

GARFIELD REDEVELOPMENT AGENCY
CITY OF GARFIELD
COUNTY OF BERGEN

SPECIAL MEETING :
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Tuesday, August 23, 2016
Council Chambers
111 Outwater Lane
Garfield, New Jersey
Commencing 6:30 p.m.

B E F O R E :

ARTHUR ROTIO, COMMISSIONER
PETER AMADIO, COMMISSIONER
ARTHUR ANDREANO, CHAIRMAN
ERNEST ROSOLEN, VICE-CHAIRMAN, absent
JOSEPH DELANEY, COMMISSIONER, absent
FRANK PUZIO, COMMISSIONER
RAYMOND SIMIONE, COMMISSIONER, absent
THOMAS J. DUCH, EXECUTIVE DIRECTOR/SECRETARY

FRANK REGAN, ESQ., AGENCY ATTORNEY
PATRICIA ESPOSITO, ASS'T SECRETARY

BETH CALDERONE & ASSOCIATES
77 Ottawa Avenue
Hasbrouck Heights, New Jersey 07604
(201) 288-0277

REPORTED BY: DONNA LYNN J. ARNOLD, C.C.R.

agency for being here this evening. We have to do the
open public meetings.

CHAIRMAN ANDREANO: No.

MR. DUCH: Okay. I would like to thank

the members of the agency for coming out today. I am
happy to report that the Mayor and Council have
requested that City Attorney John Lavin, myself and
the City Engineer were back with Mr. Demetrakis who is
the principal in H. P. Garfield, the former Garden
Staste Paper site. The agency had negotiated
originally that Mr. Demetrakis would construct the new
police station. Based on bidding laws and the need to
hire at prevailing wage, et cetera, and after
consultation with Mr. Lavin and with Mr. Regan we have
successfully negotiated with Mr. Demetrakis a revision
to the agreement.

The agreement now provides that Mr. Demetrakis
will provide a \$2,000,000 contribution up front to the
City of Garfield. In the event the property is sold
during the next two years, at the time of closing we
will receive \$800,000 as the balance. So we would
have received from the developer a total contribution
of 2.8 million dollars.

The police station bond has already been floated
by the Mayor and Council. It was included in this

CHAIRMAN ANDREANO: The time, date and
place of this meeting has been provided at least 48
hours in advance in accordance with the Open Public
Meetings Act statute, one by publication in the Herald
News and The Record both of which are papers of City
of Garfield; two by the posting of the notice on the
Community bulletin board in the municipal building and
by filing a copy of the notice with the City Clerk.

Please stand for the flag salute.

(Flag Salute)

Roll call.

MR. DUCH: Commissioner Delaney, absent.

Commissioner Puzio.

COMMISSIONER PUZIO: Here.

MR. DUCH: Commissioner Simone, absent.

Commissioner Rotio.

COMMISSIONER ROTIO: Here.

MR. DUCH: Commissioner Rosolen, absent.

Commissioner Amadio.

COMMISSIONER AMADIO: Here.

MR. DUCH: Commissioner Andreano --
Chairman Andreano.

CHAIRMAN ANDREANO: Here.

MR. DUCH: All right. We do have a
quorum. I would like to thank the members of the

year's budget and that bond was in the amount of
\$7,000,000 for the construction of the station. So,
the developer will be making a substantial
contribution ultimately to the new police station.

That agreement also provides that in the event
the H. P. Garfield Group keeps the two apartment
buildings that in one year from the date that this was
all finalized, in one year, on the one year
anniversary of getting the \$2,000,000 we will then get
\$200,000 and on the two year anniversary we would get
the balance of \$600,000. So, again, we would get the
2.8 million dollars.

In terms of holding security all that was
negotiated with Mr. Lavin. What we did in order to
prepare the Mayor and Council passed a resolution
approving the amendment to the agreement. There were
negotiations back and forth. I will tell you that
initially we did not want, the developer did not want
the pay 2.8 million dollars but he did rise up to the
occasion after a couple meetings.

Mr. Lavin and I actually went to his office
directly and we made the changes to the agreement on
the laptop with him right there so that we could agree
on the spot.

So the Mayor and Council authorized the signing

1 of that agreement by me on behalf of the City. We're
2 looking tonight for the agency to authorize the
3 signing of the agreement by the Chairman.

4 So, essentially, while the agreement itself, the
5 original agreement did indicate that the developer
6 would provide some \$3,000,000 plus in value to us that
7 value included construction, supervision services.

8 So there was a lot of debate about what that
9 value should be.

10 The Mayor and Council gave us a bottom line.
11 The bottom line was that they wanted to see 2.8
12 million dollars and that was successfully negotiated.

13 So I like it better because it gives the City
14 the control of the construction of the project. I
15 envision it will run very similar to the way we did
16 the river front redevelopment. That is we did recent
17 construction on-site. Minutes were kept.

