

MARCH 2, 2017  
Council Chambers-Borough Hall  
221 South 5<sup>th</sup> Ave.  
Highland Park, NJ 08904  
The Highland Park Redevelopment Agency  
Board of Commissioners Regular Meeting

**Call to Order**

The Regular Meeting of the Highland Park Redevelopment Agency was called to order in accordance with the Open Public Meetings Act by Vice Chairperson Solomon at 7:37 pm Mr. Solomon indicated the location of the fire exits.

Roll call

<b>Present</b>	Mr. Perlman, Ms. Levinson, Mr. Solomon, Mr. de Villa, Mr. Fechter, Ms. Welkovits, Council Liaison
<b>Absent</b>	Mrs. Baruh, Mr. Baumann, Agency Counsel
<b>Agency Professionals</b>	Jim Constantine, Planner

**Memorialization of Resolutions:**

HPRA 2017 – 06

Resolution Supporting Potential Brownfield Remediation at Block 173, Lots 41, 42, 43, 44, 45, 46 and 49 in the Borough of Highland Park, New Jersey

Mr. Solomon asked Denise Nickels to give the Agency an update on seeking grants.

Denise Nickels, MCIA said that there were three separate grants that were submitted on January 18, 2017 to NJDEP. NJDEP has already reviewed the grant application and has recommended they go to EDA for the financial approval but one of the lots was missing in the Resolution and that is what you are voting on tonight to include that last lot, once approved she will submit that on behalf of the Agency.

Denise Nickels indicated that one of the grants is for \$54,531.53 and that is for Dennison Avenue Block 173, Lots 44 & 45 owned by Klinger.

Dean Adi indicated that the owner of that property was Highland Park Property LLC and that it was purchased a couple months ago.

Denise Nickels said that she would have to correct the application, and asked if the owner was aware of the application. Mr. Adi indicated that he knew nothing and that he has reached out to Deborah Tantleff several times but has not heard back.

Mr. Solomon said that the Agency is pursuing grant funding to do an exploration of contamination on those sites.

Ms. Nickels asked Mr. Adi if prior to the purchase of the property if he had done an environmental assessment work or any due diligence.

Mr. Adi said that he did what he needed to do in order to buy the property. Ms. Nickels asked if he had done a preliminary assessment or an environmental site investigation. Mr. Adi said he did not.

Ms. Nickels indicated that she only asked because if it had already been done there would be no sense in doing it again. From the application perspective, she would need the correct detail and she will forward that as well with the Resolution.

Mr. Adi asked if they would need consent. Ms. Nickels said that the Agency would need consent for access.

Mr. Adi indicated that he attended a meeting a few months ago, shared his contact information with the Board and met with them afterwards and no one has followed up with him since then. The redeveloper has been unresponsive and he is disappointed with the lack of communication. Mr. Solomon indicated that he had not reached out to anyone on the Agency. Mr. Adi indicated that the Agency told him to contact Deb Tantleff, which he had done several times without any response.

Mr. Adi indicated that if the property is going to be redeveloped and he can't do anything with it then we need to understand what the process is going to be and if it is not going to be redeveloped he should be able use his property. He said to keep him in limbo without any communication, no response from the redeveloper, trying to pass resolutions without consent or not even knowing who the owner is, after coming to the meeting and discussing at length all the details it is a bit concerning.

Mr. Solomon said that he disagrees with his characterization of what is going here. Mr. Adi said that they could discuss this later, and he would like to hear what else is on the agenda.

Mr. Solomon indicated that it was his understanding that we did not need consent of the property owner to apply for the grant but eventually would need consent to access the properties.

Ms. Nickels said that there are two pieces the preliminary assessment and environmental site assessment which is primarily a document review, one piece of this called the visual inspection which is just a walk through, there are no samples taken or anything like that it is just to see if there is anything that looks like it might suggest contamination. The second phase is the site investigation. She said that consent is needed for the visual inspection and the site investigation. She said that the other properties were for \$37,030.75 for 125 Raritan and the last one was for \$54,331.43 for 132 Raritan Avenue.

