

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF  
COMMISSIONERS OF THE JERSEY CITY REDEVELOPMENT AGENCY HELD  
ON THE 15<sup>th</sup> DAY OF FEBRUARY, 2022**

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The Board of Commissioners of the Jersey City Redevelopment Agency conducted today's meeting as a virtual video conference on the Zoom platform on Tuesday, February 15<sup>th</sup>, 2022 at 6:00 p.m. Chairman Rivera called the Meeting to order at 6:08 p.m., and upon roll call the following answered **present: Donald Brown, Douglas Carlucci, Victor Negron Jr., Denise Ridley and Daniel Rivera.**

And the following were **absent: Erma Greene and Darwin Ona.** Chairman Rivera thereupon declared a quorum present. Also present at the Meeting were Diana H. Jeffrey, Esq., Executive Director; Jesamil Lozano, Secretary to the Board and secretary for the Meeting; Jennifer Credidio, Esq., General Counsel; Agency's staff; and Members of the public.

Immediately following the Pledge of Allegiance, the Executive Director announced that, in accordance with the Open Public Meetings Act and Guidance for Remote Public Meetings issued by the Department of Community Affairs, public notice of today's meeting was posted at the Agency's office, on the Agency's website and was sent to the City Clerk for the public's review.

In accordance with tonight's agenda, General Counsel Credidio acknowledged Port Liberte Apartments, LLC to make a presentation. Ms. Credidio explained that New Liberty Residential Urban Renewal Company, LLC is currently the designated redeveloper for Block 27503, Lots 16 and 17 and that they propose to sell the property to Port Liberte Apartments, LLC. The applicant's attorney, James McCann, Esq. of Connell Foley introduced Mr. Abe Naparstek, a principal of the applicant. Mr. Naparstek shared the applicant's qualifications and past construction projects within the City. Accordingly, Mr. Jonathan Gertman informed the Board that the applicant is seeking Board approval for construction of 5-story residential building, which shall contain approximately 401 market rate rental units and a 7-story parking garage containing 602 parking spaces, together with on-site amenities. Mr. Gertman noted that changes have been made to the construction plan after meeting with the community and Homeowners Association (HOA). In addition, numerous public improvements will include all new sanitary and storm sewer infrastructure, improvements to Chapel Avenue, and a new sixteen inch water main.

Vice Chairwoman Ridley inquired if the improvements will include lighting to Chapel Avenue.

In which Mr. Naparstek replied that the he believes additional lighting is included in the plans.

Commissioner Brown asked if any traffic studies have been done.

Mr. Gertman explained that an updated traffic study has been done.

There being no further questions for the presenters, Ms. Credidio introduced 701 Newark Ave LLC to make a presentation. Charles Harrington, Esq., of the law firm Connell Foley, represented the applicants, 701 Newark Ave LLC, who is seeking Board approval for the development of property located on Block 7902 Lots 25, 26, 27, 28 and 29, within The Journal Square 2060 Redevelopment Plan. Mr. Harrington explained that 701 Newark Ave LLC anticipates purchasing parcels from the Agency and proposes the construction of a 27 story building alongside the Homestead project located within the Journal Square 2060 Redevelopment Plan. Mr. Harrington noted that the proposed project will complete the pedestrian streetscape walkway. In addition, 701 Newark Ave LLC proposed a 336 residential unit of residential apartments including studio, 1 bedroom and 2 bedroom units. The project will also consist of mixed use office space which is in accordance with the permitted Office Bonus within The Journal Square 2060 Redevelopment Plan. Mr. Harrington stated that the project will be utilizing Union Labor Workers. Mr. Paul Freitas explained the construction of the project including with respect to several slides showing plans and renderings. Lastly, Mr. Harrington noted that currently the parcels are being used for municipal parking. The project proposes approximately 45 parking spaces either on site or within ¼ mile.

Chairman Rivera shared his concerns about the proposed parking.

Mr. Harrington explained that the developer is willing to explore options relating to the parking. Lastly, Mr. Harrington stated that he met with Councilman Richard Boggiano on the proposed project. There being no further questions for the presenters, the Board moved on to a motion to open the meeting to public comment.