18 You know, every week there was a follow-up so I
19 anticipate that we will do the same thing with the
20 police station.

21 We are continuing to work on the temporary
22 location of the police station. There is a commercial
23 building in the City that came up late last week.

24 I have met with the broker who is handling that.
25 I have had a number of conversations.

1 Initially the Mayor and Council approved the
2 construction of kind of a trailer park type office
3 facility at the Old No. 2 school playground, that the
4 No. 2 school used to be located at Palisade Avenue.
5 That would require us to share parking space with the
6 Lutheran church. There were considerable sessions
7 about the possibility of constructing the police
8 station at that site.

9 Captain Kovach, the officer in charge, did make
10 a suggestion that if we built the building there and
11 raised it up we would be able to accommodate
12 additional parking underneath. The architect figured
13 that that would cost approximately \$500,000 to do
14 that. That would give us another 24 parking spaces
15 under the building so the site would then accommodate
16 about 90 parking spaces.

17 So it was a good idea, it was a good plan. It
18 was soundly rejected by the Mayor and Council. So we
19 went back to the drawing board and we were going to
20 locate them there temporarily.

21 Captain Kovach has been on the lookout. He and
22 I had looked at commercial buildings earlier. We went
23 to Central Bergen. We went across the street to see
24 if we could go right in that building.

25 So we've been, we've been hunting and we have a

1 very good prospect, unanimous agreement by the
2 governing body on the possible site. So I would
3 report back to you on that at the next meeting.

4 But the purpose of our meeting here tonight is
5 to ask you to follow suit as the Mayor and Council did
6 with the second amendment to the redevelopment
7 agreement.

8 Now I did forward it to Mr. Regan. I will ask
9 Mr. Regan was to reach out to Mr. Lavin and maybe you
10 can report to the Commission, the agency on the one
11 change that you have made to the agency and why.

12 MR. REGAN: I think the only change made
13 to the agreement wasn't a substance change. For
14 whatever reason the original agreement on the first,
15 even the first one didn't include the City as a named
16 party. The second one didn't include the agency that
17 are signatories on each of them. So the document that
18 Mr. Lavin prepared didn't include the agency at least
19 named in the document.

20 It was there for a signatory so that was the
21 only change. Otherwise, the substance of it, as Mr.
22 Duch explained remain unchanged because the agency is
23 a party to the original agreement. It needs to
24 approve the amendment.

25 MR. DUCH: I would like to comment, Mr.

1 Regan for picking up on that. It just makes sense.

2 So that's the one resolution we have is to
3 approve the execution of the agreement and the second
4 resolution is the resolution authorizing Vice Chairman
5 Earnest Rosolen to be named as an additional signatory
6 on the bank account.

7 So if there are any questions?

8 CHAIRMAN ANDREANO: Tom, on the garden
9 State, whatever they're called, the redevelopment, in
10 addition to the, what they want to give, they already
11 gave us \$50,000?

12 MR. DUCH: That is correct.

13 CHAIRMAN ANDREANO: We already have that?

14 MR. DUCH: Yes.

15 CHAIRMAN ANDREANO: I just wanted to make
16 sure for administrative reasons.

17 MR. DUCH: Any other questions?

18 Mr. Chairman, if it's okay with you, I would
19 like to ask for the consideration of the Board for the
20 resolution before you this evening.

21 The first resolution is No. 2016-12 resolution
22 designating the Vice Chairman, Earnest Rosolen as an
23 additional signatory to checks and any other documents
24 required by or for the official financial and banking
25 institutions of the Garfield Redevelopment Agency,

1 resolution to prepared by Mr. Regan.
 2 COMMISSIONER AMADIO: Mr. Chairman, I
 3 would like to make a motion.
 4 COMMISSIONER ROTIO: I'll second it.
 5 COMMISSIONER PUZIO: I would like to
 6 second it.
 7 MR. DUCH: So it is moved by Commissioner
 8 Amadeo, seconded by Commissioner Rotio.
 9 All right, Mr. Chairman, roll call?
 10 CHAIRMAN ANDREANO: Yes.
 11 MR. DUCH: All right. Mr. Delaney,
 12 absent.
 13 Mr. Puzio.
 14 COMMISSIONER PUZIO: Yes.
 15 MR. DUCH: Mr. Andreano.
 16 CHAIRMAN ANDREANO: Yes.
 17 MR. DUCH: Mr. Simone, absent.
 18 Commissioner Rotio.
 19 COMMISSIONER ROTIO: Aye.
 20 MR. DUCH: Mr. Rosolen is absent.
 21 Mr. Amadio.
 22 COMMISSIONER AMADIO: Yes.
 23 MR. DUCH: All right. So the resolution
 24 carries and we will get this to the bank.
 25 And, Mr. Chairman, if I could ask for the next

