

CITY OF CAMDEN REDEVELOPMENT AGENCY
BOARD OF COMMISSIONERS
REGULAR MONTHLY MEETING
CITY HALL, CITY COUNCIL CHAMBERS, 2ND FLOOR
CAMDEN, NEW JERSEY

AGENDA

March 06, 2013

6:00 PM

- I. Call to Order - Chairperson**
- II. Roll Call - Board Clerk**
- III. Statement of Compliance with Open Public Meetings Act**
- IV. Review of Minutes**
- V. Review of Executive Director's Report**
- VI. Review of Resolutions**
 - 03-06-13A Resolution Authorizing the Camden Redevelopment Agency to Add Melinda Sanchez and Bryan Morton to the List of Authorized Signatories for the Agency's Accounts held at PNC Bank and to Remove Prior Office Holders from Such Accounts**
 - 03-06-13B A Resolution Establishing that a Business Entity which Makes Political Contributions to Municipal Candidates and Municipal and County Political Parties in Excess of Certain Thresholds Shall be Limited in its Ability to Receive Public Contracts from The Camden Redevelopment Agency in the County of Camden**
 - 03-06-13C Resolution Authorizing the Camden Redevelopment Agency to Accept a Grant from the Hazardous Discharge Site Remediation Fund in the Amount of \$860,323 for Remedial Action at the Harrison Avenue Landfill (#P37760)**
 - 03-06-13D Resolution Authorizing the Camden Redevelopment Agency to Enter into a Professional Services Agreement with Langan Engineering & Environmental Services to Provide Environmental Investigation and Remediation Services in Connection with the Former Sears Tire & Battery Site**
 - 03-06-13E Resolution Authorizing the Camden Redevelopment Agency to Enter into a Professional Service Agreement with Dresdner Robin for the Preparation of a Fill Use Plan in Connection with the Remediation of the ABC Barrel Company Site**
 - 03-06-13F Resolution Authorizing the Transfer of Certain Real Property (Block 182, Lot 84) to the City of Camden for Nominal Consideration**

**03-06-13G Resolution Amending Resolution 02-06-13D and Thereby Authorizing the Camden
Redevelopment Agency to Accept Conveyance by the City of Camden of Certain
Additional Real Property Located in the Camden North Gateway Redevelopment
Area**

VII. Public Comments

VIII. Chairperson's Remarks and Observations

IX. Old Business

X. New Business

XII. Executive Session

XIII. Adjournment

RESOLUTION SUMMARY

Finance

Resolution No.: 03-06-13A

Resolution Title:

**Resolution Authorizing the Camden Redevelopment Agency to Add
Melinda Sanchez and Bryan Morton to the List of Authorized Signatories
for the Agency's Accounts held at PNC Bank and to Remove Prior Office Holders
from Such Accounts**

Project Summary:

A reorganization of the Board of Commissioners was conducted on January 16, 2013 and new appointments have been made for the positions of Board Chairperson and Treasurer, who also serves as Finance Committee Chairperson.

A revised signatory authorization is required to change the names on the PNC Bank Accounts.

In times when the Executive Director is unavailable and disbursements cannot be delayed, the Finance Director may request one of the signatories to fully execute a CRA check.

Purpose of Resolution: To authorize the CRA to add Ms. Sanchez and Mr. Morton to the list of authorized signatories for the CRA bank accounts and to remove prior office holders from such accounts.

Award Process:

N/A

Cost Not To Exceed: N/A

Source of Funds: N/A

Total Project Cost: N/A

03-06-13A

**Resolution Authorizing the Camden Redevelopment Agency to Add
Melinda Sanchez and Bryan Morton to the List of Authorized Signatories
for the Agency's Accounts held at PNC Bank and to Remove Prior Office Holders
from Such Accounts**

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

WHEREAS, to this end, the CRA must conduct business on a day-to-day basis in order to carry out its mission; and

WHEREAS, a reorganization of the Board of Commissioners was conducted on January 16, 2013 and new appointments have been made for the positions of Board Vice Chairperson (Melinda Sanchez) and Treasurer (Bryan Morton) who also serves as the Chairperson of the Finance Committee; and

WHEREAS, in times when the Executive Director is unavailable and disbursements cannot be delayed, the Finance Director may request one of the signatories to fully execute a CRA check;

WHEREAS, the standard practice of the CRA has been to include the current Chairperson of the Board and the current Treasurer of the Board as authorized signatories for accounts held at PNC Bank, and

