

In The Matter Of:
CITY OF CAMDEN
PLANNING BOARD

Transcript of Meeting
August 10, 2020

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PLANNING BOARD
CITY OF CAMDEN

- - - -

Monday, August 10, 2020

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Transcript of proceedings in the above meeting for the City of Camden Planning Board was conducted virtually via a remote platform, ZOOM, commencing at 6:04 p.m.

B O A R D M E M B E R S P R E S E N T :

- JOSE DeJESUS, CHAIRMAN
- FREDERICK H. MARTIN, Jr.
- COUNCILWOMAN FELISHA REYES-MORTON
- DIRECTOR KETIH WALKER
- ERIN CREAN
- STEVEN LEE

- - - -

- ANGELA MILLER, PLANNING BOARD SECRETARY
- JAMES BURNS, ESQUIRE., ATTORNEY FOR THE BOARD
- DR. EDWARD C. WILLIAMS, P.P., AICP, CSI;
- SECRETARY, HISTORIC PRESERVATION COMMISSION &
- DIRECTOR OF PLANNING

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I N D E X

CASE HEARD:	PAGE
1) RESOLUTION OF THE PLANNING BOARD OF THE CITY OF CAMEN RECOMMENDING TO CITY COUNCIL THAT IT ADOPT THE REHABILITATION PLAN FOR THE WATERFRONT SOUTH AREA FOR A MICRO-GRID PROJECT	3

1 CHAIRMAN DeJESUS: Good evening. This is
2 the Camden County Planning Board meeting of August
3 10, 2020 at 6:04 p.m. Since the City of Camden
4 remains under a Declaration of a Health Emergency
5 related to the COVID-19 virus, City Hall is closed.
6 Therefore, this Regularly Scheduled meeting will be
7 conducted as a virtual meeting via the remote
8 conference platform ZOOM.

9 Angela, could you read the notice?

10 MS. MILLER: Reading of the Statement?

11 CHAIRMAN DeJESUS: Yes.

12 MS. MILLER: Adequate notice of this
13 meeting has been provided in accordance with the Open
14 Public Meeting Act. The Camden City Planning Board
15 adopted a Resolution approving a schedule of regular
16 meetings to be held during the year of 2020 by, one,
17 posting a copy thereof on the bulletin board reserved
18 for such purpose in the Office of City Clerk, City
19 Hall, first floor, Camden, New Jersey; two,
20 transmitting a copy thereof to the Courier Post and
21 to the Philadelphia Inquirer. These newspapers have
22 been designated by this Board to receive same, and
23 filing a copy thereof with the City Clerk, City of
24 Camden, New Jersey. The subject meeting was
25 publicized on August 3, 2020.

1 CHAIRMAN DeJESUS: Roll call.

2 MS. MILLER: Mayor Moran. Fred Martin.

3 MR. MARTIN: Present.

4 MS. MILLER: Jose DeJesus.

5 CHAIRMAN DeJESUS: Present.

6 MS. MILLER: Ulysses Baker. Brenda

7 Fraction was not re-appointed yet.

8 MS. MILLER: Councilwoman Felisha

9 Reyes-Morton. Director Walker.

10 DIRECTOR WALKER: Here.

11 MS. MILLER: Erin Crean.

12 MS. CREAN: Present.

13 MS. MILLER: Steven Lee.

14 MR. LEE: Here.

15 CHAIRMAN DeJESUS: Approval of Planning

16 Board Public Meeting held July the 9th, 2020.

17 MR. LEE: Motion.

18 MS. MILLER: It's not July --

19 CHAIRMAN DeJESUS: The last meeting that

20 we just had.

21 MS. MILLER: That should actually say

22 July 16th. That's my error. July 16, 2020.

23 CHAIRMAN DeJESUS: Fred, are you going to

24 make it?

