

CERTIFICATION

I hereby certify the attached to be a true and correct copy of the **unapproved** Minutes of the November 5, 2018 Special Meeting of the Camden County Municipal Utilities Authority. It is anticipated that these minutes will be adopted by the CCMUA's Board of Commissioners at the December 17, 2018 Regular Meeting.



Kim Michelini
Authority Secretary

THE CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY

MINUTES OF THE REGULAR MEETING HELD ON NOVEMBER 5, 2018

The Special Meeting of The Camden County Municipal Utilities Authority was called to order by Chairman Brennan at 6:00 P.M. The meeting was held at the Administration Building located at 1645 Ferry Avenue, Camden, New Jersey. On roll call, the Commissioners responded to their names as follows:

PRESENT: Commissioners Bresch, Cuffee, Cutler, MacFarlane, Swartz *(via phone)* & Sytnik *(via phone)*
Chairman Brennan

ABSENT: Commissioner Stokes

STAFF PRESENT:

Andrew Kricun, Executive Director
Scott Schreiber, Director of Operations- Admin
Kim Michelini, Authority Secretary
Alisa Smith, Secretarial Assistant

CONSULTANTS PRESENT:

Mark Asselta, Esq., Brown & Connery (Solicitor)

OTHERS PRESENT:

Chairman Brennan read the 'Chairperson's Commencement Statement' acknowledging that proper notice of this Regular Meeting setting forth the date, time and place of the meeting has been prominently posted on (1) a public bulletin board located in the lobby of the Administration building (2) mailed to the Courier-Post and Inquirer and (3) filed with the Clerk of Camden County on October 29, 2018, in compliance with the Open Public Meetings Law.

PUBLIC PARTICIPATION ON PROPOSED RESOLUTIONS: NONE

NEW BUSINESS:

Chairman Brennan indicated that there is one item for the Board to consider- an interim agreement allowing the CCIA to award a successful bid for the demolition of the Campbell's Field. He explained that there was a meeting held among the participants about a week ago at which time, there was general agreement as to the parameters of the agreement between the parties. Mr. Asselta, attorney/CCMUA Solicitor, will provide further explanation. It appears that while the agreement has not yet been finalized (is not available to be presented to the Board), the Board can authorize the Executive Director to sign an agreement provided that the Solicitor has determined that the parameters agreed upon are in fact contained in the agreement and they are, "in bold language", as follows:

- 1 The CCMUA will serve as a conduit, financing agency for the demolition of Campbell's Field and design of new athletic fields at the former Campbell's Field site.
- 2 The CCMUA will be liable to fund only those items that are consistent with the CCMUA's mission and bondable through the New Jersey Infrastructure Bank.
- 3 The CCMUA will not have any financial liability for this project. The CCMUA will be reimbursed by Rutgers for any costs expended for this project.

Mr. Asselta thanked Chairman Brennan for providing the overview of the project. He further explained that there are many different components to this project and the ultimate component is that the athletic fields will be built and that the CCMUA will be part of the process as permitted by statute. At tonight's meeting, it is requested that the Board consider action on the "Preliminary Agreement" (vs the full "Project Development Agreement" which is currently being discussed and will be presented to the Board at a later date). The CCMUA will only enter into an agreement if the CCMUA's interests are protected as outlined above by Chairman

Brennan. So, the agreement to be considered tonight is a preliminary agreement that covers: 1) the demolition of Campbell's Field and money to be used for that purpose; and 2) the money the CCMUA would be expending for design of the new athletic fields- that is it. The idea behind entering into this Preliminary Agreement is to allow this phase of the project (demolition of Campbell's Field and design of new athletic fields) to move forward. The CCIA has issued a bid for the demolition and would like to make the award but, before it can do so, it needs to know where the money is coming from. The CCMUA is in a position to front the money, but only if it is assured that it will be reimbursed. It is anticipated that the demolition will cost approximately \$1M. The funding of the project (demolition of Campbell's Field, design and construction of new athletic fields) is proposed to be as follows: Rutgers will contribute \$7.5M and the City of Camden is contributing \$7.5M for the project. Rutgers has potentially agreed that if the CCMUA signs the Preliminary Agreement, Rutgers will post \$5M and the CCMUA would be reimbursed the approximate \$1M in demolition costs first from this \$5M. Regarding the design, the CCMUA would also be reimbursed the design costs, approximately \$500,000 from the \$5M posted by Rutgers. This preliminary agreement also mentions that the CCMUA may assist in the construction of the new athletic fields but does not obligate the CCMUA in any way beyond the demolition and design discussed here; these issues will be addressed in the Project Development Agreement, which is still being negotiated.

Mr. Kricun further added that the CCMUA has an agreement with Ewing Cole to do the design of the new athletic fields for which the CCMUA would need to be reimbursed for. The CCIA will be entering into an agreement for the demolition of Campbell's Field and it is not clear why Rutgers is not reimbursing the CCMUA or the CCIA directly.

Mr. Asselta added that the Preliminary Agreement will ensure that the CCMUA will advance the funds for the demolition and design and be reimbursed accordingly. If, the Project Development Agreement (which includes construction of new athletic fields) falls apart and does not get approved, then the Preliminary Agreement holds firm and provides a clear mechanism for the CCMUA to be reimbursed.

In closing, Chairman Brennan proposed that the CCMUA move forward, specifically under the terms that Mr. Asselta outlined, and that the CCMUA does not advance "one penny" unless it is assured that: 1) the money expended for this phase of the project, is reimbursed to the CCMUA and 2) that no further changes are made to this agreement outside of the terms as outlined by Mr. Asselta.

There being no further discussion on the matter, a motion was made by Commissioner Cuffee and seconded by Commissioner Bresch to adopt Resolution #R-18:11-151, authorizing that the CCMUA enter into a Preliminary Agreement with Rutgers University and Camden County Improvement Authority regarding the demolition of Campbell's Field and Design of New Athletic Fields in accordance with the terms and conditions outlined by the CCMUA Solicitor at the November 5, 2018 Special Meeting of the CCMUA. A roll call vote was taken, and the Commissioners responded to their names as follows:

Commissioner Bresch, Cuffee, Cutler, MacFarlane, Swartz, Sytnik	-	YES
Chairman Brennan	-	YES

Resolution #R-18:11-151 was adopted.

PUBLIC PARTICIPATION: NONE

There being no further business, Chairman Brennan entertained for a motion of adjournment. A motion was made by Commissioner Cuffee and seconded by Commissioner Bresch. There being no question on the motion, all Commissioners responded "Aye" in favor, none opposed. The meeting adjourned at 6:20pm.

Minutes of this meeting were approved on 12/17/18

Respectfully Submitted,



 Kim Michelini
 Authority Secretary