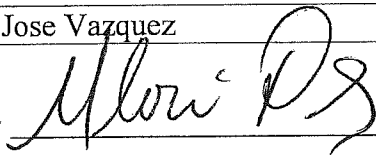
WHEREAS, the current Board Chairperson is an employee of PNC Bank and is, therefore, unable to be one of the two authorized Board signatoores,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Camden Redevelopment Agency that the Executive Director of the Agency, a duly authorized representative of the Camden Redevelopment Agency, is hereby authorized to revise the authorized signatories on accounts held at PNC Bank by removing the outgoing Board and Finance Committee Chairpersons from the list of authorized signatories on accounts held at PNC Bank and to add Melinda Sanchez Pena and Bryan Morton to the list of authorized signatories on accounts held at PNC Bank.

ON MOTION OF:

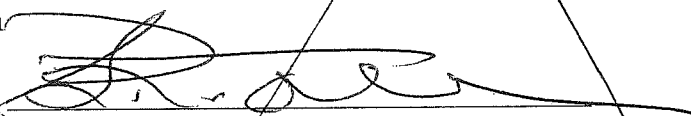
SECONDED BY:

COMMISSIONER	AYES	NAYS	ABSTENTIONS
Gloria Pena			
Vance Bowman			
Kenwood Hagamin, Jr.			
Bryan Morton			
Louis Quinones			
Melinda Sanchez			
Jose Vazquez			

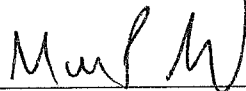


Gloria Pena
Chairperson

ATTEST:


Saundra Ross Johnson
Executive Director

The above has been reviewed and approved as to form.



Mark P. Asselta, Esq.

CITY OF CAMDEN REDEVELOPMENT AGENCY
RESOLUTION SUMMARY

Finance

Resolution No.: 03-06-13B

Resolution Title:

**A Resolution Establishing that a Business Entity which
Makes Political Contributions to Municipal Candidates and Municipal
and County Political Parties in Excess of Certain Thresholds Shall be Limited
in its Ability to Receive Public Contracts from The Camden Redevelopment Agency
in the County of Camden**

Project Summary:

Large political contributions from those seeking or performing contracts with a municipal contracting unit raise reasonable concerns on the part of taxpayers and residents as to their trust in government and its business practices;

Pursuant to N.J.S.A. 40:48-2 or N.J.S.A. 40A:12A-22 (in the case of a redevelopment agency), a municipal contracting unit is authorized to adopt such ordinances, regulations, rules and by-laws as necessary and proper for good government, as well as the public health, safety and welfare,

P.L.2005, c.271 (codified at N.J.S.A. 40A:11-51) a municipal contracting unit is authorized to adopt by resolution, measures limiting the awarding of public contracts to business entities that have made political contributions, and limiting the contributions that the recipient of such a contract can make during the term of a contract.

Purpose of Resolution: To comply with N.J.S.A. 40A:11-51 by adopting a Pay-to-Play Policy

Cost Not To Exceed: N/A

Funding Source: N/A

Total Project Cost: N/A

**A Resolution Establishing that a Business Entity which
Makes Political Contributions to Municipal Candidates and Municipal
and County Political Parties in Excess of Certain Thresholds Shall be Limited
in its Ability to Receive Public Contracts from The Camden Redevelopment Agency
in the County of Camden**

(CONTRACTOR PAY-TO-PLAY REFORM RESOLUTION)

The Camden Redevelopment Agency of the City of Camden does hereby Resolve:

WHEREAS, large political contributions from those seeking or performing contracts with a municipal contracting unit raise reasonable concerns on the part of taxpayers and residents as to their trust in government and its business practices; and,

WHEREAS, pursuant to N.J.S.A. 40:48-2, or N.J.S.A. 40A:12A-22 (in the case of a redevelopment agency) a municipal contracting unit is authorized to adopt such ordinances, regulations, rules and by-laws as necessary and proper for good government, as well as the public health, safety and welfare; and,

WHEREAS, pursuant to P.L.2005, c.271 (codified at N.J.S.A. 40A:11-51) a municipal contracting unit is authorized to adopt by resolution, measures limiting the awarding of public contracts to business entities that have made political contributions, and limiting the contributions that the recipient of such a contract can make during the term of a contract; and,

WHEREAS, in the interest of good government, the people and the Camden Redevelopment Agency desire to establish a policy that will avoid the perception of improper influence in public contracting and local elections,