25 MR. MARTIN: Steve made the motion and

1 I'll second it.

2 CHAIRMAN DEJESUS: Roll call.

3 MS. MILLER: Fred Martin.

4 MR. MARTIN: Yes.

5 MS. MILLER: Jose DeJesus.

6 CHAIRMAN DEJESUS: Yes.

7 MS. MILLER: Director Walker.

8 DIRECTOR WALKER: Yes.

9 MS. MILLER: Erin Crean.

10 MS. CREAN: Yes.

11 MS. MILLER: Steven Lee.

12 MR. LEE: Yes.

13 MS. MILLER: Thank you. Carried to
14 approve.

15 CHAIRMAN DeJESUS: Swearing in of all
16 professionals and Planning Board Staff?

17 MR. BURNS: I'll do that for our
18 professional staff. Raise your right hand.

19 - - -

20 DR. EDWARD WILLIAMS, P.P., having first
21 been duly affirmed, was examined and testified as
22 follows:

23 - - -

24 MR. BURNS: Mr. Chairman, for the record,
25 this is a special meeting. Proper notice of this

1 special meeting was provided. The purpose of the
2 special meeting is simply to address the Resolution,
3 adoption of the Resolution of the Planning Board
4 recommending City Council adopt the Rehabilitation
5 Plan for the Waterfront South Area for a Microgrid
6 Project with the conditions and recommendations that
7 we made from that hearing. So, that's why we're here
8 tonight.

9 CHAIRMAN DeJESUS: Yes. Understood.
10 Planning Director's report, if any.

11 DR. WILLIAMS: No report, sir.

12 CHAIRMAN DeJESUS: So, then we have to
13 now go to our adoption of the Resolution that was
14 prepared. Has everybody read the Resolution?

15 MS. CREAN: Yes.

16 MR. LEE: Yes.

17 DIRECTOR WALKER: Yes.

18 MR. MARTIN: I have not read the
19 Resolution. But what I was going to do is, I was
20 going to move the Resolution, get it seconded for the
21 purpose of discussion; ask Counsel Burns to read the
22 Resolution for the record and then we can take
23 testimony from Board members and then from the
24 public.

25 MR. BURNS: There's no public. This is

1 just an adoption of Resolution.

2 MR. MARTIN: Okay. I'll move it for the
3 purposes of adoption.

4 CHAIRMAN DeJESUS: All right. We need a
5 second.

6 MR. LEE: Second.

7 CHAIRMAN DEJESUS: Roll call.

8 MS. MILLER: Fred Martin.

9 MR. MARTIN: Yes.

10 MS. MILLER: Jose DeJesus.

11 CHAIRMAN DEJESUS: Yes.

12 MS. MILLER: Director Walker.

13 DIRECTOR WALKER: Yes.

14 MS. MILLER: Erin Crean.

15 MS. CREAN: Yes.

16 MS. MILLER: Steven Lee.

17 MR. LEE: Yes.

18 MS. MILLER: Motion carried to approve.

19 MR. MARTIN: Can Jim read the Resolution
20 for the record just so we have it in the minutes.

21 MR. BURNS: Happily, yes.

22 MS. CREAN: I have one comment. Do you
23 want me to wait until --

24 CHAIRMAN DeJESUS: Let him finish reading
25 the thing and then you can make your comment.

1 MS. CREAN: Okay.

2 MR. BURNS: So, it's a Resolution of the
3 Planning Board of the City of Camden recommending to
4 the City Council that it adopt the Rehabilitation
5 Plan for the Waterfront South area for a Micro-grid
6 Project.

7 Whereas, the Local Redevelopment and
8 Housing Law permits the undertaking of rehabilitation
9 projects in "areas in need of rehabilitation" as
10 determined under New Jersey statutes; and

11 Whereas, pursuant to the LRHL - that
12 would be the Local Redevelopment Housing Law - the
13 power of eminent domain may not be used on any
14 property located in an area in need of
15 rehabilitation; and

16 Whereas, pursuant to the New Jersey
17 Economic Opportunity Act of 2013, the entire City of
18 Camden has been designated as a Garden State Growth
19 Zone and as such, the entire area of the City of
20 Camden has been designated an area in need of
21 rehabilitation. And I cite the statutory revisions
22 which is N.J.S.A. 52:27D-489q (f) and N.J.S.A.
23 52:27D-489r; and

24 Whereas, in order to carry out a
25 rehabilitation project in an area in need of

1 rehabilitation, the municipality must first adopt a
2 rehabilitation plan for the area that provides an
3 outline for the planning, development, and
4 rehabilitation of the area as further set forth under
5 statute;

6 Whereas, rehabilitation projects that may
7 be undertaken under the LRHL include equipment and
8 facilities for the development of utilities; and,

9 Whereas, the Camden County Improvement
10 Authority ("CCIA") or the County of Camden (if
11 designated by the CCIA) proposes the development of
12 an electricity microgrid in an area known as the
13 Waterfront South (and that will be designated as the
14 "Proposed Rehabilitation Plan Area"); and