1 resolution I have before you this evening the
 2 resolution approving and authorizing the execution of
 3 a second amendment and restatement to the
 4 redevelopment agreement by and between the Garfield
 5 Redevelopment Agency, the City of Garfield and H. B
 6 Garfield Investment, LLC for the property known as the
 7 Garden State Paper site.
 8 This is resolution No. 2016-13.
 9 Is there a motion to approve the resolution?
 10 COMMISSIONER AMADIO: I make a motion.
 11 COMMISSIONER PUZIO: I'll second.
 12 MR. DUCH: Moved by Commissioner Amadio,
 13 seconded by Commissioner Puzio.
 14 Mr. Chairman, roll call?
 15 CHAIRMAN ANDREANO: Yes.
 16 MR. DUCH: On the role, Commissioner Del,
 17 absent.
 18 Commissioner Puzio.
 19 COMMISSIONER PUZIO: Aye.
 20 MR. DUCH: Commissioner Simone is absent.
 21 Commissioner Rotio.
 22 COMMISSIONER ROTIO: AYE.
 23 MR. DUCH: Commissioner Roslyn is absent.
 24 And Commissioner Amadio.
 25 COMMISSIONER AMADIO: Yes.

1 MR. DUCH: And Chairman Andreano.
 2 CHAIRMAN ANDREANO: Aye.
 3 MR. DUCH: So the resolution passes.
 4 You will sign this resolution.
 5 And, Mr. Regan, you do have the agreement here
 6 for the Chairman to sign.
 7 Is that correct?
 8 MR. REGAN: Correct.
 9 MR. DUCH: Mr. Chairman and members of the
 10 agency, I have no other business to bring before the
 11 agency.
 12 I would like to report, however, that a number
 13 of residents came to a recent council meeting to talk
 14 about redevelopment of the Passaic Street area. And
 15 so I explained that what happens is the study is done
 16 and when the study is done the study will be
 17 considered and re-advertised.
 18 All of the residents in the neighborhood will be
 19 notified so they can come before the agency.
 20 There were a number of council people who didn't
 21 like that even though that's the procedure set forth.
 22 So what I have done is, I, at the last meeting
 23 announced that I am going to form a small focus group.
 24 That focus group is going to consist of a number of
 25 people who have come before the Mayor and Council to

1 talk about redevelopment. I thought it would be good
 2 if I met with them, explained what we're looking to
 3 do, explained the transit authority concept, et
 4 cetera, so there are no surprises.
 5 So I have asked Dolores Capizzi. I have asked
 6 Charles Nucifora, Jose Rodriguez, William Capozzi, Dr.
 7 Giardino's daughter, I think her name is Elaine
 8 Giardino on Marcellus Place, Anthony Giordano who owns
 9 the Farmer's Insurance Agency on Passaic Street and
 10 has been a very active business person and a gentleman
 11 Bolivar Morales who owns a multi unit home in the
 12 area. I asked them to serve as the focus group.
 13 I stated to the Mayor and Council that I will
 14 meet with them directly and see what their concerns
 15 are. We'll talk about the waste transfer station,
 16 what the possibilities are about moving including the
 17 zone, et cetera.
 18 So I just wanted you to be aware that I, I had
 19 offered to meet with them, discuss this with them and
 20 I'll go back to the governing body, share whatever
 21 input there is. In the meantime, the study is
 22 underway.
 23 And when Mr. Burgis returns from France, he's in
 24 France for the month of August, good for Mr. Burgis,
 25 when he returns from France we will ask him to give us

1 some input.
 2 MR. ROTIO: Are you meeting with this
 3 group yourself, individually?
 4 MR. DUCH: If anyone --
 5 MR. AMADIO: I would -- would you mind if
 6 I --
 7 MR. ROTIO: I would like to chime in on
 8 that as well.
 9 MR. DUCH: Mr. Chairman, if it's
 10 acceptable to you, can we ask those members to
 11 serve --
 12 CHAIRMAN ANDREANO: Sure.
 13 MR. DUCH: -- on that sub committee?
 14 CHAIRMAN ANDREANO: Yes.
 15 MR. DUCH: And we'll meet with the focus
 16 group.
 17 Anyone else? That's good? Two, we'll leave it
 18 at two.
 19 CHAIRMAN ANDREANO: Yeah.
 20 MR. DUCH: Okay. Very well.
 21 CHAIRMAN ANDREANO: As well.
 22 MR. DUCH: Great. So then we will do
 23 that. Thank you very much. I appreciate that.
 24 CHAIRMAN ANDREANO: I had concerns about
 25 condemnation for the property, start right there. I

