

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE JERSEY CITY REDEVELOPMENT AGENCY APPROVING GOING INTO EXECUTIVE SESSION TO DISCUSS CERTAIN MATTERS

WHEREAS, there are certain matters that need to be discussed by the Board of Commissioners of the Jersey City Redevelopment Agency in Executive Session; and

WHEREAS, the matters to be discussed are : litigation, contract negotiations and personnel matters; and

WHEREAS, the results will be disclosed to the public upon settlement of any litigation matters which were discussed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Jersey City Redevelopment Agency approving the Commissioners go into Executive Session to discuss certain matters including pending or potential litigation as well as personnel matters.

Secretary

Certified to be a true and correct copy of the Resolution adopted by the Board of Commissioners at their Meeting dated July 20, 2021

<u>RECORD OF COMMISSIONERS VOTE</u>				
<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Donald R. Brown				
Douglas Carlucci				
Evelyn Jones				
Erma D. Greene				
Darwin R. Ona				
Denise Ridley				
Daniel Rivera				

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE JERSEY CITY REDEVELOPMENT AGENCY
APPROVING THE MINUTES OF THE REGULAR REMOTE
PUBLIC MEETING OF JUNE 15, 2021**

WHEREAS, the Board of Commissioners of the Jersey City Redevelopment Agency have received copies of the Minutes from the Regular Remote Public Meetings for their review and approval.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Jersey City Redevelopment Agency that these Minutes be approved as presented.

Secretary

Certified to be a true and correct copy of the Resolution adopted by the Board of Commissioners at their Meeting dated July 20, 2021

RECORD OF COMMISSIONERS VOTE				
<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Donald R. Brown				
Douglas Carlucci				
Evelyn Jones				
Erma D. Greene				
Darwin R. Ona				
Denise Ridley				
Daniel Rivera				

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE JERSEY CITY REDEVELOPMENT AGENCY
APPROVING THE MINUTES OF EXECUTIVE SESSION OF
THE REGULAR REMOTE PUBLIC MEETING JUNE 15, 2021**

WHEREAS, the Board of Commissioners approved going into closed session at their meeting of June 15, 2021; and

WHEREAS, the following issues were discussed: 1) litigation,

2) contract negotiations

3) and personnel

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Jersey City Redevelopment Agency that the minutes of the Executive Session of the Regular Meeting of June 15, 2021 be approved as presented.

Secretary

Certified to be a true and correct copy of the Resolution adopted by the Board of Commissioners at their meeting dated July 20, 2021

RECORD OF COMMISSIONERS VOTE				
<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Donald R. Brown				
Douglas Carlucci				
Evelyn Jones				
Erma D. Greene				
Darwin R. Ona				
Denise Ridley				
Daniel Rivera				

Regular Meeting
July 20, 2021

A G E N D A

CANAL CROSSING REDEVELOPMENT AREA - Board authorization is requested to extend the License and Right of Entry Agreement with the Jersey City Municipal Utilities Authority (“JCMUA”) for access to Agency owned property along Carteret Avenue. The JCMUA operates and maintains an 96 inch steel combined sewer and related infrastructure at Block 21501 and 21510. The JCMUA is preparing to upgrade the sewer and staff deems it appropriate to extend the terms of the Access Agreement. Said extension will be for a term of 12 months to expire on August 31, 2022 with an additional option to extend for another 12 months is agreed to by both parties. A copy of a map depicting the site is attached.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE JERSEY CITY REDEVELOPMENT AGENCY AUTHORIZING AN EXTENSION OF THE LICENSE AND RIGHT OF ENTRY AGREEMENT WITH THE JERSEY CITY MUNICIPAL UTILITIES AUTHORITY WITH RESPECT TO CERTAIN PROPERTY IDENTIFIED AS BLOCK 21501, LOTS 18.01 AND 19.01, COMMONLY KNOWN AS 880-884 GARFIELD AVENUE AND BLOCK 21510, LOT 2 COMMONLY KNOWN AS 824 GARFIELD AVENUE WITHIN THE CANAL CROSSING REDEVELOPMENT AREA

MOTION AND SECOND

Mary Pat Noonan

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE JERSEY CITY REDEVELOPMENT AGENCY
AUTHORIZING AN EXTENSION OF THE LICENSE AND
RIGHT OF ENTRY AGREEMENT WITH THE JERSEY
CITY MUNICIPAL UTILITIES AUTHORITY WITH
RESPECT TO CERTAIN PROPERTY IDENTIFIED AS
BLOCK 21501, LOTS 18.01 AND 19.01, COMMONLY
KNOWN AS 880-884 GARFIELD AVENUE AND BLOCK
21510, LOT 2 COMMONLY KNOWN AS 824 GARFIELD
AVENUE WITHIN THE CANAL CROSSING
REDEVELOPMENT AREA**

WHEREAS, the Jersey City Redevelopment Agency (the “**Agency**”) was established by the City of Jersey City (the “**City**”) with responsibility for implementing redevelopment plans and carrying out redevelopment projects in the City pursuant to the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (as the same may be amended and/or supplemented from time to time, the “**Redevelopment Law**”); and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the City established an area in need of redevelopment designated as Canal Crossing Redevelopment Area (the “**Redevelopment Area**”) and subsequently adopted a redevelopment plan for the Redevelopment Area entitled the Canal Crossing Redevelopment Plan (as may be amended and supplemented from time to time, the “**Redevelopment Plan**”); and