Mr. Solomon said just as context, the redeveloper who has a conditional redevelopers agreement Tantum Realty has indicated until the extent of the contamination is known she is unable to make an offer to the property owners but that as soon as the investigation is completed then she will have the information that knows to accurately price the properties and she is prepared to move quickly to make offers.

Ms. Nickels said that once the resolution is sent to the State, NJDEP submits the paperwork to EDA and they can give us more of a schedule.

It was MOVED by LEVINSON and SECONDED by DEVILLA to approve Resolution HPRA2017-06.

ROLL CALL: Ayes – deVilla, Fechter, Levinson, Perlman, Solomon  
Nays – None

There being five (5) ayes and no nays, Resolution HPRA 2017-06 was approved.

HPRA 2017 – 07 Resolution of the Highland Park Redevelopment Agency  
Authorizing an Extension of the Conditional Redeveloper's  
Agreement with Highland Park Development Partners LLC

Dean Adi, represents Highland Park Properties LLC owner of Block 173, Lots 44 & 45 indicated to Mr. Solomon that it was stated that Debra Tantleff can't price these properties out until she knows what the environmental condition is and asked if that was a fact that she can't understand what the value of a property is until she gets that or is that her opinion or her preference not to want to make offers until she has data especially if they are getting grants to remediate the properties. He said that a contract can be subject to conditions if there is an environmental contamination it can be subject to, and he would like to know a little more about what is being done to ensure that the property owners are also getting treated fairly as opposed to arrangements that strictly serve the redevelopers pocket to not have to act or make any offers until whenever they want because she can continue to make excuses on why she can't come up with a value, and that is what appraisers are for.

Mr. Solomon said that unfortunately the only fact is that is what she said and is her business decision, which makes perfect sense to him no smart business person would but given the wild price fluctuations and liabilities that come along with unknown contamination, that is her opinion, that is the only fact on the table, something that seems reasonable and logically. He said on the second question, what are we doing to ensure that the property owners are being treated fairly; he said this is a market transaction we are not holding anything over the property owners.

Mr. Adi said that it is preventing the property owners from using their properties and you are holding them hostage until the redeveloper acts at her opinion of when she would like to. He said that he is paying taxes on property he cannot transact on. He said that if the Redevelopment Agency has designated the properties as a redevelopment zone which means if he came before the Planning Board with a proposal to build something different it would likely not get approved and redeveloper at her own opinion can decide whenever she wants to transact on when she believes is the best decision for her, how is that equitable for the property owners who have to sit and wait and pay taxes until the redeveloper wants to act. He said he should be able to use his property or should be able to sell it but he should not be in limbo at the discretion of the redeveloper.

Mr. Solomon asked Mr. Adi how long he has been in limbo for? Mr. Adi asked what difference it would make. Mr. Solomon said it was stated that you were being held up and that you are in limbo for the record he would like to know how long Mr. Adi has been in limbo for. Mr. Adi said that the questions is completely irrelevant because I own a property in cash that I am not am to use and is paying taxes on it, and respectfully ask that his question be answered and not try to make it a debate.

Mr. Solomon said on the question of when will the redeveloper act, part of the Agency's job is to ensure she is making progress and that she is on some reasonable course to move and anytime we feel that she is not we would not extend the redeveloper agreement, and you as a developer have not put anything before us.

Mr. Adi said he is not asking to become the designated redeveloper for the entire Tantleff project, I am simply asking for there to be a clear timeline or communication as to what the expectation should be for property owners if we are not able to use our properties and there is a plan to redevelop it, either let me know that eminent domain is going to be enacted on X-date, that the redeveloper has to purchase the properties by X-date. He said that he would like to know something as to what to expect as opposed to just being held hostage to a property that he cannot use and know clear picture.

