

NBHA RESOLUTION 2022 - 6/29 # 21

Acting as Redevelopment Agency

Resolution Approving RTF NB Urban Renewal, LLC as Redeveloper for property known as Block 710, Lots 7.02, 7.03 and 7.04 and Block 707.01, Lot 35.13 on the New Brunswick Tax Map for the construction of a residential and commercial project located in the Sears Redevelopment Plan 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:12-4 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 the Redeveloper for the planning, replanning, construction or undertaking of any project or redevelopment work under N.J.S.A. 40A:12A-8f; and

WHEREAS, the City of New Brunswick (“City Council”) has approved a redevelopment plan for the Sears site (“Redevelopment Plan”), which includes property located on Route 1, which parcel consists of Block 710, Lots 7.02, 7.03 and 7.04 and Block 707.01, Lot 35.13 (“Redevelopment Plan Area”), which Redevelopment Plan was amended by Ordinance O-042205, adopted by the City Council on May 4, 2022 and effective on May 24, 2022; and

WHEREAS, RTF NB Urban Renewal, LLC (“Redeveloper”) has made an application to be designated Redeveloper for the Redevelopment Plan Area; and

WHEREAS, the Redeveloper is in a joint venture between an affiliate of the current land owner, Transformco Holdings, and an affiliate of Russo Development, LLC, and the Redeveloper has a contract to take title to the Property by December 1, 2022 and has the land owner’s approval to make the application in the Redevelopment Plan Area; and

WHEREAS, the Redeveloper proposes to construct a mixed-use development with (1) 530 rental apartments, approximately 18,000 s.f. of indoor amenities (i.e. fitness center, lounges, culinary kitchen, etc.) and approximately 20,319 s.f. of retail with outdoor amenities including a pool, dog run, lounging areas and passive recreation spaces and a buffer area; (2) one single retail building with approximately 23,256 s.f. with approximately 185 dedicated parking spaces; and (3) approximately 190 for sale town house units and a retail pad of approximately 3,556 s.f. with a potential drive-thru and parking (“Redevelopment Project”); and

WHEREAS, the Redeveloper proposes to construct the mixed-use project in phases as follows:

- Phase IA: A mixed-use building with approximately 268 residential units, approximately 18,000 s.f. of indoor amenities and retail space of approximately 9,186 square feet;
- Phase 1B: 190 for sale stacked townhouses built in 2 to 4 sub-phases;
- Phase II: A mixed use building with approximately 262 residential units with amenities and approximately 11,000 s.f. of retail space and a new retail pad of approximately 3,556+ square feet with a potential drive-thru; and

- Phase III: A stand-alone retail building of approximately 23,000 square feet which is designed to accommodate a grocer and/or other permitted retail uses

WHEREAS, the Redeveloper by letter and application has requested that it be appointed Redeveloper of the Redevelopment Plan Area pursuant to Section 11 of the Redevelopment Plan, which requires that a Redeveloper submit the following information and materials to the Redevelopment Agency:

- Preliminary plans sufficient in scope to demonstrate compliance with the design standards and guidelines of the Redevelopment Plan;
- Documentation evidencing the financial responsibility and capability of the proposed Redeveloper to carry out the proposed redevelopment project including comparable projects completed; financing plan and ownership interest;
- Estimated total development cost for the proposed redevelopment project; and
- Estimated timetable for the start and completion of development.

WHEREAS, the Redeveloper submitted a Concept Plan prepared by the Redeveloper consisting of an overall site plan, and floor plans entitled "Proposed Mixed Use-Development – Sears Site – Route 1, New Brunswick" ("Concept Plan:"); and

WHEREAS, the Redeveloper is a joint venture between Russo Development, LLC and Transformco Holdings and Redeveloper presented evidence of the financial ability of Russo Development, LLC to complete the redevelopment project and evidence of construction of major residential and mixed-use developments by Russo Development, LLC in Union, N.J.; Kearney, N.J.; Garwood, N.J.; Hackensack, N.J.; Woodbridge, N.J.; Rockaway, N.J.; Orange, N.J.; Newark, N.J.; and East Hanover, N.J.; and

WHEREAS, Redeveloper estimates that the development cost is \$207 Million and vertical construction of the project will start by November 1, 2023 and be completed by December 31, 2027; and

WHEREAS, based upon a review of the submitted information and the presentation made by the Redeveloper at public meetings held on April 27, 2022 and June 29, 2022, including the answering of any questions by the Commissioners and the public, the Redevelopment Agency has found that the documentation and presentation to be acceptable and in conformity with the requirements of Section 11 of the Redevelopment Plan therefore, determining that it is appropriate to designate RTF NB Urban Renewal, LLC as the Redeveloper of the redevelopment project pursuant to Section 11 of the Redevelopment Plan; and

WHEREAS, the Redeveloper's attorney and the Agency's Special Counsel have negotiated a Redevelopment Agreement between the Redeveloper and the Agency and a Guaranty Agreement between the Guarantor and Agency, copies of which are annexed hereto.