WHEREAS, the Agency is the owner of certain real property along Carteret Avenue in Jersey City, New Jersey, more specifically identified as Block 21501, Lots 18.01 and 19.01 (Site 114) on the Official Tax Map of the City of Jersey City, New Jersey, commonly known as 880-884 Garfield Avenue, and Block 21510, Lot 2 (Site 132) on the Official Tax Map of the City of Jersey City, New Jersey, commonly known as 824 Garfield Avenue (the “**Property**”); and

WHEREAS, the Jersey City Municipal Utilities Authority (the “**JCMUA**”) operates, maintains, and controls a 96-inch steel combined sewer and related infrastructure within the Carteret Avenue right-of-way adjacent to the Property (the “**Carteret Avenue Sewer**”), which extends from the Garfield Avenue intersection to beyond the intersection of Carteret Avenue and Pacific Avenue; and

WHEREAS, the JCMUA is preparing to rehabilitate and upgrade the Carteret Avenue Sewer (the “**Sewer Rehabilitation Project**”); and

WHEREAS, the Sewer Rehabilitation Project necessitates JCMUA's temporary use and occupancy of the Property for the duration of the Sewer Rehabilitation Project, more specifically to serve as the sewer contractor's staging area (Site 132), to install and operate a sewer bypass pump (Site 114) and to install and operate sewer bypass discharge piping (Sites 132 and 114) as depicted on Exhibit A and described in Exhibit B of the Access Agreement (as defined below); and

WHEREAS, by Resolution No. 20-07-6, dated July 21, 2020, the Board of Commissioners of the Agency (the "**Board of Commissioners**") authorized the Agency to enter into that certain Grant of License and Right of Entry Agreement, dated August 6, 2020, with the JCMUA (the "**Access Agreement**") granting the JCMUA access to the Property during the pendency of the Sewer Rehabilitation Project in accordance with the terms and conditions set forth in the Access Agreement; and

WHEREAS, the initial term of the Access Agreement was for a period of twelve (12) months, which commenced on August 6, 2020 and will expire on or about August 5, 2021 (the "**Initial Term**"); and

WHEREAS, the JCMUA continues to require access to the Property to complete the Sewer Rehabilitation Project; and

WHEREAS, pursuant to the Access Agreement, the Initial Term may be extended upon written agreement of both parties; and

WHEREAS, the Agency and the JCMUA desire to both (i) extend the Initial Term of the Access Agreement, commencing on August 6, 2021 and expiring on August 31, 2022, with the option to extend for another twelve (12) months thereafter if agreed to by both parties, and (ii) enter into an Amendment of the Access Agreement to memorialize said extension, a copy of which is on file with the Agency,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Jersey City Redevelopment Agency that:

Section 1. The recitals hereto are hereby incorporated herein as if set forth at length.

Section 2. The Board of Commissioners hereby authorizes an Amendment to the Access Agreement between the Agency and the JCMUA to extend the term of the Access Agreement, commencing on August 6, 2021 and expiring on August 31, 2022, with the option to extend for another twelve (12) months thereafter if agreed to by both parties, which option to extend may be exercised without further action by the Board of Commissioners.

Section 3. The Chair, Vice-Chair, Executive Director, and/or Secretary of the Agency are hereby authorized to execute and deliver the Amendment, together with such deletions, additions and/or modifications as may deemed necessary or desirable by the Agency in consultation with counsel.

Section 4. The Chair, Vice-Chair, Executive Director, and/or Secretary of the Agency are hereby authorized to take all actions and to execute any and all other documents necessary to effectuate this Resolution, as may be deemed necessary in consultation with counsel.