15 Whereas, the proposed microgrid will be
16 located primarily within public streets and the
17 microgrid project will not require the use of the
18 power of eminent domain; and

19 Whereas, the New Jersey Department of
20 Environmental Protection has reviewed the proposed
21 microgrid project and has publicly indicated its
22 support of the project; and

23 Whereas, the City, with the assistance of
24 the CCIA, has developed a proposed rehabilitation
25 plan that provides for the development and operation

1 of the microgrid project; and

2 Whereas, prior to the adoption of a
3 rehabilitation plan by ordinance, a municipality
4 must refer the proposed rehabilitation plan to the
5 municipal planning board for the Board's review as to
6 consistency with the Master Plan and recommendation;
7 and

8 Whereas, on May 18, 2020, the City
9 Council has introduced an Ordinance Adopting the
10 Proposed Microgrid Rehabilitation Plan identified as
11 Ordinance No. 05-18-20; and

12 Whereas, the City Council of Camden did
13 refer the Ordinance Adopting the Proposed Microgrid
14 Rehabilitation Plan to the City of Camden Planning
15 Board for its review as to consistency with the
16 Master Plan, comment, report and recommendation; and

17 Whereas, on July 16, 2020, the Planning
18 Board of the City of Camden did review the Proposed
19 Microgrid Rehabilitation Plan at an open public
20 meeting and heard testimony from representatives of
21 the CCIA and the public concerning the Proposed
22 Microgrid Rehabilitation Plan; and

23 Whereas, the Planning Board took notice
24 that the proposed microgrid would be capable of
25 distributing electricity produced by the Covanta

1 Resource Recovery Facility that is also located in
2 the proposed Rehabilitation Plan Area for the sale to
3 businesses and facilities in the proposed
4 Rehabilitation Plan Area with possible future
5 expansion to other areas in the City; and

6 Whereas, the Planning Board has
7 determined that the Proposed Microgrid Rehabilitation
8 Plan is substantially consistent with the overall
9 goals of the City of Camden Master Plan adopted on
10 March 12, 2002 and the General Re-examination of the
11 Master Plan and Master Plan Amendment adopted by the
12 Planning Board on February 8, 2018.

13 NOW THEREFORE BE IT RESOLVED that the
14 City of Camden Planning Board does hereby recommend
15 to the City Council that it adopt the Proposed
16 Microgrid Rehabilitation Plan subject to the
17 following additional Planning Board recommendations:

18 1. An Environmental Impact Statement
19 must be done by the CCIA for submission to the City
20 Council for review and consideration prior to the
21 development of the project.

22 2. A copy of the transcript of the July
23 16, 2020 Planning Board hearing shall be forwarded to
24 the City Council for review and consideration,
25 particularly as it relates to the comments received

1 from the public during the public portion of the July
2 16, 2020 Planning Board hearing.

3 3. Require Covanta Resource Recovery
4 Facility to form a Community Benefits Agreement for
5 review and approval by the City Council.

6 BE IT FURTHER RESOLVED that the Planning
7 Board does hereby direct that the Planning Board
8 Secretary transmit a copy of this Resolution to City
9 Council.

10 And then I have my standard voting
11 language. So, that's the Resolution. Those are the
12 comments that I specifically made note of. I think
13 I've hit them all. But I think the biggest thing
14 was, it was very clear that you wanted the comments
15 from the public to be highlighted and sent to City
16 Council.

17 MS. MILLER: For the record,
18 Councilwoman Reyes-Morton joined us at 6:12 p.m.

19 CHAIRMAN DeJESUS: Yes. Welcome.

20 COUNCILWOMAN REYES-MORTON: Thank you,
21 Angela.

22 So, let's start with the ladies first to
23 have any comments. Erin, you had a question or a
24 concern that you want to add to this?

25 MS. CREAN: Yes, I do.

1 In Recommendation No. 3 regarding the
2 Community Benefits Agreement, I think it's
3 important that we include language in there that the
4 residents' community partners and community
5 stakeholders are included in the process of
6 developing it, reviewing it and improving it, not
7 just City Council.

8 MR. BURNS: That would normally -- once
9 this is done, that's something that can be done
10 once Covanta -- if Covanta is involved in this, that
11 would be approved through Council and there would be
12 public comment on that. So, there would be public
13 comment; residents.

