

CITY OF CAMDEN REDEVELOPMENT AGENCY
RESOLUTION SUMMARY

Economic Development/ Brownfields

Resolution No.: 08-12-26C

Resolution Title:

**Resolution Authorizing a Professional Services Agreement with Marmero Law, LLC to Provide
Outside Legal Counsel Services Regarding Agreements for Property Designated as
Block 1449, Lots 3 and 6 of the Camden City Tax Map for an Amount not to Exceed \$5,000.00**

Project Summary:

- CRA owns property known as the Alpha/Cutler Metals Property designated as Block 1449, Lots 3 and 6 of the City Tax Map and located in the Gateway Redevelopment Plan area. The estimated 4.32-acre property consists of irregularly shaped lots and is extensively contaminated by prior uses and operations conducted at the site (the "Property"). CRA currently leases the property to 1035 Line Company, an affiliate of Campbells Company (the "Redeveloper").
- CRA and the Redeveloper entered into a Ground Lease Agreement, and other related agreements with the New Jersey Department of Environmental Protection ("NJDEP") dated July 12, 2012. The terms and conditions of these Agreements for redevelopment of the Property included a commitment from NJDEP to conduct the environmental clean-up; the Redeveloper to demolish the abandoned industrial structures on the property at its expense (subject to a right to reimbursement upon conveyance of the Property); and CRA to ground lease the Property to the Redeveloper during the period of the Property's remediation. NJDEP has not yet completed the environmental remediation at the property.
- The Redeveloper requested a Second Amendment to the Ground Lease Agreement with CRA to permit the sub-lease of a portion of the property to be used as a temporary construction laydown area. The additional use of the Property requires the consent of CRA and NJDEP. NJDEP does not object to this use.
- CRA requires outside legal services to complete the negotiations of a second amendment to the ground lease agreement and any related agreements.

Purpose of Resolution:

To authorize a professional services agreement

Award Process:

Fair and open process. A request for pricing was issued to the CRA's Prequalified List of Attorneys

Cost Not to Exceed:

\$5,000.00

Resolution No.: 08-12-26C (cont'd)

Total Project Cost:

N/A

Source of Funds:

Redeveloper/Ground Lease Agreement

Resolution Authorizing a Professional Services Agreement with Marmero Law, LLC to Provide Outside Legal Counsel Services Regarding Agreements for Property Designated as Block 1449, Lots 3 and 6 of the Camden City Tax Map for an Amount not to Exceed \$5,000.00

WHEREAS, the City of Camden Redevelopment Agency (the “CRA”) is charged with the duty of redevelopment throughout the City of Camden; and

WHEREAS, CRA owns property known as the Alpha/Cutler Metals Property designated as Block 1449, Lots 3 and 6 of the City Tax Map and located in the Gateway Redevelopment Plan area (the “Property”); and

WHEREAS, the approximately 4.35-acre Property is in close proximity to facilities owned and operated by Campbell’s Company or its affiliate companies; and

WHEREAS, the CRA and 1035 Line Company (an affiliate of Campbell’s Company) entered into a Ground Lease Agreement, and other Agreements (the “Agreements”) dated July 12, 2012, which provided for the New Jersey Department of Environmental Protection (“NJDEP”) to remediate the Property at the cost and expense of the NJDEP, for 1035 Line Company to demolish the abandoned industrial property on the Property at its expense (subject to a right to reimbursement upon conveyance of the Property) and for CRA to ground lease the Property to 1035 Line Company (the “Redeveloper”) during the period that the Property is being remediated with the Redeveloper/ tenant having an option to purchase the Property at any time during the lease term; and

WHEREAS, the Redeveloper under the terms and conditions of the Agreements took possession of the Property and completed its obligation to demolish the industrial buildings on the Property; and

WHEREAS, the Redeveloper is required to provide the CRA and NJDEP with written notice that seeks their consent prior to any contemplated changes/improvements to the Property; and

WHEREAS, the Redeveloper has requested the CRA’s consent for the use of a portion of the Property as a temporary construction laydown area; and

WHEREAS, CRA requires legal counsel services to assist in negotiating the terms and conditions for a second amendment to the Agreements; and

WHEREAS, Marmero responded to the CRA’s issuance of a request for pricing for legal services with a price proposal not to exceed \$5,000.00.

NOW THEREFORE, BE IT RESOLVED by the governing body of the City of Camden Redevelopment Agency, that the Executive Director, a duly authorized representative of the Agency, is hereby authorized to enter into a professional services agreement with Marmero Law, LLC to provide legal services in connection with an amendment to a Ground Lease Agreement and related Agreements with 1035 Line Company, the Redeveloper, for Block 1449, Lots 3 and 6 designated on the City of Camden Tax Map for an amount not to exceed \$5,000.00.

08-12-26C (cont'd)

BE IT FURTHER RESOLVED that the Executive Director, or her designee, is hereby authorized and directed to take all actions and to execute all documents necessary to carry out the purposes of this resolution.

08-12-26C (cont'd)

ON MOTION OF: **Maria Sharma**

SECONDED BY: **Christopher Collins**

COMMISSIONER	AYES	NAYS	ABSTENTIONS
Christopher Collins	X		
Gilbert Harden, Sr.			
Tasha Humphrey	X		
Ian K. Leonard	X		
Jose Javier Ramos	X		
Maria Sharma	X		

Ian K. Leonard

Ian K. Leonard
Chairperson



ATTEST:

Olivette Simpson
Executive Director

The above has been reviewed and approved as to form.

Mark P Asselta

Mark P. Asselta, Esq.
Board Counsel

Exhibit A

Aerial Photo
Block 1449, Lots 3 and 6

