing Authority of the City of New Brunswick’s Budget for FYE 6/30/21

NBHA RESOLUTION 2020 - 5/27 # 23

Resolution Authorizing and Approving a Consent to Assignment of HAP Contract as Security for FNMA Financing for Providence Square

NBHA RESOLUTION 2020 - 5/27 # 19
ACTING AS REDEVELOPMENT AGENCY

RESOLUTION approving Amended and Restated Redevelopment Agreement including a Concept Plan between New Brunswick – Jersey Urban Renewal, L.L.C. (“NB-JUR”) and Housing Authority of the City of New Brunswick acting as the Redevelopment Agency (“Redevelopment Agency”) for development in Jersey Handy Redevelopment Area and approving the Release of Redeveloper from redeveloping portion of the site and Terminating the Redevelopment Agreement dated September 25, 2019 and the terms and conditions set forth therein.

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 of New Brunswick (“City Council”) has approved a redevelopment plan for the Jersey Handy Redevelopment Area (“Redevelopment Plan”), which includes certain lands roughly bounded by Handy Street, Jersey Avenue, the Amtrak Northeast Corridor rail line, and Sanford Street, as shown on Map 1 of the Redevelopment Plan (the “Redevelopment Area”); and

WHEREAS, New Brunswick-Jersey Urban Renewal, LLC (“NB-JUR” or “Redeveloper”) has previously been designated as Redeveloper for a portion of the Redevelopment Area, which property is known as Block 185.01, Lot 11.01 and general bounded

by Handy Street, Jersey Avenue, Delevan Street and the Amtrak Northeast Corridor Rail Line ("Redevelopment Site"); and

WHEREAS, Redeveloper pursuant to such designation constructed a one story commercial building consisting of 14,490 square feet upon which a Walgreens Drug Store is located; a one story commercial building site consisting of 3,500 square feet upon which there is an existing bank building and a one story building consisting of 16,000 square feet upon which there is an existing retail building (the above known as "Phase I" of the Redevelopment Project); and

WHEREAS, in connection with Phase I, the Redeveloper entered into a Redevelopment Agreement dated December 2001 as amended by an Amendment to Redevelopment Agreement dated December 1, 2004 and further replaced by the Redevelopment Agreement dated September 25, 2019 (collectively, the "**Original Redevelopment Agreement**"); and

WHEREAS, the Redeveloper revised and Redevelopment Agency approved the Phase II Plan for a mixed/use development consisting of a 3,000 square foot commercial building ; a 7,800 square foot commercial building to be used as a flex warehouse; a five story 112,500 square foot office building , a four story 192 unit residential building and a three story, 420 parking space parking structure, all as shown on the Concept Plan entitled "Brunswick Towne Center" ("Revised Phase II Concept Plan"); and

WHEREAS, the Board of Education of New Brunswick ("Board of Education") has identified a portion of the Redevelopment site as shown on Exhibit A of the Redevelopment Agreement as the proposed site for a new elementary school ("School Site"); and

WHEREAS, the School Site will be conveyed to the Board of Education and as a result thereof the Redevelopment Site has been substantially reduced; and

WHEREAS, Redeveloper has agreed to relinquish its rights to construct the mixed-use development shown on the Revised Phase II Concept Plan; and

WHEREAS, Developer has requested that the existing Redevelopment Agreement dated September 25, 2019 be terminated and the terms and conditions be deemed to be of no further force and effect in return for entering into an Amended and Restated Redevelopment Agreement; and

WHEREAS, Developer counsel has submitted a revised concept plan ("Phase III Concept Plan") entitled "Concept Plan – Brunswick Town Center" consisting of a 3,000 square foot commercial building to be used as a fast food restaurant or other retail use and a 7,800 commercial building to be used as a flex warehouse (collectively, the "**Phase III Project**") which buildings were also a part of the Revised Phase II Concept Plan; and

WHEREAS, the Redeveloper or related entities own the land where the Revised Phase III Project will be constructed; and

WHEREAS, Redeveloper has submitted information to the Redevelopment Agency pursuant to Section 5, subsection (b)(1) of the Redevelopment Plan and the Redevelopment Agency has reviewed this information, which consists of documentation evidencing financial responsibility and capability on the part of the members of Redeveloper with respect to the proposed development; estimated development costs; estimated time scheduled for start and completion of development; Phase III Concept Plan; and relevant information for the design and construction of the Phase III Project; and