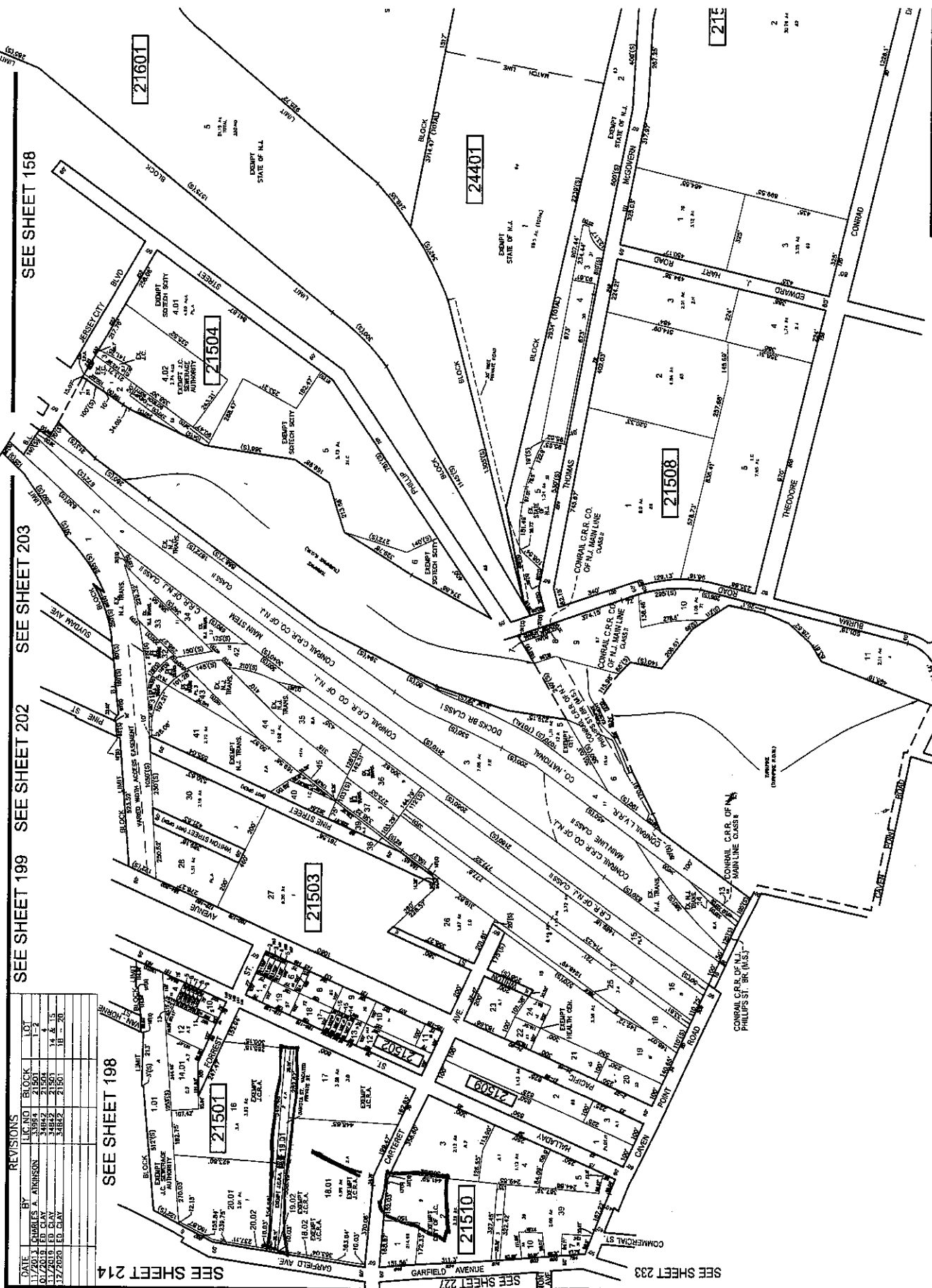
Section 5. This Resolution shall take effect immediately.

Certified to be a true and correct copy of a Resolution of the Board of Commissioners of the Jersey City Redevelopment Agency adopted at its Regular Meeting held on July 20, 2021.

Diana H. Jeffrey, Secretary

<u>RECORD OF COMMISSIONERS VOTE</u>				
<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Donald R. Brown				
Douglas Carlucci				
Erma D. Greene				
Evelyn Jones				
Darwin R. Ona				
Denise Ridley				
Daniel Rivera				

DATE	BY	LIC. NO.	BLOCK	LOT
11/20/12	CHARLES A. ATKINSON	33954	21501	1-2
01/20/13	ED CLAY	34842	21501	14
01/20/13	ED CLAY	34842	21501	15
12/20/12	ED CLAY	34842	21501	18
12/20/12	ED CLAY	34842	21501	20



SEE SHEET 198
 SEE SHEET 199
 SEE SHEET 202
 SEE SHEET 203
 SEE SHEET 214
 SEE SHEET 215
 SEE SHEET 227
 SEE SHEET 233
 SEE SHEET 244
 SEE SHEET 245

Site

Regular Meeting
July 20, 2021

A G E N D A

Grand Jersey Redevelopment Area - Board authorization is requested to enter into Contract No. 21-07-CF2 with GEI Consultants, Inc. for a one-year term, for a total contract amount not to exceed of \$175,000.00, to conduct assessment activities at Agency owned property. The Agency issued and solicited a Request for Proposals for said services. Agency staff found GEI to possess the skills and expertise to perform and complete the services.

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE JERSEY CITY REDEVELOPMENT AGENCY
AWARDING A CONTRACT TO GEI CONSULTANTS, INC.
FOR LICENSED SITE REMEDIATION PROFESSIONAL
SERVICES IN CONNECTION WITH PROPERTY IDENTIFIED
AS BLOCK 15801, LOTS 67-69, COMMONLY KNOWN AS 36-44
AND 8-34 AETNA STREET, WITHIN THE GRAND JERSEY
REDEVELOPMENT AREA**

Christopher Fiore

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE JERSEY CITY REDEVELOPMENT AGENCY AWARDING A CONTRACT TO GEI CONSULTANTS, INC. FOR LICENSED SITE REMEDIATION PROFESSIONAL SERVICES IN CONNECTION WITH PROPERTY IDENTIFIED AS BLOCK 15801, LOTS 67-69, COMMONLY KNOWN AS 36-44 AND 8-34 AETNA STREET, WITHIN THE GRAND JERSEY REDEVELOPMENT AREA

WHEREAS, the Jersey City Redevelopment Agency (the “**Agency**”) was established by the City of Jersey City (the “**City**”) with responsibility for implementing redevelopment plans and carrying out redevelopment projects in the City pursuant to the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (as may be amended and/or supplemented from time to time, the “**Redevelopment Law**”); and