Mr. Solomon said that they are extending the redevelopment agreement for six months, and are expecting to get the grant and be able to begin work in late Spring, they are not particularly long jobs to get done assuming we have consent to access your property to do the testing, and then shortly thereafter we would expect bids and then she either can close on the parcels and assemble them or she can't and we would have resolution at that time. At that time there is still no guarantee that any particular proposal that you would bring forward would acceptable to us but anybody at that point would be welcoming and entertaining any proposals from any property owner or prospective developer. He noted that his critique is unwarranted given the short amount of time that you have owned that property, you are saying that we are holding you hostage when you bought this property knowing full well that it was redevelopment area, and that we have been trying to redevelopment this for the good of the town for a long time, and you have not been waiting very long.

Mr. Adi said that the last meeting that he came to I asked not to speak on record to hold comments for a private meeting after the public session was completed. During that session, it was before he purchased the property and he was provided with Debra Tantleff's contact information to contact her, Ms. Baruh refused to give me her information and was told that if Debra did not want to purchase the property quickly that the Borough of Highland Park will. Therefore, what he is being told now is different then what he was told by you and the other members during this request for a private meeting after the public session was concluded.

Mr. Perlman said that was not his recollection that the Borough would but the property, that commitment was not made. Mr. Adi asked Mr. Perlman if that was a topic that was discussed at all. Mr. Perlman said Mr. Adi asked and we indicated that we cannot be committed we do not have the funds to do such a thing.

Mr. Solomon said that it is immaterial no one committed to buying the property. Mr. Adi asked that the conversations that took place not be misrepresented, you are saying that I did not do my due diligence, he indicated that he did do his due diligence in asking what the expectations should be for the property, I came to ask those questions.

Mr. Solomon said to Mr. Adi that he owned the property when he came to the Agency. Mr. Adi said that he did not own the property and had not closed on the property at that time. Mr. Solomon said that it is not productive for us go back and forth like this. Mr. Adi respectfully requested that there not be a misrepresentation about his lack of understanding or lack of due

diligence about the property. He said that he that he just wants to know what to expect, it does not have to happen in a month or six month or six years, just a reasonable expectation of what a property owner, who owns property in the redevelopment area, that is prevented from doing anything with it themselves can expect as to whether it is going to be purchased or whether they should be able to do something. He said that he does not want to redevelop the entire site, just wants to use his property.

Mr. Solomon said putting aside the disagreement on what may have been said, and that is a matter of record and certainly can be looked up. He said when the minutes are passed they go up on the Borough website, and asked Jennifer Santiago to ensure that the minutes are current on the Borough's web site. Mr. Adi said that they are not current and take over a month to actually go on the web site. Mr. Solomon said we only meet once a month. Mr. Adi said that if you go on the Borough website right now, the only minutes posted are from December 2016, no minutes for January, or February, how is a property owner supposed to stay current unless they come to a meeting and it is already too late. Mr. Solomon said that he would very much like to have the minutes go up in a timely fashion and he does not know whom he needs to call to make that happen.

Mr. Solomon said that this was a six month redeveloper agreement, there is a grant in place and expect to receive the monies in sometime late spring and will move forward with the investigation and expect the developer to move forward after that. If within the six months there is no action the developer will have to explain, what is going on and the Agency will then make similar evaluations because we would like to see it move forward as well.

It was **MOVED** by Mr. Perlman and **SECONDED** by Ms. Levinson to approve Resolution HPRA2017-07.

**ROLL CALL:** Ayes – deVilla, Fechter, Levinson, Perlman, Solomon  
Nays – None

There being five (5) ayes and no nays, Resolution HPRA 2017-07 was approved.

HPRA 2017 – 08 Resolution of the Highland Park Redevelopment Agency Designating a Redeveloper for the Property Commonly Known as Block 173, Lots 36 and 37 on the Tax Map of the Borough of Highland Park and Authorizing the Execution of a Redeveloper's Agreement with Respect to Same

Mr. Solomon said that on advice from the Agency Counsel Resolution HPRA 2017-08 would be tabled to the next meeting, because Anton Popov is going through another round of plans and hiring an architect and the amendment to the redevelopment plan has not passed yet.