Accordingly, the following voted "AYE": Commissioners Brown, Carlucci, Negron, Ridley and Rivera; and the following voted "NAY": None. Chairman Rivera thereupon declared the Motion carried and at this time Chairman Rivera asked if anyone from the public would like to address the Board of Commissioners. General Counsel advised that members of the public who wished to speak during today's meeting were encouraged to pre-register with the Agency's administrator or to submit comments by email in advance. If they did not pre-register, they would still be permitted to speak and may

indicate their wish to speak now by utilizing the “raise your hand” icon to indicate their desire to speak. Speakers who were participating by telephone and would like to speak during public comment could “raise your hand” by pressing \*9.

Madam Secretary Lozano informed the Board that three members of the public preregistered to address the Commissioners. They were Nicole Samii of 32BJ, June Jones of the Morris Canal Community Development Corporation (MCCDC), and Veronica Sutton, a development consultant to MCCDC.

Ms. Nicole Samii from 32BJ was called on and declined to address the Board.

Next, the Board acknowledged Ms. June Jones from MCCDC. Ms. Jones spoke in opposition to Resolution #11, “A Resolution of the Board of Commissioners of the Jersey City Redevelopment Agency Authorizing Termination of the Redevelopment Agreement with Morris Canal Community Development Corporation for Block 20001, Lots 16, 18-22, Commonly Known As 408-420 Communipaw Avenue, within the Morris Canal Redevelopment Area”. Ms. Jones stated that MCCDC was designated in 2003. She informed the Board that a letter was received claiming that they were in default for project, which she said was incorrect. Ms. Jones asserted that MCCDC was supposed to receive other properties for a nominal fee, and that a Bergen County based nonprofit, CHIPs, had received property for a nominal fee. Ms. Jones stated that MCCDC had requested a meeting, and that a meeting should be held before the Resolution was acted upon. She asserted that the Agency had created obstacles to development: 1) that the purchase price was \$950,000 when in her opinion it should be nominal consideration; 2) she asserted that the project was prevented from proceeding to the Planning Board because she asserted that the Agency accidentally sold a piece of property; and 3) she asserted that the Agency’s removal of an underground storage tank at the property created a leak. Ms. Jones went on to assert that the resolution was prompted by personal issues and politics. She reiterated the request for a meeting and stated that other people than the Agency’s Executive Director should be present. Ms. Jones also requested that the Board table or withdraw Item 10, “Resolution of the Board of Commissioners of the Jersey City Redevelopment Agency Extending the Designation of 417 Communipaw OZ, LLC as the Redeveloper of Property Identified as Block 18901, Lots 23 and 29, Commonly Known as 417 Communipaw

Avenue and 139 Woodward Street, within the Morris Canal Redevelopment Area”.

Next, Veronica Sutton of VDS Consulting spoke in opposition to Resolution #11. Ms. Sutton stated that the project was ready to move forward before Covid. She asserted that the Agency hampered the project by requiring environmental work to be redone, and asserted that the Agency caused environmental issues at the site. Ms. Sutton stated that Covid destabilized nonprofits, including their partner NJCDC, who withdrew from the transaction. She spoke regarding two proposals by MCCDC to amend the redevelopment agreement. Ms. Sutton stated that it was understandable that the Agency refused the first proposal, which included big changes, such as rental vs. home ownership. She asserted that the second proposal would be exactly the same as initially proposed. Ms. Sutton requested that the Board Table or Withdraw Items #10 and #11 from the Consent Agenda.

No other members of the public pre-registered to address the Board. The Agency then moved on to speakers who had not preregistered.

Randy Condi stated that he was a union carpenter and a long-time resident of Jersey City. He requested that Item 8, “Resolution of the Board of Commissioners of the Jersey City Redevelopment Agency Designating 701 Newark Avenue LLC as Redeveloper and Authorizing Execution of a Funding Agreement in Connection with the Property Identified as Block 7902, Lots 25, 26, 27, 28, and 29, Commonly Known as 693-701 Newark Avenue, within the Journal Square 2060 Redevelopment Area,” be tabled because he asserted that the proposed developer has not met with the trade unions.

Elvin Dominici stated that he was a long-time resident of the City, and that he was highly concerned about Item 10, with respect to 417 Communipaw Avenue, and Item 11, with respect to 408-420 Communipaw Avenue. He requested that the items be Tabled from the Consent Agenda.