NOW, THEREFORE, BE IT RESOLVED, it shall be the policy of the Camden Redevelopment Agency to create such a regulation which states that a Business Entity which makes political contributions to municipal candidates and municipal and county political parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the Camden Redevelopment Agency; and,

03-06-13B (cont'd)

BE IT FURTHER RESOLVED by the Camden Redevelopment Agency, in the County of Camden, and State of New Jersey, as follows:

DEFINITIONS

As used in this ordinance:

- (a) "Campaign Committee" means (i) every candidate for City of Camden, NJ elective municipal office; (ii) every candidate committee established by or for the benefit of a candidate for City of Camden, NJ elective municipal office; (iii) every joint candidate committee established in whole or in part by or for the benefit of a candidate for City of Camden, NJ elective municipal office; (iv) every political party committee of the City of Camden, NJ; (v) every political party committee of the County of Camden; and (vi) every political committee, continuing political committee, or other form of association or organization that regularly engages in the support of candidates for the City of Camden, NJ municipal or County of Camden elective offices or City of Camden, NJ municipal or County of Camden political parties or political party committees. The terms in the foregoing paragraph have the meaning prescribed in N.J.A.C. 19:25-1.7.
- (b) "Contribution" has the meaning prescribed in N.J.A.C. 19:25-1.7. By way of illustration, and not limitation, this definition includes pledges, loans, and in-kind contributions.
- (c) A "contract for professional or extraordinary services" means all contracts for "professional services" and "extraordinary unspecifiable services" as such term is used in N.J.S.A. 40A:11-5.
- (d) For purposes of this Resolution, a "Business Entity" whose contributions are regulated by this ordinance means: (i) an individual including the individual's spouse, and any child/children; (ii) a firm; corporation; professional corporation; partnership; limited liability company; organization; association; and any other manner and kind of business entity; (iii) any person who owns 10% or more of the equity or ownership or income interests in a person or entity as defined in sections (i) and (ii) above and their spouses and child/children; (iv) all partners or officers of such an entity, in the aggregate, and their spouses and child/children; (v) any person, subcontractor, subsidiary, corporation, firm, partnership, limited liability company, organization or association who has received or indefeasibly acquired the right to receive, from a person described in subparagraph (i) above, more than \$100,000.00 in compensation or income of any kind (including, by way of illustration, and not limitation: wages, salaries, sums paid to independent contractors, benefits, dividends, profit-sharing, pension contributions, deferred contributions, stock, stock options or gifts), in any twelve (12) month period prior to the award of, or during the term of, a contract subject to this resolution; and (vi) all persons who are an "affiliate" of a Business Entity as defined in sections (i), (ii) and (v) above, as such term is used in 11 U.S.C. 101(2).

SECTION 1 – PROHIBITION ON AWARDING PUBLIC CONTRACTS TO CERTAIN CONTRIBUTORS

- (a) To the extent that it is not inconsistent with state or federal law, the Camden Redevelopment Agency and any of its departments, instrumentalities or purchasing agents shall not enter into any agreement or otherwise contract to procure "professional services" as such term is defined at N.J.S.A. 40A:11-2(6) and used at N.J.S.A. 40A:11-5(1)(a)(i) and/or banking, insurance or other consulting service (hereinafter "Professional Services"), nor "extraordinary unspecified services" as such term is defined at N.J.S.A. 40A:11-2(7) and used at N.J.S.A. 40A:11-5(1)(a)(ii) and/or media, public relations, lobbying, parking garage management or other consulting and/or management service (hereinafter "Extraordinary Unspecified Services") from any Business Entity if such Business Entity has solicited or made any Contribution to (i) a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in City of Camden, NJ or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Camden, NJ or County of Camden political committee or political party committee, or (iii) to any continuing political committee or political action committee that regularly engages in the support of City of Camden, NJ municipal or County of Camden elections and/or City of Camden, NJ municipal or County of Camden candidates, candidate committees, joint candidate committees, political committees, political parties, political party committees, (hereinafter "PAC"), in excess of the thresholds specified in subsection (g) within one calendar year immediately preceding the date of the contract or agreement.
- (b) No Business Entity who submits a proposal for, enters into negotiations for, or agrees to any contract or agreement with the Camden Redevelopment Agency or any of its departments or instrumentalities, for the rendition of Professional Services or Extraordinary Unspecified Services shall knowingly solicit or make any Contribution, to (i) a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in City of Camden, NJ, or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Camden, NJ or County of Camden political committee or political party committee, or (iii) any PAC between the time of first communication between that Business Entity and the municipality regarding a specific agreement for Professional Services or Extraordinary Unspecified Services, and the later of the termination of negotiations or rejection of any proposal, or the completion of the performance or specified time period of that contract or agreement.