### **Chairperson and Committee Reports**

Mr. Solomon said that most of the content has been covered in the memorialization of resolutions.

**--Popov project**

Mr. Perlman said Mr. Popov has new professionals and there is some confusion with the exhibits that subcommittee has approved. He said that there would be another subcommittee meeting.

Mr. Solomon said that a resolution to have a full redeveloper will come and that will come with some rendering but will not be approval of an actual plan.

Mr. Perlman said that he had received a demolition permit for the interior.

Mr. Solomon said that the screening committee has not met yet and maybe this will be an opportunity to ask Mr. Constantine to socialize this with the new proposal intake process that the Borough has in mind.

Mr. Constantine said that the Borough was still formulating that process.

**--Tantleff project:** None

**--Borough Square project:** None

**--Other Borough Initiatives:** None

**Public Comment**

Mr. Solomon open the floor to the public, there being no public comments public comment was closed.

**Hearing of New Agenda Items:** None

**Action on any other business:** None

Mr. Fechter asked if the Bond Ordinance passed. Ms. Welkovits said that the Bond Ordinance did pass.

Mr. Perlman said that he spoke with the Planner of Trenton, the City was thinking about a Borough wide rehabilitation plan and some of the Council Members there had some issues. He said that he would love to speak with Mr. Constantine, because Highland Park is being used as the model.

Mr. Fechter said in regards to the bonding, we were going to do some work to look at an appraisal process for the Borough Square property. Mr. Solomon said that the idea was although it would be nice to get someone on retainer, there is no rush, but nice to have someone in place in case something popped up and we wanted to move quickly. He said that they would not ask for any assessments to be done and we are not planning to move in any particular period to do site control. In terms of trying to do acquisitions around Borough Square there is a lot of work still to be done and that work is going to be done.

Mr. Fechter asked what the next step. Mr. Solomon said that next step is for someone to tell us who is in charge and what the next step is. He said that it is unclear what our role is in this exactly. He said that eventually it has to come to the Agency but in terms of the actual work to led this initiative, we don't have an executive director or any professional. You do not assemble a bunch of properties and initiate a big redevelopment by committee.

Mr. Solomon indicate that the Borough reached out to get some design guidelines and support from the NJDCA and it turns out that is not going to be strongly supported. He said that there is a lot of work that needs to be done to make it come together and believes that the Borough is in the lead. He said that Mrs. Baruh would have more information on this.

Mr. Perlman asked about the Borough wide Rehabilitation, asked residential pilots or residential tax abatements. Mr. Constantine said that you would not use this for a house; it is impracticable this is used for substantial infill development projects. He said that there is no requirement that you use it; it is just a tool that is available.

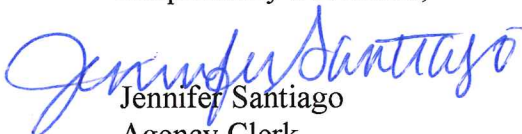
Mr. Constantine said that he spoke he spoke to the Mayor in Collingswood and he said that they have been dropping down area in need rehabilitation municipal wide and they are not even doing redevelopment plans anymore, it is easier to get this in place, the tool is everyone and there is not that much more you gain doing the redevelopment areas.

Mr. Fechter said that starting on January 1, 2017 the Agency account balance was \$35,000, dispersed \$2,000 to the Agency Attorney and we have \$32,000 in the account. On the escrow side there was a \$2500 deposit from Popov and \$2500 dispersement to the Attorney, the balance is about \$2,000, and Tantleff escrow balance is about \$14,000. In terms of the budget for the year, it is roughly \$50,000 of which we have spent a little over \$4,000; \$1,800 for the audit, and about \$2,000 for the Attorney. So far, we look fine in terms of actual expenses vs. planned.

**Adjournment**

There being no further business, it was moved by Mr. Solomon and seconded by Ms. Levinson with voice vote the meeting was adjourned at 8:31pm.

Respectfully Submitted,

  
Jennifer Santiago  
Agency Clerk