WHEREAS, the City has designated that certain area known as the Grand Jersey Redevelopment Area (the “**Redevelopment Area**”) as an area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, pursuant to the Redevelopment Law, the City enacted the Grand Jersey Redevelopment Plan (as amended and supplemented from time to time, the “**Redevelopment Plan**”) in order to effectuate the redevelopment of the Redevelopment Area; and

WHEREAS, the Agency owns certain properties located within the Redevelopment Area identified as Block 15801, Lot 67, commonly known as 36-44 Aetna Street (the “**Summit Metals Site**”), and Block 15801, Lots 68-69, commonly known as 8-34 Aetna Street (the “**Jersey Auto Wreckers Site**”); and

WHEREAS, in furtherance of the goals and objectives of the Redevelopment Law, the Agency from time to time requires the services of firms to provide professional environmental services in connection with projects throughout the City; and

WHEREAS, the Agency desires to obtain the services of a Licensed Site Remediation Professional (“**LSRP**”) to conduct assessment activities at the Summit Metals Site and Jersey Auto Wreckers Site within the Grand Jersey Brownfield Development Area; and

WHEREAS, the Agency issued and solicited responses to a Request for Proposals (“**RFP**”) for the LSRP services mentioned herein; and

WHEREAS, GEI Consultants, Inc. (“**GEI**”) submitted a proposal in response to the RFP, a copy of which is on file with the Agency (the “**Proposal**”) to provide LSRP services to conduct assessment activities at the Summit Metals and Jersey Auto Wreckers sites; and

WHEREAS, GEI possesses the skills and expertise to perform and complete the LSRP services; and

WHEREAS, the Agency desires to enter into a professional services contract with GEI (the “**Contract**”) to perform the LSRP services as outlined in the Proposal for a total amount not to exceed One Hundred Seventy-Five Thousand Dollars (\$175,000.00) (approximately 150% of the Proposal cost) to be paid in accordance with the hourly rates set forth in the Proposal; and

WHEREAS, the Agency certifies that it has funds available for such costs; and

WHEREAS, notice of the award of the Contract shall be published in a newspaper of general circulation in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i),

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Jersey City Redevelopment Agency as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Chair, Vice-Chair, Executive Director and/or Secretary are each hereby authorized to execute and deliver the Contract with GEI to perform the LSRP services for a term to expire upon completion of the LSRP services at the Summit Metals Site and Jersey Auto Wreckers Site and all related tasks, or twelve (12) months after the effective date of the agreement, whichever is earlier, payable at the rates set forth in the Proposal for a total amount not to exceed One Hundred Seventy-Five Thousand Dollars (\$175,000.00), subject to the terms and conditions set forth in the Agency's form professional services agreement, together with any such additions, deletions and modifications as may be necessary and/or desirable in consultation with counsel to the Agency.

Section 3. The Chair, Vice-Chair, Executive Director and/or the Secretary of the Agency are hereby authorized to take all actions and to execute any and all documents necessary to effectuate this Resolution, in consultation with counsel.

Section 4. This Resolution shall take effect immediately.

Certified to be a true and correct copy of a Resolution of the Board of Commissioners of the Jersey City Redevelopment Agency adopted at its Regular Meeting of July 20, 2021.

Diana H. Jeffrey, Secretary

<u>RECORD OF COMMISSIONERS VOTE</u>				
<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Donald R. Brown				
Douglas Carlucci				
Erma D. Greene				
Evelyn Jones				
Darwin R. Ona				
Denise Ridley				
Daniel Rivera				

Regular Meeting
July 20, 2010

A G E N D A

Grand Jersey Redevelopment Area

- Board authorization is requested for a First

Amendment to the Redevelopment Agreement between the Agency and 8 Aetna LLC. The Agency currently holds title to certain parcels identified as Block 15801, Lots 67, 68 and 69. In accordance with the RDA the Agency submitted an application for Hazardous Discharge Site Remediation Fund monies to assist with the costs for environmental investigations of these lots. The parties now desire to clarify their obligations with respect to funding of the environmental assessment costs relating these lots.

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
JERSEY CITY REDEVELOPMENT AGENCY AUTHORIZING
EXECUTION OF A FIRST AMENDMENT TO THE REDEVELOPMENT
AGREEMENT BETWEEN THE JERSEY CITY REDEVELOPMENT
AGENCY AND 8 AETNA LLC FOR PROPERTY IDENTIFIED AS
BLOCK 15801, LOTS 66.01, 67, 68, 69 AND 70 WITHIN THE GRAND
JERSEY REDEVELOPMENT AREA**

MOTION AND SECOND

Mary Pat Noonan

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE JERSEY CITY REDEVELOPMENT AGENCY AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE REDEVELOPMENT AGREEMENT BETWEEN THE JERSEY CITY REDEVELOPMENT AGENCY AND 8 AETNA LLC FOR PROPERTY IDENTIFIED AS BLOCK 15801, LOTS 66.01, 67, 68, 69, AND 70 WITHIN THE GRAND JERSEY REDEVELOPMENT AREA

