

CITY OF CAMDEN REDEVELOPMENT AGENCY
RESOLUTION SUMMARY

Economic Development/ Brownfields

Resolution No.: 11-12-25C

Resolution Title:

**Resolution Authorizing a Professional Services Agreement with Lum, Drasco & Positan LLC to Provide
Outside Legal Counsel Services for a Sub-Lease Agreement for Property Designated as
Block 1449, Lots 3 and 6 of the Camden City Tax Map
for an Amount not to Exceed \$10,000.00**

Project Summary:

- CRA owns property known as the Alpha/Cutler Metals Property designated as Block 1449, Lots 3 and 6 of the City Tax Map and located in the Gateway Redevelopment Plan area (the "Property"). CRA currently leases the Property to 1035 Line Company, an affiliate of the Campbell Soup Company.
- The Property was contaminated by prior users and operations at the Property. The New Jersey Department of Environmental Protection ("NJDEP") is committed to the clean-up of the Property but has not yet completed the environmental remediation at the Property.
- 1035 Line Street Company now seeks a second amendment to the ground lease agreement with CRA to permit a sublease of a portion of the Property to be used as a temporary construction laydown area.
- The proposed sublease would also require the consent of NJDEP who has indicated it has no objection to the proposed sublease.
- CRA requires legal services in the negotiation of the 1035 Line Company sublease to a third party for a temporary use of the Property.

Purpose of Resolution:

To authorize a professional services agreement

Award Process:

Non- fair and open process.

Cost Not to Exceed:

\$ 10,000.00

Total Project Cost:

N/A

Source of Funds:

Redeveloper/Ground Lease Agreement

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

WHEREAS, CRA owns property known as the Alpha/Cutler Metals Property designated as Block 1449, Lots 3 and 6 of the City Tax Map and located in the Gateway Redevelopment Plan area (the “Property”); and

WHEREAS, the Property is in close proximity to facilities owned and operated by Campbell Soup Company or its affiliate companies; and

WHEREAS, on or about July 12, 2012 the CRA and 1035 Line Company (an affiliate of Campbell Soup Company) entered into a Ground Lease Agreement, and other Agreements (the “Agreements”), which provided for the New Jersey Department of Environmental Protection (“NJDEP”) to remediate the Property at the cost and expense of the NJDEP, for 1035 Line Company to demolish the abandoned industrial property on the Property at its expense (subject to a right to reimbursement upon conveyance of the Property) and for CRA to ground lease the Property to 1035 Line Company during the period that the Property is being remediated with the tenant having an option to purchase the Property at any time during the lease; and

WHEREAS, 1035 Line Company did take possession of the Property under the Agreements and completed its obligation to demolish the industrial building on the Property; and

WHEREAS under the terms and conditions of the Agreements, CRA and NJDEP, are required to provide their consent to any contemplated changes/improvements to the Property on notice by 1035 Line Company; and

WHEREAS, 1035 Line Street Company has requested CRA’s consent to a sub-lease to a third party for the use of a portion of the Property as a temporary construction laydown area; and

WHEREAS, CRA requires legal services to assist in negotiating the terms and conditions for a sub-lease agreement; and

WHEREAS, Lum, Drasco & Positan LLC responded to the CRA’s solicitation for legal services with a price proposal not to exceed \$ 10,000.00.

NOW THEREFORE, BE IT RESOLVED by the governing body of the City of Camden Redevelopment Agency, that the Executive Director, a duly authorized representative of the Agency, is hereby authorized to negotiate and enter into a professional services agreement with Lum, Drasco & Positan LLC for the provision of legal services for the negotiation of a sub-lease agreement with 1035 Line Company for the temporary use of Block 1449, Lots 3 and 6 designated on the City of Camden Tax Map for an amount not to exceed \$10,000.00 and for a term of one year ; and

BE IT FURTHER RESOLVED that the Executive Director, or her designee, is hereby authorized and directed to take all actions and to execute all documents necessary to carry out the purposes of this resolution.

11-12-25C (cont'd)

ON MOTION OF: Christopher Collins

SECONDED BY: Maria Sharma

COMMISSIONER	AYES	NAYS	ABSTENTIONS
Christopher Collins	X		
Gilbert Harden, Sr.	X		
Tasha Gainey-Humphrey			
Ian K. Leonard	X		
Jose Javier Ramos	X		
Maria Sharma	X		

Ian K. Leonard

Ian K. Leonard
Chairperson

ATTEST:



Olivette Simpson
Executive Director

The above has been reviewed and approved as to form.

Mark P Asselta

Mark P. Asselta, Esq.
Board Counsel

Exhibit A

Aerial Photo
Block 1449, Lots 3 and 6