03-06-13B (cont'd)

- (c) The monetary thresholds of this Resolution are: (i) a maximum of \$300 per calendar year each for any purpose to any candidate or candidate committee for mayor or governing body, or \$500 per calendar year to any joint candidates committee for mayor or governing body, or \$300 per calendar year to a political committee or political party committee of the City of Camden, NJ; (ii) \$500 maximum per calendar year to a County of Camden political committee or political party committee; and (iii) \$500 maximum per calendar year to any PAC. However, for each Business Entity party to a contract for Professional or Extraordinary Unspecified Services as defined in subparagraph (a), or engaged in negotiations for a contract defined in subparagraph (a), when such Business Entity's Contribution is aggregated with all "persons" defined in subparagraph (d) of "Definitions" above, by virtue of their affiliation to that Business Entity party, a maximum of \$2,500 to all City of Camden, NJ candidates, candidate committees, joint candidate committees, and holders of public office having ultimate responsibility for the award of a contract, all City of Camden, NJ or County of Camden political committees and political party committees as described herein combined, without violating subsection (a) of this section.
- (d) For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be (i) the Camden Redevelopment Agency Board of Commissioners, if the contract requires approval or appropriation from the Board of Commissioners.
- (e) Rules regarding subcontractors. No person may be awarded a subcontract to perform under a contract subject to this Resolution, if the subcontractor would be disqualified by paragraph (a) from receiving the contract at the time that the subcontract is awarded. Nor may any person who would be disqualified by paragraph (a) from receiving the contract perform substantially all of obligations described in a contract for professional or extraordinary services that is subject to this resolution.

SECTION 2 - CONTRIBUTIONS MADE PRIOR TO THE EFFECTIVE DATE

No Contribution or solicitation of contributions made prior to the effective date of this Resolution shall be deemed to give rise to a violation of this Resolution.

SECTION 3 - CONTRACT RENEWAL

No contract subject to this ordinance may be renewed, extended, or materially modified unless the resulting renewal, extension, or modification would be allowable under the provisions of this resolution if it were an initial contract.

SECTION 4 - CONTRIBUTION STATEMENT BY BUSINESS ENTITY

- (a) Prior to awarding any contract or agreement to procure "Professional Services" or "Extraordinary Unspecified Services" from any Business Entity, the Camden Redevelopment Agency or its purchasing agents and departments, as the case may be, shall receive a sworn statement from said Business Entity which is the intended recipient of said contract that he/she/it has not made a Contribution in violation of Section 1 of this Ordinance. The Camden Redevelopment Agency, its purchasing agents and departments shall be responsible for informing the Board of Commissioners that the aforementioned sworn statement has been received and that the Business Entity is not in violation of this ordinance, prior to awarding the contract or agreement.
- (b) A Business Entity shall have a continuing duty to report to the Camden Redevelopment Agency any Contributions that constitute a violation of this act that are made during the negotiation, proposal process or the duration of a contract. The Camden Redevelopment Agency, its purchasing agents and departments shall be responsible for informing the Board of Commissioners within ten (10) business days after receipt of said report from the Business Entity, or at the next Board of Commissioners' meeting following receipt of said report from the Business Entity, or whichever comes first.
- (c) The certification required under this subsection shall be made prior to entry into the contract or agreement with the Camden Redevelopment Agency, or prior to the provision of services or goods, as the case may be, and shall be in addition to any other certifications that may be required by any other provision of law.

SECTION 5 - RETURN OF EXCESS CONTRIBUTIONS

A Business Entity that is a party to a contract for Professional Services or Extraordinary Unspecified Services may cure a violation of Section 1 of this Resolution, if, within 30 days after the date on which the applicable ELEC report is published, said Business Entity notifies the municipality in writing and seeks and receives reimbursement of the Contribution from the recipient of such Contribution.

SECTION 6 - EXEMPTIONS

The contribution limitations prior to entering into a contract in Section 1(a) do not apply to contracts which (i) are awarded to the lowest responsible bidder after public advertising for bids and bidding therefore within the meaning of N.J.S.A. 40A:11-4, or (ii) are awarded in the case of emergency under N.J.S.A. 40A:11-6. There is no exemption for contracts awarded pursuant to a "Fair and Open Process" under N.J.S.A. 19:44A-20 et seq.