WHEREAS, Jersey City Redevelopment Agency (the “**Agency**”) was established by the City of Jersey City (the “**City**”) pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”) with responsibility for implementing redevelopment plans and carrying out redevelopment projects in the City; and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the City established an area in need of redevelopment commonly known as the Grand Jersey Redevelopment Area (the “**Redevelopment Area**”) and adopted a redevelopment plan for the Redevelopment Area entitled the “Grand Jersey Redevelopment Plan” (as amended and as may be further amended and supplemented from time to time, the “**Redevelopment Plan**”); and

WHEREAS, by Resolution No. 19-10-7 adopted on October 15, 2019 and Resolution No. 19-12-8 adopted on December 17, 2019, the Board of Commissioners authorized, among other things, that certain Redevelopment Agreement dated December 18, 2019 (the “**Redevelopment Agreement**”) by and between the Agency and 8 Aetna LLC (the “**Redeveloper**”) for the redevelopment of property identified on the tax maps of the City as Block 15801, Lots 66.01, 67, 68, 69 and 70 (collectively, the “**Property**”); and

WHEREAS, in accordance with Section 4.01(a) of the Redevelopment Agreement and Resolution No. 19-12-8 adopted on December 17, 2019, the Agency accepted title to those parcels identified as Block 15801, Lots 67, 68 and 69 (the “**Private Parcels**”) and agreed to hold title to the Private Parcels for up to three (3) years after the effective date of the Redevelopment Agreement (the “**Agency Hold Period**”) pending environmental investigation and remediation of the Private Parcels; and

WHEREAS, in accordance with Section 4.01(c) of the Redevelopment Agreement, the Agency submitted an application for Hazardous Discharge Site Remediation Fund (“**HDSRF**”) monies to assist with costs for environmental investigation of the Private Parcels, which application is pending; and

WHEREAS, the parties desire to clarify their respective rights and obligations with respect to the funding of environmental assessment costs relating to the Private Parcels and to extend the Agency Hold Period in order to allow additional time to complete the HDSRF application process and remediate the Private Parcels; and

WHEREAS, the Agency desires to memorialize the above, together with certain other associated revisions and clarifications, in an amendment to the Redevelopment Agreement, substantially in the form on file with the Agency (the "**First Amendment**"); and

WHEREAS, except as expressly authorized herein, all other terms and conditions of the Redevelopment Agreement shall remain unchanged and in full force and effect,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Jersey City Redevelopment Agency that:

Section 1. The recitals above are hereby incorporated herein as if set forth at length.

Section 2. (a) The Chair, Vice-Chair, Executive Director and/or Secretary are each hereby authorized to execute and deliver the First Amendment, together with such additions, deletions and modifications as are necessary and desirable in consultation with counsel to the Agency to effectuate this Resolution. Said authorization includes accepting any and all associated documents from the Redeveloper, and the execution and delivery of any documents by the Agency, required to effectuate this Resolution.

(b) The Chair, Vice-Chair, Executive Director, Secretary and/or other necessary Agency officials and professionals are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby and in the First Amendment and any other necessary documents and/or agreements between the Agency and the Redeveloper, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, counsel to the Agency. Said authorization includes accepting any and all associated documents from the Redeveloper, and executing and delivering any documents, required to effectuate the purposes of the First Amendment and this Resolution.

(c) The Chair, Vice-Chair, Executive Director, Secretary, General Counsel, and/or other necessary Agency officials are each hereby authorized to undertake all actions necessary to effectuate this Resolution.

(d) The Assistant Executive Director is designated to act as the agent on behalf of the Agency in the absence of the Executive Director, as previously authorized by Resolution No. SP17-05-5 adopted on May 2, 2017.

Section 3. The Chair, Vice-Chair, Executive Director and/or Secretary of the Agency are hereby authorized to execute all other documents and to undertake all actions necessary to effectuate the First Amendment and this Resolution.

Section 4. This Resolution shall take effect immediately.

