PROPOSAL: That the Board authorizes staff to execute an Agreement to transfer the Gateway Park Properties (“Transfer Agreement”) to the Camden County Municipal Authority (“CCMUA”).

Other Party: Camden County Municipal Authority
1645 Ferry Avenue
Camden, NJ 08104

PURPOSE: To transfer certain properties along Admiral Wilson Boulevard within the City of Camden and Township of Pennsauken, designated as the “Gateway Park Properties” to the CCMUA for use as a public park.

BACKGROUND: As part of an Intergovernmental Agency Agreement (the “IGA”), dated December 28, 2001, among DRPA, County of Camden, and other governmental agencies, and in a Redevelopment Agreement (Parts I and II) (the “Redevelopment Agreements”), dated as of January 25, 2008, between Camden Redevelopment Authority (“CRA”) and DRPA, DRPA contracted to remediate the AWB properties, and upon meeting the requirements for transfer of the property from the New Jersey Department of Environmental Protection (“NJDEP”) (which includes covenants not to sue), to convey the AWB properties to the County of Camden for development by the County of Camden of a public park to be called the “Gateway Park”. DRPA and the County of Camden have agreed that DRPA will convey the Gateway Park properties to the Camden CCMUA herein under the same terms and conditions that it promised to the County of Camden in the IGA and Redevelopment Agreements, in consideration of the agreement of CCMUA herein to operate and maintain the properties as the proposed Gateway Park in the place and stead of the County of Camden.
Pursuant to the Transfer Agreement, the transfer of the properties is contingent upon the DRPA meeting all requirements of the New Jersey Site Remediation Reform Act of 2009 (“the Act”). Pursuant to the Act, the DRPA is required to retain a Licensed Site Remediation Professional (LSRP) that will issue a response action outcome (“RAO”). The RAO is a new regulatory document created by the Act, that is designed to signify that a site has been remediated sufficiently and that it is in compliance with all applicable statutes, rules, and regulations concerning the environment. As part of the Agreement, the CCMUA is agreeing to take position of the properties immediately and that the DRPA will provide the RAOS for the properties as soon as they are completed. The DRPA has retained an LSRP and once the work is completed will provide the documentation to the CCMUA.

Also pursuant to the Act, the NJDEP has three years to review the contents of the LSRP’s findings and determine whether the remedial action is protective of public health and safety. If it determines that it is not sufficiently protective, the RAO will be invalidated. As part of the Transfer Agreement the DRPA agrees to, and acknowledges, its continuing liability for the work of its LSRP for the three year period mandate by New Jersey statute.

SUMMARY:  
Amount: N/A
Source of Funds: N/A
Capital Project #: N/A
Operating Budget: N/A
Master Plan Status: N/A
Other Fund Sources: N/A
Duration of Contract: N/A
Other Parties Involved: Camden County Municipal Utility Authority
RESOLUTION

RESOLVED: That the Board authorizes staff to execute a Property Transfer Agreement for the transfer of the Gateway Park Properties with the CCMUA.

RESOLVED: The Chair, Vice Chair and the Chief Executive Officer must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of the DRPA. If such agreements, contracts, or other documents have been approved by the Chair, Vice Chair and Chief Executive Officer and if thereafter either the Chair or Vice Chair is absent or unavailable, the remaining Officer may execute the said document(s) on behalf of DRPA along with the Chief Executive Officer. If both the Chair and Vice Chair are absent or unavailable, and if it is necessary to execute the said document(s) while they are absent or unavailable, then the Chief Executive Officer shall execute such documents on behalf of DRPA.

SUMMARY:

- Amount: N/A
- Source of Funds: N/A
- Capital Project #: N/A
- Operating Budget: N/A
- Master Plan Status: N/A
- Other Fund Sources: N/A
- Duration of Contract: N/A
- Other Parties Involved: Camden County Municipal Utility Authority