1 don't know why we didn't just go in there and condemn
 2 properties.
 3 COMMISSIONER AMADIO: I think that's the
 4 biggest concern in conversations I have had, National
 5 Night Out and at the feast over the weekend a lot of
 6 people approached me about that and that was the only
 7 topic on their mind.
 8 I tried to explain to them but that's what it is
 9 right now.
 10 MR. DUCH: Okay.
 11 COMMISSIONER AMADIO: So that might make
 12 it a little tougher to get this rolling.
 13 MR. DUCH: Okay. We just need to
 14 understand, just refer to Mr. Regan because in terms
 15 of redevelopment, if you have, everybody on the block
 16 says yes and one says no I will tell you right now we
 17 would not have the River Walk right now because there
 18 were three property owners that said no. So that's
 19 the problem.
 20 And I, I explained to the Mayor and Council that
 21 in terms of negotiating, you know, we made sure that
 22 people got a fair price. We didn't get our price,
 23 they didn't get theirs because our price was lower,
 24 theirs was higher so we got the middle. Moving
 25 expenses, et cetera, so it can be worked on but my

1 experience has been and just in the meeting with these
 2 larger developers that they look for some seriousness
 3 on the part of the community. We are we prepared to
 4 do what's necessary to try to, to try to entice a
 5 developer.
 6 Developers spend tens of thousands of dollars
 7 doing studies, plans, conceptual designs, et cetera.
 8 So, will they spend that money if we don't, if we
 9 don't have the power to condemn?
 10 Now I look at condemnation as a last resort and,
 11 you know, I want to sit with some of these people and
 12 explain that to them.
 13 MR. ROTIO: I think we have to get one of
 14 the two groups, either the residents or the council or
 15 both preferably but we have to get somebody in
 16 agreement with what we're planning so it just makes
 17 the project move forward. If they're both against it,
 18 it's going to be a tough battle so...
 19 MR. DUCH: If they're both against it and
 20 then really the work of the agency would be to
 21 complete the project and then there's no further work
 22 to be done.
 23 MR. ROTIO: We have to win over somebody.
 24 MR. DUCH: At that point you really don't
 25 need the agency any more because once the Council is

1 developed --
 2 CHAIRMAN ANDREANO: I thought the Council
 3 was in agreement on what we decide on except the last
 4 piece.
 5 MR. DUCH: The half a block.
 6 CHAIRMAN ANDREANO: Right.
 7 MR. DUCH: The half a block.
 8 CHAIRMAN ANDREANO: Everything else
 9 they're in agreement with.
 10 MR. DUCH: When they voted yes for, except
 11 for one council member but they did vote yes for the
 12 study to proceed.
 13 And, honestly, we need to have the planner come
 14 in, explain the process, talk about the process.
 15 We're at the early stage but let's -- I think
 16 the focus group will happen.
 17 MR. REGAN: Just one comment. You don't
 18 have to designate every property in the redevelopment
 19 area to be acquired through condemnation as last
 20 resort. You know, you identify the properties that
 21 you want to redevelop and if it includes -- obviously,
 22 you want to always save as many residential properties
 23 as you can. You may not but it's not everybody who,
 24 whose property we designate for condemnation.
 25 In the event it's necessary, you can obviously

1 go that route. You can pick and choose if it makes it
 2 easier, if that's the way to kind of get around the
 3 concerns expressed by property owners.
 4 MR. DUCH: I have nothing further, Mr.
 5 Chairman.
 6 CHAIRMAN ANDREANO: When is the next
 7 meeting?
 8 COMMISSIONER PUZIO: September 12th.
 9 CHAIRMAN ANDREANO: We're all in agreement
 10 the 12th?
 11 MR. DUCH: Yes, not Labor Day, the
 12 following Monday.
 13 CHAIRMAN ANDREANO: This will mark --
 14 MR. DUCH: Let the record reflect there
 15 are no citizens who have responded to your call, there
 16 are no citizens present in the room.
 17 CHAIRMAN ANDREANO: Motion to adjourn.
 18 MR. ROTIO: I move.
 19 COMMISSIONER AMADIO: Second.
 20 CHAIRMAN ANDREANO: Mr. Rotio.
 21 MR. DUCH: All in favor?
 22 (Aye)
 23 The meeting is adjourned. Thank you for coming
 24 out this August day.
 25 (The meeting is adjourned at 7:00 p.m.)

1 C E R T I F I C A T E
 2 I CERTIFY that the foregoing is a true and
 3 accurate transcript of the testimony and proceedings
 4 as reported stenographically by me at the time, place
 5 and on the date herein before set forth.
 6 I DO FURTHER CERTIFY that I am neither a
 7 relative nor employee nor attorney or counsel of any
 8 of the parties to this action, and that I am neither a
 9 relative nor employee of such attorney or counsel, and
 10 that I am not financially interested in this action.
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 18 DONNA LYNN J. ARNOLD, C.C.R.
 19 LICENSE NO. XI00991
 20 MY COMMISSION EXPIRES 08/04/19
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