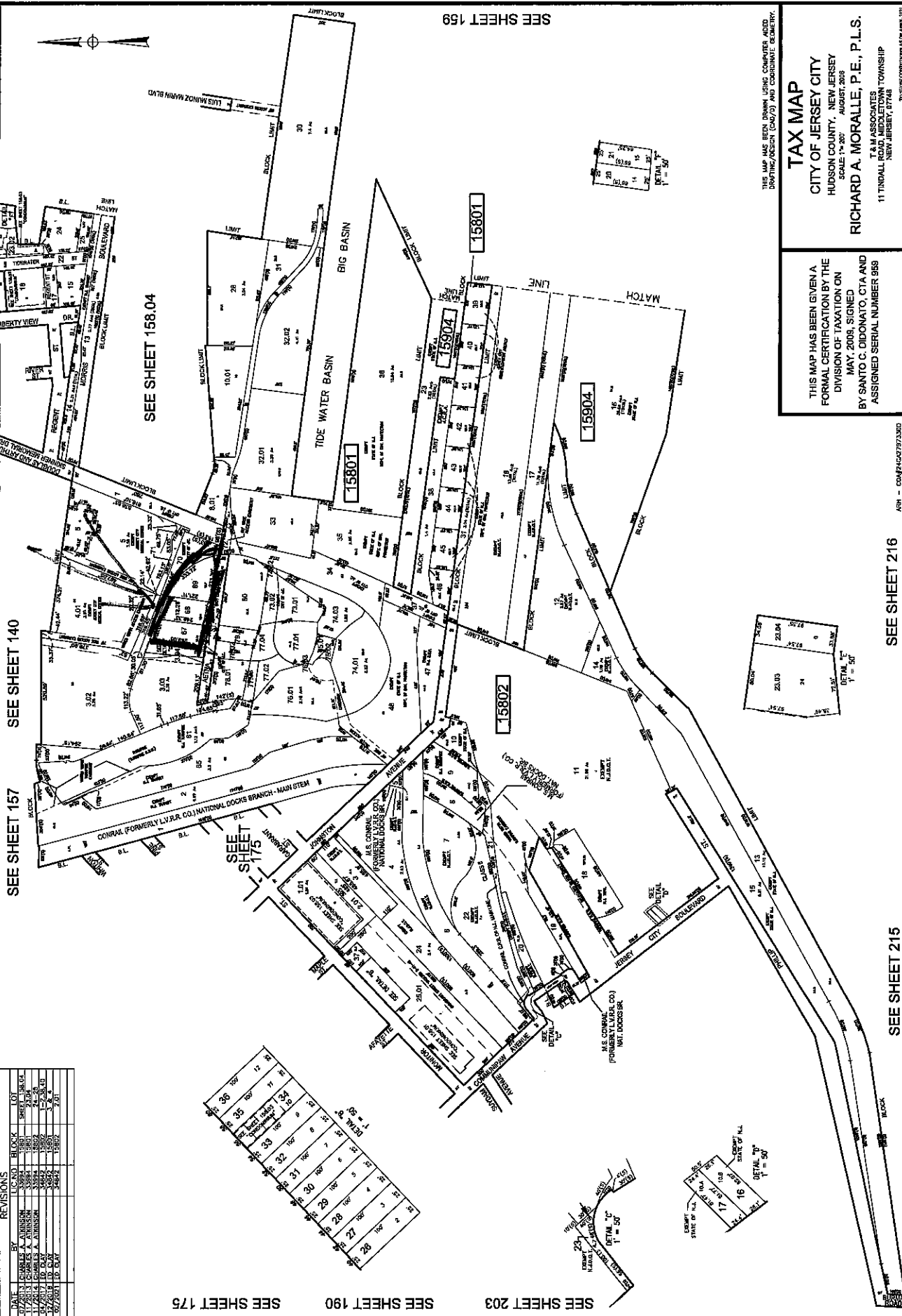
Certified to be true and correct copy of a Resolution of the Board of Commissioners of the Jersey City Redevelopment Agency adopted at its Regular Meeting of July 20, 2021.

Diana H. Jeffrey, Secretary

<u>RECORD OF COMMISSIONERS VOTE</u>				
<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Donald R. Brown				
Douglas Carlucci				
Erma D. Greene				
Evelyn Jones				
Darwin R. Ona				
Denise Ridley				
Daniel Rivera				

Site

SEE SHEET 141



DATE	BY	REVISIONS	BLOCK	LOT
11/28/03	CHARLES A. ANTONSON	1	15801	36
11/28/03	CHARLES A. ANTONSON	2	15801	35
11/28/03	CHARLES A. ANTONSON	3	15801	34
11/28/03	CHARLES A. ANTONSON	4	15801	33
11/28/03	CHARLES A. ANTONSON	5	15801	32
11/28/03	CHARLES A. ANTONSON	6	15801	31
11/28/03	CHARLES A. ANTONSON	7	15801	30
11/28/03	CHARLES A. ANTONSON	8	15801	29
11/28/03	CHARLES A. ANTONSON	9	15801	28
11/28/03	CHARLES A. ANTONSON	10	15801	27
11/28/03	CHARLES A. ANTONSON	11	15801	26
11/28/03	CHARLES A. ANTONSON	12	15801	25
11/28/03	CHARLES A. ANTONSON	13	15801	24
11/28/03	CHARLES A. ANTONSON	14	15801	23
11/28/03	CHARLES A. ANTONSON	15	15801	22
11/28/03	CHARLES A. ANTONSON	16	15801	21
11/28/03	CHARLES A. ANTONSON	17	15801	20
11/28/03	CHARLES A. ANTONSON	18	15801	19
11/28/03	CHARLES A. ANTONSON	19	15801	18
11/28/03	CHARLES A. ANTONSON	20	15801	17
11/28/03	CHARLES A. ANTONSON	21	15801	16
11/28/03	CHARLES A. ANTONSON	22	15801	15
11/28/03	CHARLES A. ANTONSON	23	15801	14
11/28/03	CHARLES A. ANTONSON	24	15801	13
11/28/03	CHARLES A. ANTONSON	25	15801	12
11/28/03	CHARLES A. ANTONSON	26	15801	11
11/28/03	CHARLES A. ANTONSON	27	15801	10
11/28/03	CHARLES A. ANTONSON	28	15801	9
11/28/03	CHARLES A. ANTONSON	29	15801	8
11/28/03	CHARLES A. ANTONSON	30	15801	7
11/28/03	CHARLES A. ANTONSON	31	15801	6
11/28/03	CHARLES A. ANTONSON	32	15801	5
11/28/03	CHARLES A. ANTONSON	33	15801	4
11/28/03	CHARLES A. ANTONSON	34	15801	3
11/28/03	CHARLES A. ANTONSON	35	15801	2
11/28/03	CHARLES A. ANTONSON	36	15801	1

