

## SOUTH AMBOY REDEVELOPMENT AGENCY

### MINUTES OF THE FEBRUARY 4, 2010 MEETING

#### Public Session

Vice-Chairperson Benjamin Block called the meeting to order and led the Agency Commissioners, Professionals and attending public in the Salute to the Flag and a prayer. Vice-Chairperson Block certified that this meeting had been advertised as prescribed by law.

ROLL CALL: Benjamin Block, Councilman Fred Henry,  
Mayor John T. O'Leary, Melvin Rosado

Also in attendance: Eric Chubenko, Executive Director  
Craig J. Coughlin, Esq., General Counsel

Upon review of the Agency Bill List, Mayor O'Leary asked 'who' McManimon & Scotland [Special Counsel] had been in contact with for the period(s) specified on the current bill list. Eric Chubenko stated that his [Chubenko] communication with McManimon & Scotland had been limited to a meeting held the prior day and one or two previous conversations. Mayor O'Leary suggested that McManimon & Scotland be instructed that everything (i.e., all work being performed) "must be run through and passed through the Executive Director". Mayor O'Leary stated that, if TRC is requesting the work to be performed, TRC should be reimbursing McManimon & Scotland for the work. As a result of the aforementioned discussion, the three (3) McManimon & Scotland invoices contained in the Bill List for this meeting were deleted.

Benjamin Block made a Motion to approve the Agency bill list, with the exclusion of the three (3) McManimon & Scotland invoices, for payment. (*Please refer to item nos. 7.B.1. and 2. contained in the February 4, 2010 Meeting Agenda annexed hereto.*)  
Mayor O'Leary seconded the Motion.

ROLL CALL: Block – yes; Henry – yes; O'Leary – yes; Rosado – yes

Eric Chubenko stated that JCP&L has asked the Agency to authorized an easement for pole relocation near the Community Center, which they need the Mayor to sign off on right away. Mayor O'Leary explained that the poles are all located on City right-a-ways, but he [O'Leary] would sign off on behalf of both the City and the Agency. Since no Resolution had formally been prepared for the aforementioned action, Craig Coughlin suggested that the Commissioners take action through a voice resolution at this time authorizing the Mayor to sign on behalf of the Agency subject to Craig Coughlin's review and approval. Upon further discussion, Craig Coughlin suggested that the Agency authorize Eric Chubenko to sign off on behalf of the Agency.

A Motion to approve a Resolution authorizing Eric Chubenko, Agency Executive Director, to sign-off on the JCP&L easement for pole relocation on behalf of the Agency subject to review by the Agency's counsel was made by Councilman Henry.  
Seconded by Melvin Rosado.

ROLL CALL: Block – yes; Henry – yes; O'Leary – yes; Rosado – yes

Upon review by the Commissioners of architectural renderings distributed at this meeting, Councilman Henry made a Motion to adopt the Resolution approving exterior façade options and pricing for the Aquatic/Community Center (*Agenda Item No. 12.A.*).  
Mayor O'Leary seconded the Motion.

ROLL CALL: Block – yes; Henry – yes; O'Leary – yes; Rosado – yes

Eric Chubenko stated that Executive [closed] Session was necessary for the purpose of discussing pending potential legal matters, financial contract matters and contract negotiations. It was determined that Executive [closed] Session would continue for approximately fifteen (15) minutes.

Mayor O'Leary made a Motion to enter into Executive [closed] Session.

Councilman Henry seconded the Motion.

Voice Vote taken: all in favor

Return to Open [public] Session.

Mayor O'Leary made a Motion to amend the Bill List for this meeting (i.e., to include the McManimon & Scotland invoice in the amount of \$51,183.29 in conjunction with the Aquatic/Community Center and the Lerch, Vinci & Higgins invoice in the amount of \$5,115.00 in connection with the Aquatic/Community Center – subject to review by legal counsel).  
Seconded by Councilman Henry.

ROLL CALL: Block – yes; Henry – yes; O'Leary – yes; Rosado – yes

A Motion to approve the professional services Resolution appointing SRM Consulting (*Agenda Item No. 12.B.*).

The Motion was seconded by Councilman Henry.

ROLL CALL: Block – yes; Henry – yes; O'Leary – yes; Rosado – yes

Melvin Rosado made a Motion to adopt the Resolution authorizing a request for proposal for replacement of redeveloper (Block 42, Lot Nos. 19, 20 and 21 [a/k/a corner of Broadway and Bordentown Avenue] – Ken Firpo, Owner) (*Agenda Item No. 12.C.*).

The Motion was seconded by Benjamin Block.

ROLL CALL: Block – yes; Henry – yes; O'Leary – yes; Rosado – yes

Mayor O'Leary explained that several underground storage tanks were found on the property and, as a result, Mr. Firpo has had problems securing financing for the project. Mayor O'Leary further explained that the tanks have been removed and that Mr. Firpo must supply/furnish a No Further Action letter to the City/Agency.

A Motion was made by Melvin Rosado to approve the Resolution determining eligibility and accepting the application for inclusion in the Broadway Façade Mini-Grant Program (105 South Broadway; Block 37, Lot 4 – SRB Realty, Inc., Applicant [a/k/a Broadway Bagels]) (*Agenda Item No. 12.D.*).

Benjamin Block seconded the Motion.

ROLL CALL: Block – yes; Henry – yes; O'Leary – yes; Rosado – yes

Councilman Henry made a Motion to approve the December 9, 2009 Agency Meeting Minutes (*Agenda Item No. 12.E.*)

Mayor O'Leary seconded the Motion.

ROLL CALL: Block – yes; Henry – yes; O'Leary – yes; Rosado – yes

A Motion to approve the January 7, 2010 Agency Meeting Minutes (*Agenda Item No. 12.F.*) was made by Councilman Henry.

Benjamin Block seconded the Motion.

ROLL CALL: Block – yes; Henry – yes; O'Leary – yes; Rosado – abstain

With no public in attendance at this meeting and no comments/questions from the Commissioners, the Agency Secretary requested a Motion to adjourn this meeting.

Mayor O'Leary made a Motion to adjourn the meeting.

Melvin Rosado seconded the Motion.

Voice Vote taken: all in favor

Meeting adjourned.

Submitted by:

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MADELINE C. BULMAN  
Agency Secretary