

Approved
8/19/20
RAK

JUNE 3, 2020 EXECUTIVE COMMITTEE SESSION
QUESTIONERS REGARDING DMR ARCHITECTS' DRAFT REPORT OF FORMER
CICCOLINI PROPERTY

The Board went into Executive Session at 7:05 p.m. Present were:

Ms. Castro, Mr. Malfitano, Mr. Contella, Mr. Kirk, Mr. Greengrove, Ms. Kucinski,
Mr. Del Tufo, Mr. Arcuti, Ms. Tangorra, Mr. Kozyra, Commissioner Scarpelli and
Mayor Tucci

Francis Reiner, Professional Planner, DMR Architects, 777 Terrace Ave, Hasbrouck Heights,
New Jersey 07604, was present for any questions the Board may have with respect to their
review of his PowerPoint slide show and 92-page draft report which he presented at the May 20,
2020 Executive Session of the Planning Board Meeting.

Questions and Answers

Q. Can you review the Town owned properties that need redevelopment and the others that
need rehabilitation?

A. There are two sets of recommendations. The report identifies all of the lots (except 40
and 41) as in their opinion meeting the criteria for redevelopment, and lots 40 and 41
which meet the criteria for rehabilitation criteria. DMR's recommendation is that Blocks
28, 29, 30 and 37 (municipal) are designated for redevelopment and all other blocks be
designated for rehabilitation.

Q. At some time in the future can the Town go back and redesignate?

A. Absolutely. The report allows the Town to recommend to the Board of Commissioners
that due to potential litigation it is recommending to designate certain properties for
rehabilitation and other properties for redevelopment. If a developer in the future wants
the Town to consider the properties only designated for rehabilitation to be redesignated
DMR can go back to the report and make the changes. It is up to the Town to decide if it
wants to go forward with the designations. Because the designations have been made, it
will be easier to make such changes.

If the Town decides to go with an RFP or RFQ both will have language to show that the
Town is willing to allow redesignation.

Q. What is an RFI?

A. Request for Information, which would not occur in a process like this. It is an
architectural/developer clarification process.

Q. A better protocol to follow would be either a RFQ or a RFP?

A. Yes

- Q. If we go for a RFP do we have to make an award?
- A. No. The language in either a RFP or a RFQ will likely state that the Township has the ability to choose or not choose anyone based on the Township's determination that it has received response from a properly qualified developer. The Township can interview but there is always broad language that says if the Township does not feel the developer and a proposal is suitable it does not have to move forward with that process.
- Q. What process would produce the most beneficial information, RFQ or RFP?
- A. A RFP is generally where you would get far greater information; concept plans, price, terms of the developer's agreement. A RFQ is one step earlier than a RFP and tells you who is interested and provides qualifications of those that are interested. Mr. Reiner is concerned about using an RFP in this process. The municipal properties are piecemeal and he is wondering if a developer would look past the rehab/redevelopment designation and still propose a project through an RFP process or if it would be better to qualify some developers, interview them and then discuss with them that the Township is willing to redesignate.
- Q. Does your scope include making recommendations of what type of businesses work in those locations?
- A. That was not part of the original scope. DMR just designated rehab/redevelopment criteria. The impetus for development is continuing to move forward. The development community does not seem as shocked about what is going on in the world right now as it looks long term. The next step in this process is getting the Township to determine what the best uses are. As previously stated, active non-residential uses on the first floor and a combination of medical, office or residential on the second floor.
- Q. What are the pros and cons of including the privately owned lots (38, 36, 35, 34, 33) that provide all the frontage?
- A. The recommendation of the report is to designate all properties, except 40 and 41, meet the criteria. If someone comes in and starts a lawsuit because of a designation the process gets stopped there. Redevelopment laws are a very gray area and DMR wanted to make sure that these properties met the statutory criteria but judges could look at this from a litigation point of view and say that DMR did not go into the buildings so there is no official documentation to verify that the buildings are structurally unsound and need redevelopment. DMR understands that there is a chance of getting some things overturned and causing a delay. DMR gave the Town the best opportunity to move this process forward but not put it in a situation for litigation and delay.
- Q. Is there a significant advantage to how we designate to a potential developer?

- A. Ultimately developers want the properties they are interested in to be designated for redevelopment. The benefits are significant from a financial standpoint. In order to offer a PILOT of over five years you would have to have a property be designated as for redevelopment. If you choose to go forward and go with the recommendations in this report, you want to make it clear to the developer community that the Township is willing to designate other properties as areas that need redevelopment once they are under control to avoid litigation. The development community wants and needs to have properties designated for redevelopment so that the Township can offer a longer PILOT and make it financially viable to purchase what is expensive land on small lots.
- Q. Should we take into consideration the properties we have developed on Passaic, Centre and Kingsland with the stores below and the residence above, should we think about that?
- A. That is the next step in the process once the designation is set. That next step could include an RFP or RFQ to the developers who have an idea of what they want to do without giving up the Township's ultimate power to make that final determination.
- Q. If we go with an RFQ do we have to commit?
- A. No.
- Q. Will an RFP be more of a commitment?
- A. Yes. If you do not go with the redevelopment the RFQ should set forth your goals and vision are to the developers so they have an idea of what the Town is willing to do, i.e., density and height.

At this point Ms. Tangorra asked about setting up a public hearing. Mr. Reiner commented that the report is still in draft form so they need to make some final changes (new mayor, redate, etc.) and then they would be ready to submit it to the public at a Planning Board meeting and the Board will be able to make its recommendation to the governing body. Mr. Kozyra reminded everyone that until the Board makes a final recommendation to the Commissioners, nothing said is a final commitment. A question was asked about letting the private property owners know what is going on and Mr. Kozyra stated that the public hearing is the best way to let everyone know what is being considered. A notice of the meeting will be sent out to the entire Block (3100). Mr. Reiner stressed that it must be made clear that this is not a meeting to discuss anything other than whether the properties will be designated for rehabilitation or redevelopment. Mayor Tucci suggested having a meeting with the adjacent property owners separately so that they can learn and understand the process and where the Board stands at this point. Mr. Kozyra suggested that the meeting be in two stages: (1) is an informational session where the Board listens to the property owners; and (2) a second session where the Board looks at the map and makes a decision on what to send to the Commissioners. Mr. Reiner said that he could make a presentation for the property owners similar to his PowerPoint presentation, minus their recommendations. He suggested at the first meeting he would explain to the property owners the difference between rehabilitation and redevelopment and then have a 10 minute question and answer session. Then two or three weeks later at the next meeting he will present

about each property and what the criteria is for that property and take public questions again. It was agreed that the first meeting will be July 8 and the second meeting will be July 22. Mr. Kozyra said that he would prepare a notice letter to be sent out from Ms. Tangorra and will forward it to her for her review/comment.

At 8:12 p.m. the Board adjourned to return to public session.