

**BOROUGH OF FANWOOD
DOWNTOWN REDEVELOPMENT AGENCY MEETING
DECEMBER 16, 2019**

The Downtown Redevelopment Meeting of the Mayor and Council was held on December 16, 2019 at Borough Hall, 75 North Martine Avenue, Fanwood, NJ 07023 at 6:05 pm.

Mayor Colleen Mahr presided and stated: I hereby announce and request that such be included in the minutes of the meeting that notice of time, place and date of this meeting has been prominently posted on the bulletin board at Borough Hall; mailed to the Times, The Star Ledger, Courier News, Alternate Press filed with the Borough Clerk and mailed to any person requesting same in accordance with the requirements of the Open Public Meeting Act

ROLL CALL

Present: Jeffrey Banks, Tom Kranz, Patricia Walsh. Erin Mcelroy-Barker, Katherine Mitchell

Absent: Anthony Carter

Also, Present: Mayor Colleen Mahr, Eleanor McGovern, Russell Huegel, Liz Jeffrey, Diane Dabulas, Fred Tomkins

NEW BUSINESS

A. Administration and Finance (Councilman Tom Kranz)

Kranz/Banks moved to adopt Resolution 19-12-187 after Diane Dabulas and Liz Jeffery presented the Resolution for adoption. Motion carried on the following roll call vote.

RESOLUTION 19-12-187

**RESOLUTION APPOINTING CARANO SQUARE AS REDEVELOPER FOR
CERTAIN PROPERTIES LOCATED WITHIN THE BOROUGH OF FANWOOD
REDEVELOPMENT AREA COMMONLY KNOWN AS OLD SOUTH AVENUE
CORRIDOR FOR
THE DEVELOPMENT OF A MIXED-USE PROJECT**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitute an area in need of redevelopment; and

WHEREAS, the Redevelopment Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, On August 6, 2018 the Fanwood Borough Council adopted Resolution 18-08-135 authorizing the Fanwood Planning Board to conduct a preliminary investigation and to prepare a report pursuant to N.J.S.A. 40A:12A-6 to determine whether the properties in the redevelopment area in the Borough of Fanwood, known and designated as Block 55, Lots 7.01, 8, 9.0101, 9.0102, 10, 11, 11.01, 12 and Block 57, Lot 1, inclusive of any and all streets, and right of ways, as shown on the official Tax Map of the Borough of Fanwood, commonly known as Old South Avenue Corridor (“Study Area”), qualify as

an “area in need of redevelopment” in accordance with the criteria specified in the New Jersey Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-5.; and

WHEREAS, the Mayor and Council had determined that the use of eminent domain is not to be authorized by the Borough of Fanwood and that the delineated area shall be deemed a non-condemnation redevelopment area in accordance with Redevelopment Law;

WHEREAS, by Resolution dated August 6, 2018, the Planning Board authorized Phillip Preiss to review the designated criteria and prepare a report to the Planning Board as to whether the Study Area is an area in need of redevelopment as a non-condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, the said planner had submitted to the Planner Board a report entitled "Old South Avenue Area In Need of Redevelopment Study, Borough of Fanwood, New Jersey" prepared by Phillips Preiss Grygiel Leheny Hughes LLC, dated August 2018; and

WHEREAS, the Planning Board of the Borough of Fanwood, after having considered the aforementioned report and having held a public hearing, found that the subject property, Old South Avenue Corridor, in the Borough of Fanwood, County of Union and State of New Jersey, known and designated as Block 55, Lots 7.01, 8, 9.0101, 9.0102, 10, 11, 11.01, 12 and Block 57, Lot 1, inclusive of any and all streets, and right of ways, as shown on the official Tax Map of the Borough of Fanwood, meets the criteria set forth in N.J.S.A. 40A:12A-5(c) and (e) for redevelopment designation and recommended to the Mayor and Council that the delineated area be designated as an area in need of redevelopment, as a non-condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, the Borough accepted the recommendation of the Planning Board to declare the Study Area as a Non-Condemnation Redevelopment Area and passed resolution on October 15, 2018, finding that the subject property, Old South Avenue Corridor, in the Borough of Fanwood, County of Union and State of New Jersey, known and designated as Block 55, Lots 7.01, 8, 9.0101, 9.0102, 10, 11, 11.01, 12 and Block 57, Lot 1, inclusive of any and all streets, and right of ways as shown on the official Tax Map of the Borough of Fanwood meets the criteria set forth in N.J.S.A. 40A:12A-5(c) and (e) for redevelopment designation and that the delineated area be and hereby is designated as an area in need of redevelopment, as a non-condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, et seq., to be known as “Old South Avenue Redevelopment Area”; and

WHEREAS, pursuant to the Redevelopment Law, the Borough Council caused a redevelopment plan for the Old South Avenue Redevelopment Area to be prepared by Phillips Preiss, Grygiel Leheny Hughes LLC, entitled “Old South Avenue Redevelopment Area” (the “Redevelopment Plan”); and

WHEREAS, the Borough Council on August 5, 2019, following the Planning Board’s review and comment upon the Redevelopment Plan, pursuant to the Redevelopment Law, adopted the Redevelopment Plan by Ordinance No 19-12-R as it was in the best interests of the Borough and the redevelopment of the Redevelopment Area.; and

WHEREAS, Carano Square LLC (the “Redeveloper”) is the owner of a property in the Redevelopment Area, the property being known as “A and P property” at 61 and 105 South Avenue, also known as Block 55, Lot 11, 11.01 and 12 and Block 57, Lot 1; and

WHEREAS, the Redeveloper is proposing the development of mixed-use project including ground floor restaurant space and residential units in multi-story structure on the Property (the “Project”)

and has submitted a Redevelopment Proposal Application; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Fanwood that Carano Square LLC shall be and hereby is conditionally designated as Redeveloper and has the exclusive option to negotiate a Redevelopment Agreement with the Borough of Fanwood for the Project as described above and located within the Redevelopment Area; and

BE IT FURTHER RESOLVED, that the designation granted herein shall be for a period of one hundred twenty (120) days from the date hereof; and

BE IT FURTHER RESOLVED, that the designation granted herein may be further extended upon satisfactory demonstration that substantive progress has occurred in the meeting of one or more of the conditions enumerated below:

1. Within one hundred twenty (120) days of the date of adoption of this resolution, the Borough and Carano Square LLC must negotiate, approve and execute a Redevelopment Agreement for the properties contained in the Redevelopment Area.
2. Carano Square LLC shall provide to staff a more detailed site plan of the project with a phasing plan, if applicable.

BE IT FURTHER RESOLVED, that upon completion of the negotiations on the Redevelopment Agreement, the Borough Council will be required to review and authorize execution of any and all related disposition and acquisition documents in order to effectuate the completion and implementation of the Project; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall be authorized to apply on behalf of the Borough, for any and all federal, state, county and/or agency funds to support or further the objectives of the Project.

ROLL CALL VOTE:

Ayes: Kranz, Banks, Mcelroy-Barker, Mitchell, Walsh
Nays: None
Abstain: None
Absent: Carter

PRIVILEGE OF THE FLOOR BY THE PUBLIC

Mitchell/Banks moved to open the meeting to the public. Motion carried.
No one spoke.
Mitchell/Banks moved to close the meeting to the public. Motion carried.

EXECUTIVE SESSION

None

ADJOURNMENT

Mitchell/Banks moved to adjourn at 6:30 pm.

Respectfully submitted,

Eleanor McGovern
Borough Clerk