SEE SHEET 175

SEE SHEET 190

SEE SHEET 203

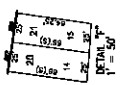
SEE SHEET 215

SEE SHEET 216

JOB - COMP#1403732303

THIS MAP HAS BEEN GIVEN A FORMAL CERTIFICATION BY THE DIVISION OF TAXATION ON MAY, 2009, SIGNED BY SANTO C. DIDONATO, CTA AND ASSIGNED SERIAL NUMBER 959

TAX MAP
CITY OF JERSEY CITY
 HUDSON COUNTY, NEW JERSEY
 SCALE 1"=50'
 AUGUST 2009
RICHARD A. MORALLE, P.E., P.L.S.
 T & M ASSOCIATES
 11 TINDALL ROAD, MIDDELTOWN TOWNSHIP
 NEW JERSEY, 07748



FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT (this “**First Amendment**”), is made as of the date of the last execution on signature page below (the “**Effective Date**”), by and between **8 AETNA, LLC**, a Delaware limited liability company, having its offices at 551 Fifth Avenue, 34th Floor, New York, New York 10176 (“**Redeveloper**”), and the **JERSEY CITY REDEVELOPMENT AGENCY**, a body corporate and politic of the State of New Jersey, having its offices at 4 Jackson Square, Jersey City, New Jersey 07305 (which, together with any successor public body or officer hereinafter designated by or pursuant to law, is hereinafter referred to as the “**Agency**”). Redeveloper and the Agency are sometimes individually referred to as a “**Party**” and together referred to as the “**Parties**” in this First Amendment.

RECITALS

WHEREAS, the Parties previously entered into that certain Redevelopment Agreement, dated as of December 18, 2019 (the “**RDA**”) (capitalized terms set forth in this First Amendment not defined herein shall have the meanings ascribed to them in the RDA); and

WHEREAS, pursuant to Section 4.01 (b) of the RDA, the Agency agreed to initiate and conduct the Remediation of the Private Parcels during the Agency Hold Period, which Remediation was to be completely funded by Redeveloper through an Environmental Escrow established by Redeveloper; and

WHEREAS, pursuant to Section 4.01(c), the Agency also agreed, at no cost to the Agency, to apply for and pursue publicly available grant funding, including a “**HDSRF Grant**” (as defined in Section 3 below), and that any grant funds actually received would reduce the Redeveloper’s obligation to fund the Remediation; and

WHEREAS, the Agency has applied for a HDSRF Grant in order to perform certain “**Investigation Work**” (as that term is defined in Section 2 below) as part of the overall Remediation; and

WHEREAS, the Parties desire to amend the RDA to modify the Redeveloper’s obligation to fund the Investigation Work; and

WHEREAS, the Parties have determined to enter into this First Amendment for the purposes of memorializing the above.

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the parties, and for the benefit of the Parties hereto and general public, Agency and Redeveloper agree to amend the RDA as set forth below:

Section 1. The above recitations are hereby incorporated herein as if set forth at length.

Section 2. The following Defined Terms are hereby added to the Definitions Section of the RDA:

a. **“Investigation Work”** shall mean the performance and completion of a “Preliminary Assessment”, “Site Investigation”, and/or “Remedial Investigation(s)” and the preparation of one or more “Preliminary Assessment Report (PAR)”, “Site Investigation Report (SIR)”, “Remedial Investigation Reports (RIR)” and/or “Remedial Action Workplans (RAW)” (as such terms are defined under Environmental Laws) for the Private Parcels.

b. **“HDSRF Grant”** shall mean any grant of funds by the New Jersey Economic Development Authority from the Hazardous Discharge Site Remediation Fund to the Agency for the purpose of paying the costs to investigate and/or remediate the Private Parcels in accordance with N.J.S.A. 58:10B-1 *et seq.* and the regulations promulgated thereunder. The Agency shall ensure that the HDSRF Grant shall not become the basis for any lien to be imposed on any of the Private Parcels.

c. **“Licensed Site Remediation Professional”** or **“LSRP”** means an individual that has been issued a license pursuant to N.J.S.A. 58:10C-1 *et seq.* or its equivalent.

Section 3.

a. Subsection (a) of Section 4.01 of the RDA is hereby amended to extend the Agency Hold Period to that date that is five (5) years following the closing of title to the Private Parcels, which occurred on December 27, 2019.

b. Subsections (b) and (c) of Section 4.01 of the RDA are hereby deleted and replaced with the following:

(b) During the Agency Hold Period, the Agency shall initiate and conduct the Remediation of the Private Parcels in accordance with Environmental Laws. With respect to the Investigation Work, the Agency shall initially pay all costs related to same. Prior to the start of the Investigation Work: (a) the Agency shall provide Redeveloper with a certified cost estimate from its LSRP for the Investigation Work and (b) Redeveloper shall execute and deliver to the Agency a mortgage and mortgage note (collectively the **“Mortgage”**) with respect to the real property identified as Block 15801, Lot 66.01 on the Tax Maps of the City of Jersey City (**“Lot 66.01”**) in the amount of 150% of said cost estimate. The Mortgage shall bear interest at the rate of 4.5% per year, shall be in the form of the attached **Exhibit A**, and shall provide that it shall in all events be subject and subordinate to any first party mortgage obtained by Redeveloper with respect to Lot 66.01. In the event that the Agency actually receives any HDSRF Grant funds, such funds shall: (a) be used to reimburse the Agency for its costs incurred in performing the Investigation Work or to pay for additional Investigation Work to be performed after receipt of the funds and (b) reduce the amount due and owing on the Lot 66.01 Mortgage on a dollar for dollar basis. Upon the Agency’s actual receipt of HDSRF Grant Funds or notice from NJDEP that no HDSRF Grant Funds would be provided, the Agency shall provide Redeveloper with written notice of all amounts remaining due and owing on the Lot 66.01 Mortgage and

Redeveloper shall pay same within thirty (30) days of its receipt of said notice.