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

1. RTF NB Urban Renewal, LLC is designated as Redeveloper for the mixed-use project described in the Preamble of the Resolution on the Sears Redevelopment Plan Area subject:

2. The Redevelopment Agreement between the Housing Authority and RTF NB Urban Renewal, LLC and the Guaranty Agreement between Russo Development, LLC and the Agency are approved in substantially the form attached hereto; and

3. This Resolution shall take effect immediately.

Passed on this 29th day of June 2022 (See attached Vote Box)

YESENIA MEDINA

JOHN CLARKE, Ex
And Secretary to the B

No signature

Vote box

only

NBHA RESOLUTION 2022 - 6/29 # 21**Acting as Redevelopment Agency**

Resolution Approving RTF NB Urban Renewal, LLC as Redeveloper for property known as Block 710, Lots 7.02, 7.03 and 7.04 and Block 707.01, Lot 35.13 on the New Brunswick Tax Map for the construction of a residential and commercial project located in the Sears Redevelopment Plan Area

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

**NEW BRUNSWICK HOUSING AUTHORITY**

7 Van Dyke Avenue
New Brunswick, New Jersey 08901
732-745-5157
www.newbrunswickhousing.org

"Working Together, We Can Make a Better Future"

RESOLUTION # 2022- 6/29 #22**BY THE HOUSING AUTHORITY OF THE CITY OF NEW BRUNSWICK BE IT RESOLVED**

that the following cash disbursements have been drawn on the Housing Authority of the City of New Brunswick's Accounts for the following Program(s), Project(s), Activity(ies), and is/are hereby ratified and approved;

<u>DATE</u>		<u>AMOUNT</u>
May 2022	Public Housing	\$ 291,362.14
May 2022	Capital Fund	\$ 100,337.75
May 2022	Payroll	\$ 111,912.72
May 2022	Redevelopment	\$ 82,331.08
May 2022	HCV/Section 8	\$ 1,084,954.67

This is to certify that the cash disbursements for the New Brunswick Housing and Redevelopment Authority contained herein have been made in accordance with the Housing and Urban Development Procurement Policy, No. 24CFR 85.3G. I further certify to the best of my knowledge and belief the expenditures reported on the attached are correct.

[Redacted Signature]
John Clarke, Executive Director

[Redacted Signature]
Helaine Sadowitz, Director of Administration

COMMISSIONERS

Yesenia Medina-Hernandez
Zachary Wright | Wallace Dunlap
Dale Caldwell | Yirgu Wolde
Anthony Giorgianni | Barbara Cepeda

EXECUTIVE DIRECTOR

John Clarke, P.H.M.



EQUAL HOUSING EQUAL EMPLOYMENT OPPORTUNITY

NBHA RESOLUTION 2022 - 6/29 # 22

Resolution Ratifying, Authorizing and Approving Payment of Bills for the Month of May 2022

Passed on this 29th day of May 2022 (See attached Vote Box)

[REDACTED]

YESENIA MEDINA-HERNANDEZ, Chairperson

[REDACTED]

JOHN CLARKE, Executive Director
And Secretary to the Board

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

NBHA RESOLUTION 2022 – 6/29 # 23

Resolution Ratifying, Authorizing and Approving the Write-off of Certain Rent in the Total Amount of \$50,654.03 Deemed to be uncollectable by Staff and Personnel of 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, certain rents as set forth on the Rent Write-Offs for July 2021 through June 2022 totaling \$50,876.03 have been determined to be uncollectable according to the methods and procedures for collection available to the staff and personnel of the Housing Authority of the City of New Brunswick; and

WHEREAS, such uncollectable rents have occurred due to tenants who have died, evictions of tenants from Housing Authority dwelling for non-payment of rent (or for discovered unreported income) and/or tenants who have vacated dwellings without notice; and

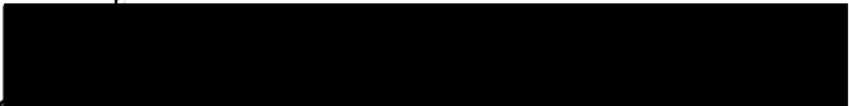
WHEREAS, pursuant to acceptable accounting procedures, it is necessary and proper to write off such rent as uncollectable; and

WHEREAS, notwithstanding the aforesaid necessity for writing off these rents as uncollectable, efforts will continue through agencies, the courts, and other source outside of the Housing Authority to collect these rents on behalf of the Housing Authority,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick that certain rents, as set forth on the attached Rent Write-offs for July 2021 through June 2022 totaling \$50,654.03 and the same are hereby authorized to be written off as uncollectable by the staff and personnel of the Housing Authority of the City of New Brunswick.

Passed on this 29th day of June, 2022 (See attached Vote Box)


YESENIA MEDINA-HERNANDEZ, Chairperson


JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2022 – 6/29 # 23

**Resolution Ratifying, Authorizing and Approving the Write-off of Certain
Rent in the Total Amount of \$50,654.03 Deemed to be uncollectable by Staff
and Personnel of the Housing Authority of the City of New Brunswick**

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