Pam Timpson spoke against Item 11. She expressed concerns regarding gentrification, and asserted that many local projects have not been supported over the years. Ms. Timpson expressed support for MCCDC and requested that the Board Table Item #11.

Samuel Conaway stated that he was born and raised in Jersey City. He spoke in opposition to Item 8, as he said the

proposed developer has not spoken with the trades. Mr. Conaway asserted that another developer was going to undertake a bigger project and create more jobs.

Jersey City resident Chris Gadsden spoke in opposition to Item 11. He stated that he supported Ms. Jones and MCCDC and that the Agency should meet with them. He requested that the Board Table Item #11.

Jerome Choice stated that he is a resident of Jersey City and a member of MCCDC. He spoke in opposition to Item 11. He requested that the Board table the item.

Joseph McCourt spoke in opposition to Item 8, as he asserted that there is no agreement with the building trades.

Erica Walker stated that she is an aide to Councilman Gilmore but speaking on her own behalf. She opposed the Agency adopting Items 10, with respect to 417 Communipaw Avenue, and 11, with respect to 408-420 Communipaw Avenue. Ms. Walker expressed her support for MCCDC.

Patrick Conlon, Esq., of the law firm Connell Foley, wished to clarify that Item #8 will include 100% Union Labor Workers for the construction of the project.

Jersey City resident, Sam Pesin stated his support for the Morris Canal Communipaw Development Corporation and requested that the Board Table Items 10 & 11. He asserted that delays with respect to 408-420 Communipaw were not due to MCCDC, and that the Agency has caused some delays and Covid has caused some delays. He spoke in support of Ms. Jones and stated that the Agency should have a meeting with her.

Public comment being concluded, the Board went into closed session. The following Resolution was introduced and duly seconded: the following voted "AYE": Commissioners Brown, Carlucci, Negron, Ridley and Rivera and the following voted "NAY": None.

Emerging from Executive Session at 8:54 pm, General Counsel Credidio made it known that discussions involving litigation, contract negotiations and personnel took place; no formal action was taken.

At this time the Executive Director advised the Board that in connection with Item 8, with respect to 701 Newark Avenue, 100% union labor will be required for the construction of the project.

The Executive Director went on to discuss Item 11, with respect to 408-420 Communipaw Avenue. She referred to the contents of the resolution, which included as attachments: correspondence from the Agency rejecting an assignment of the redevelopment agreement to a for-profit entity; the notice of default from the Agency to MCCDC; and correspondence from the Agency rejecting a separate proposal from MCCDC and notifying MCCDC that it was still in default under the redevelopment agreement. As to this latter correspondence, dated January 20, 2022 and attached as Exhibit C to the Resolution, General Counsel Credidio read the correspondence aloud as Exhibit C had not been posted electronically.

The Executive Director stated that the redeveloper has been designated for 19 years. She stated that the purchase price in the redevelopment agreement was reduced from market value due to redeveloper's nonprofit status. The Executive Director stated that the environmental review conducted by MCCDC on the Agency property was insufficient, and the Agency needed to undertake its own environmental review. She stated that the Agency has taken many actions in order to advance the project, including the acquisition of property, the use of grant funds, agreeing to prior amendments to the redevelopment agreement, conducting environmental actions at the site, and setting the purchase price at less than market value. She stated that many of these actions were taken because the redeveloper is a nonprofit. The Executive Director reiterated the duration of the designation.

Chairman Rivera noted that the Commissioners should have received their Agenda packages and asked if there were any questions, additions or comments.

There being no requests, comments, and/or questions, Chairman Rivera called for a Consent Agenda for Items #1 through #16, which were moved, seconded and approved unanimously. Chairman Rivera then called for a motion to implement the Consent Agenda, which was moved and seconded and voted as follows:

Chairman Rivera Voted "AYE" for Resolutions Items #1 through #16

Vice Chairwoman Ridley Voted "AYE" for Resolutions Items #1 through #16

Commissioner Brown Voted "AYE" for Resolutions Items #1 through #16

Commissioner Carlucci Voted "AYE" for Resolutions Items #1 through #16

Commissioner Negron Voted "AYE" for Resolutions Items #1 through #16

Accordingly, the following Resolutions duly adopted: (attached)

There being no further business to come before the Board of Commissioners, the meeting was adjourned at 9:13  
p.m.

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Secretary