(c) The Parties hereby agree, upon issuance of a RAW for the Private Parcels and a corresponding cost estimate for all remaining Remediation, to negotiate a further amendment to this Agreement with respect to the performance of such Remediation. If reasonably requested by Redeveloper, and at no cost to the Agency, the Agency agrees to file and pursue applications for additional publicly available grant funding for reimbursement of all or any part of the costs incurred to complete the Remediation of the Private Parcels. Notwithstanding the above, Redeveloper acknowledges and agrees that the Agency does not guarantee the receipt of any such publicly available grant funds. In no event, however, shall the Agency incur any costs with respect to such Remediation that are not reimbursable from either publicly available grant funding or Redeveloper. The Redeveloper further acknowledges that the Agency has other commitments to pursue such environmental grants and that the availability of environmental grants for the Private Parcels will be prioritized accordingly by the Agency and may result in no environmental grants being available for the Private Parcels.

(d) With respect to the Investigation Work, the Agency shall cause all such work to be performed promptly and diligently, in a good and workmanlike manner and in accordance with Environmental Laws, including without limitation the Technical Requirements for Site Remediation, N.J.A.C. Chapter 7:26E.

(e) Redeveloper shall have the right to review and comment in writing on a draft PAR(s), SIR(s), RIR(s) and RAW(s) for the Private Parcels in advance of the finalization of same by the Agency's LSRP. The Agency shall provide such draft PAR(s), SIR(s), RIR(s), and/or RAW(s) to Redeveloper at least ten (10) business days prior to the date of the submission of the PAR(s), SIR(s), RIRs, and/or RAW(s) to the NJDEP. Redeveloper shall respond in writing with its comments to the PAR(s), SIR(s), RIR(s), and/or RAW(s) within seven (7) business days of receipt thereof by Redeveloper, which comments shall be reasonably considered by the Agency's LSRP prior to submittal to the NJDEP.

(f) The Agency hereby agrees that Redeveloper and its consultants, representatives, agents, employees and contractors shall have a non-exclusive, non-transferable, non-perpetual and a revocable license to enter on the Private Parcels for purposes of monitoring, observing, and reviewing the Investigation Work, provided that Redeveloper shall not interfere with the Agency Investigation Work. Prior to entry onto the Private Parcels, Redeveloper and any of its consultants, representatives, agents, or contractors shall furnish the Agency with certificates of insurance and policy endorsements demonstrating comprehensive general liability insurance of no less than \$1,000,000 per occurrence / \$2,000,000 aggregate, which coverage shall name the City of Jersey City and the Agency as additional insureds. Redeveloper and its consultant's representatives, agents, employees and contractors shall assume all risks directly arising from entry upon the Private Parcels, and hereby agree to forever discharge, waive and release any and all claims, suits, demands, liabilities, or actions arising out of or in connection with: (a) the presence of Hazardous Substances on, beneath or migrating from the Property; (b) any action or failure to act of the with respect to the conduct or performance of the Agency Remediation of the Property; or (c) all such right of entry as provided in this subsection.

Section 4. Section 13.01(b), Manner of Notice, is hereby amended such that in the case of the Agency, notices shall be addressed to:

Jersey City Redevelopment Agency
4 Jackson Square (a/k/a 39 Kearney Avenue)
Jersey City, New Jersey 07305
Attn: Diana H. Jeffrey, Esq., Executive Director

Section 5. Except as specifically amended by this First Amendment, the RDA, remains in full force and effect and is hereby ratified by the Parties.

Section 6. This First Amendment may be executed in counterparts. All such counterparts shall be deemed to be originals and together shall constitute but one and the same instrument. E-mail and/or facsimile signatures are acceptable.

[Signature Page to Follow]

WITNESS:

8 AETNA LLC, a Delaware limited liability
Company, Redeveloper

By: _____

By: _____

Name: _____

Name: Andrew Penson

Title: Authorized Signatory

Dated: _____

STATE OF NEW YORK)
) **SS:**
COUNTY OF _____)

BE IT REMEMBERED, that on _____, 2021, before me, the subscriber, a Notary Public of the State of New York, personally appeared Andrew Penson, who, being by me duly sworn on his oath, deposes and makes proof to my satisfaction, that he is an Authorized Signatory of **8 AETNA LLC**, a limited liability company of the State of Delaware, the entity named in the within Instrument and that he signed, sealed and delivered the attached document as and for his act and deed and as the authorized act and deed of **8 AETNA LLC**.

Sworn and subscribed to before me
this ____ Day of _____, 2021

Notary Public of the State of New York
My Commission Expires _____