WHEREAS, based upon a review of the submitted information and the presentation made by Redeveloper at a public meeting including the answering of any questions by the Commissioners and the public, the Redevelopment Agency has found the documentation and presentation to be acceptable and in conformity with the requirements of Section 5 of the Redevelopment Plan and, therefore, determined to designate New Brunswick-Jersey Urban Renewal, LLC as the redeveloper of Revised Phase III of the Project, pursuant to Section 5 of the Redevelopment Plan and to approve the Revised Phase III Concept Plan; and

WHEREAS, Special Redevelopment Counsel for the Redevelopment Agency has prepared and negotiated with Redeveloper a proposed Amended and Restated Redevelopment Agreement, a form of which is attached to this Resolution, setting forth the terms and conditions by which Redeveloper will carry out the Phase III Project; and

WHEREAS, the Commissioners of the Redevelopment Agency have considered the Redeveloper's request to relinquish its rights to construct the mixed-use development shown on the Revised Phase II Concept Plan and that the Original Redevelopment Agreement be terminated and its terms and conditions be deemed null and void and further considered the proposed form of the Amended and Restated Redevelopment Agreement and Revised Phase III Concept Plan and find that the Amended and Restated Redevelopment Agreement and the Phase III Concept Plan furthers 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 School Site shall be removed from the Project Site as said Site is shown on Exhibit A to the Redevelopment Agreement.
2. It accepts the Redeveloper's request to relinquish its rights to construct the

mixed-use development shown on the Revised Phase II Concept Plan.

3. The Redevelopment Agreement dated September 25, 2019 relating to a mixed-use development as show on the Concept Plain (Revised Phase II) is deemed terminated and its terms and conditions are deemed null and void.

4. The new Phase III Concept Plan (Exhibit B to the Redevelopment Agreement) and the proposed form of the Amended and Restated Redevelopment Agreement are approved in substantially the form attached hereto.


5. The Chairperson or, in the Chair's absence, the 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 Amended and Restated Redevelopment Agreement in accordance with the Redevelopment Plan.

6. This Resolution shall take effect immediately.

Passed on this 27th day of May, 2020 (See attached Vote Box)



YESENIA MEDINA HERNANDEZ, Vice Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2020 - 5/27 # 19
ACTING AS REDEVELOPMENT AGENCY

RESOLUTION approving Amended and Restated Redevelopment Agreement including a Concept Plan between New Brunswick – Jersey Urban Renewal, L.L.C. (“NB-JUR”) and Housing Authority of the City of New Brunswick acting as the Redevelopment Agency (“Redevelopment Agency”) for development in Jersey Handy Redevelopment Area and approving the Release of Redeveloper from redeveloping portion of the site and Terminating the Redevelopment Agreement dated September 25, 2019 and the terms and conditions set forth therein.

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

NBHA RESOLUTION 2020 - 5/27 # 20

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

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 May 2020:

<u>Description</u>	<u>Amount</u>
Section 8 Payments	\$ 855,416.91
Payroll	\$ 81,470.89
Accounts Payable	\$312,490.16
Capital Fund	\$107,184.55
Local General	\$ 13,710.53

Passed on this 27th day of May, 2020 (See attached Vote Box)


YESENIA MEDINA HERNANDEZ, Vice Chair


JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2020 - 5/27 # 20

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

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

NBHA RESOLUTION 2020 – 5/27 # 21

Resolution Authorizing and Approving the State of New Jersey Budget and HUD Budget for All Programs and Operations of the Housing Authority of the City of New Brunswick for FYE 6/30/21

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, Asset Management requires implementation of long term capital planning and allocations, regular review of financial information and physical stock, implementation of property management performance standards, setting ceiling and flat rents, site based budget, budget tracking requirements, implementation of cash management, long term viability of the property projections, property repositioning and replacement strategies; and

WHEREAS, the New Brunswick Housing Authority (NBHA) has worked with the Fee Accountant to complete the conversion to Project-Based Accounting and Project-Based Asset Management and we are recommending consideration by the Board of Commissioners in accordance with U.S. Department of HUD’s requirements; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick hereby authorizes and approves unit budgets the State of New Jersey Budget and HUD Budget.