SECTION 7 - PENALTY

- (a) It shall be a material breach of the terms of a Camden Redevelopment Agency agreement or contract for Professional Services or Extraordinary Unspecified Services when a Business Entity that is a party to such agreement or contract has:
- (i) made or solicited a Contribution in violation of this Ordinance; (ii) knowingly concealed or misrepresented a Contribution given or received; (iii) made or solicited Contributions through intermediaries for the purpose of concealing or misrepresenting the source of the Contribution; (iv) made or solicited any Contribution on the condition or with the agreement that it will be re-contributed to a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in the City of Camden, NJ, or a holder of public office having ultimate responsibility for the award of a contract, or any City of Camden, NJ or County of Camden political committee or political party committee, or any PAC; (v) engaged or employed a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any Contribution, which if made or solicited by the professional Business Entity itself, would subject that entity to the restrictions of this Resolution; (vi) funded contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engaged in any exchange of Contributions to circumvent the intent of this Ordinance; or (viii) directly or indirectly, through or by any other person or means, done any act which if done directly would subject that entity to the restrictions of this Resolution.
- (b) Furthermore, any Business Entity that violates Section 7 (a) (i-viii) shall be disqualified from eligibility for future Camden Redevelopment Agency contracts for a period of four (4) calendar years from the date of the violation.
- (c) Any person who knowingly, purposely, or recklessly violates any provision of this resolution, or who conspires with another person to violate any provision of this resolution, or who, with the purpose of promoting or facilitating a violation of this resolution, solicits another person to commit it, or aids or agrees, or attempts to aid another person in planning or committing it, shall be subject to punishment including fines and/or imprisonment as fixed by law for violations of the resolutions of the Camden Redevelopment Agency.

SECTION 8 - CITIZENS PRIVATE RIGHT OF ACTION

In addition to any rights that were heretofore available, or which may hereafter be available, to citizens, taxpayers, or associations, to challenge violations of this resolution, every person aggrieved by a violation of the resolution, or any taxpayer or resident of the City of Camden, NJ has the right, consistent with the Rules of Court, to file charges in a court of competent jurisdiction, and/or to pursue a civil action for a violation of this resolution in a court of competent jurisdiction, and to seek and obtain declaratory, injunctive, or other legal or equitable relief, including but not limited to, attorneys fees and costs, arising from or related to a violation of this resolution.

SECTION 9 - SEVERABILITY

If any provision of this Resolution, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Resolution to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provisions of this Resolution are severable.

SECTION 10 - INDEXING

The monetary thresholds of "Definitions" Section (d) and Section 1(c) of this resolution shall be increased effective March 1 of each calendar year by the percentage increase, in the prior calendar year, of the consumer price index for all urban consumers (CPI-U) for the Philadelphia region, rounded to the nearest \$10.00. The Clerk of the Camden Redevelopment Agency shall, by no later than April 1 of each calendar year, prepare and publish the revised thresholds on the official municipal unit website and in an official municipal newspaper.

SECTION 11 - REPEALER

All resolutions or parts of resolutions which are inconsistent with any provisions of this Resolution are hereby repealed as to the extent of such inconsistencies.

SECTION 12 - EFFECTIVE DATE

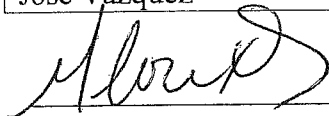
This Resolution shall become effective twenty (20) days following the final adoption thereof by the Camden Redevelopment Agency of the City of Camden, NJ and shall be published as required by law.

03-06-13B (cont'd)

ON MOTION OF: Louis Quinones

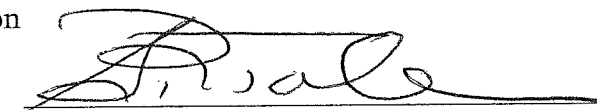
SECONDED BY: Jose Vazquez

COMMISSIONER	AYES	NAYS	ABSTENTIONS
Gloria Pena	✓		
Vance Bowman			
Kenwood Hagamin, Jr.			
Bryan Morton	✓		
Louis Quinones	✓		
Melinda Sanchez	✓		
Jose Vazquez	✓		

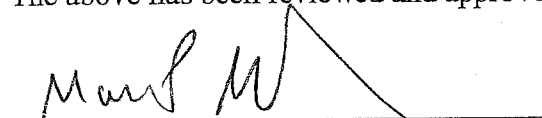


Gloria Pena
Chairperson

ATTEST:


Saundra Ross Johnson
Executive Director

The above has been reviewed and approved as to form.


Mark P. Asselta, Esq.