BE IT FURTHER RESOLVES that the Board of Commissioner of the Housing Authority of the City of New Brunswick hereby approves all budgets, salary schedule and payments for all AMPs, COCC, Section 8-HCV and General Redevelopment Operation and Programs FYE 6/30/21 and further approves distribution of payments outlined within these budgets.

BE IT FURTHER RESOLVES that the Board of Commissioner of the Housing Authority of the City of New Brunswick hereby approves the submission of the State of New Jersey Budget and certifies and approves submission to the U.S. Department of Housing and Urban Development (HUD).

Passed on this 27th day of May, 2020 (See attached Vote Box)



YESENIA MEDINA-HERNANDEZ, Vice Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2020 – 5/27 # 21

Resolution Authorizing and Approving the State of New Jersey Budget and HUD Budget for All Programs and Operations of the Housing Authority of the City of New Brunswick for FYE 6/30/21

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

NBHA RESOLUTION 2020 – 5/27 # 22

**Resolution Approving the Late Submission of the Housing
Authority of the City of New Brunswick's Budget**

WHEREAS, New Jersey State Law requires that a Public Housing Authority submit its budget to the New Jersey Department of Community Affairs sixty (60) days prior to the start of its fiscal year; and

WHEREAS, N.J.A.C. 5:31 requires that a Housing Authority adopt a late budget resolution should it not adhere to the 60 day requirement; and

WHEREAS, the Housing Authority of the City of New Brunswick (Authority) did not submit its budget prior to the 60 day requirement for the follow reason:

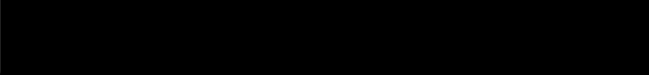
Due to the ongoing pandemic the Housing Authority was not able to meet the submission deadlines required by the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the City of New Brunswick hereby approves and adopts this resolution to submit the late budget in accordance with N.J.A.C. 5:31.

Passed on this 27th day of May, 2020 (See attached Vote Box)



YESENIA MEDINA-HERNANDEZ, Vice Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2020- 5/27 # 22

Resolution Approving the Late Submission of the Housing Authority of the City of New Brunswick's Budget

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

**Resolution Approving and Authorizing a Consent to Assignment of
HAP Contract as Security for FNMA Financing for Providence
Square**

WHEREAS, the Housing Authority of the City of New Brunswick (hereinafter “Housing Authority”), a public entity organized and existing pursuant to the Code of Federal Regulations, the Department of Housing and Urban Development (“HUD”), and the laws of the State of New Jersey, has determined that it is in need of assigning its HAP contract as security for the receipt of Federal National Mortgage Association (“FNMA”) financing;

WHEREAS, specifically, Providence Square Urban Renewal Associates, L.P. (“Owner”), as Owner of the Housing Authority’s Providence Square Project located at 217 Somerset Street, New Brunswick, NJ 08901 (“Project”) has informed the Housing Authority that it wishes to refinance the Project; and

WHEREAS, as security for the Project refinancing, the Owner has asked the Housing Authority to consent to the assignment of the Project’s HAP Contract to the lender; and

WHEREAS, the Owner has further requested the Housing Authority to consent that the lender may assign its security interest in the HAP Contract to Fannie Mae; and

WHEREAS, in accordance with the above, the Board of Commissioners has found that it is in the best interest of the Housing Authority and its overall goal of providing quality, affordable housing to low-income individuals to approve and authorize the Authority to consent to the assignment of the HAP Contract as security for FNMA financing and to further consent to the lender’s assignment of its security interest in the HAP Contract to Fannie Mae;

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Housing Authority of the City of New Brunswick hereby approves and authorizes the Housing Authority to consent to the assignment of the HAP Contract for the Providence Square Project as security for FNMA financing; and

BE IT FURTHER RESOLVED, that the Housing Authority consents to the lender’s assignment of its security interest in the HAP Contract to Fannie Mae; and

BE IT FURTHER RESOLVED, that the Executive Director of the Housing Authority of the City of New Brunswick is hereby authorized to take any administrative actions necessary to effectuate the terms of this Resolution, including, but not limited to, the execution of the Consent to Assignment of HAP Contract as Security for FNMA Financing.

Passed on this 27th day of May, 2020 (See attached Vote Box)



YESENIA MEDINA, HERNANDEZ, Vice Chairperson


JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2020 – 5/27 #23**Resolution Approving and Authorizing a Consent to Assignment of
HAP Contract as Security for FNMA Financing for Providence
Square**

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