14 CHAIRMAN DeJESUS: Who is next? The
15 lovely lady, Felisha?

16 COUNCILWOMAN REYES-MORTON: I'll listen
17 until you're done, Erin.

18 MR. BURNS: Go ahead, Erin.

19 MS. CREAN: No, I'm good.

20 CHAIRMAN DeJESUS: Fred, do you have
21 anything else to add to this?

22 MR. MARTIN: Hang on one second. Looking
23 at it, Jim, I think that bullet point No. 3 could add
24 just a comma in there that would say: Require
25 Covanta Resource Recovery Facility, with input from

1 the community and appropriate stakeholders, to form a
2 Community -- to form that plan.

3 MR. BURNS: With input from community --

4 MR. MARTIN: Comma and stakeholders.

5 MR. BURNS: Comma and stakeholders.

6 MR. MARTIN: But I think that

7 addresses Erin's need and really brings to the floor
8 the concerns that were raised by the community.

9 MR. BURNS: Erin, are you okay with that?

10 MS. CREAN: I am, yes. I mean, to add
11 residents in there, that would be great.

12 MR. BURNS: Well, community is the
13 residents. We didn't want to be too -- we had a lot
14 of people that were outside the community -- part of
15 the community that weren't exactly residents so we
16 didn't want to necessarily exclude anybody.

17 MR. MARTIN: So, that's why stakeholders
18 too.

19 MS. CREAN: Yeah.

20 MR. BURNS: With that amendment, I can
21 make that amendment and submit it. You can
22 approve -- the motion can be amended to include that
23 language. Fred, did you make the motion?

24 MR. MARTIN: I made the original motion
25 for purpose of discussion. I would be prepared to

1 move an amendment to that original motion to reflect
2 the language just discussed.

3 CHAIRMAN DeJESUS: Okay. Hold on because
4 I want to hear the rest from the other groups that
5 are here, that is, Keith and Steve. Can we do that,
6 please?

7 CHAIRMAN DeJESUS: Keith, do you have
8 anything to say?

9 DIRECTOR WALKER: No. I agree with what
10 everybody else said. My only question is, I'm not
11 familiar with the Master Plan. But does this
12 microgrid fall into the Master Plan concept all the
13 way back from 2000 and been amended by 2018? But
14 does it fall in the scope of the Master Plan?

15 MR. BURNS: Yes, sir, it does.

16 DIRECTOR WALKER: Well, I don't have any
17 other questions on that.

18 CHAIRMAN DeJESUS: Mr. Lee, do you have
19 anything to say?

20 MR. LEE: Not particularly. The only
21 thing I would question is, during the public portion
22 hearing of the last meeting, there was some concern
23 about the environmental impact that it may have in
24 the community. I don't know if -- I know you
25 mentioned the EPA. Are we privy to that impact study

1 that they did? Did we get a copy of that study to
2 find out --

3 CHAIRMAN DeJESUS: No. We're
4 enforcing -- we're requesting that they must do an
5 environmental study prior to anything.

6 MR. LEE: There's been no study as of
7 yet?

8 CHAIRMAN DeJESUS: Right. That's
9 correct.

10 MR. LEE: If there are no findings after
11 it's done then I'm fine with that.

12 CHAIRMAN DeJESUS: Exactly.

13 Doctor Williams, do you have anything to
14 add to this?

15 DR. WILLIAMS: I think the record is
16 complete, Mr. Chair. I think that the Board's
17 comments only enhance to what's already there. It's
18 time to move this along.

19 CHAIRMAN DeJESUS: Okay. I only have my
20 own. And if that's all right with all of you, I'll
21 let you know what I'm concerned with.

22 I'm only concerned with No. 3. As an
23 accountant, I look at this thing in a different
24 prospective than all of you. And I am trying to make
25 sure that Covanta who is going to be making money

1 from this transaction, be able to share that profit
2 to a certain percentage to the community in the form
3 of either a break on their utilities or some of form
4 of reimbursement.

5 Because what's going on is that, even
6 though you may have a community input or a response,
7 it still doesn't handle the responsibility of the
8 money that may be generated by Covanta through its
9 process of charging these commercial clients. So,
10 what I'm hoping that we try to accomplish with this,
11 is that the community agreement includes that they
12 make sure that they contribute to the utilities of
13 the community a lot.

14 MR. MARTIN: If I may, Mr. Chair.

15 CHAIRMAN DeJESUS: Yes.

16 MR. MARTIN: In the old days, they used
17 to be called Host Community Benefits. And when the
18 Covanta facility was really proposed by the County
19 and the County was running it, we received a discount
20 on our trash rate from them in the form of Host
21 Community Benefits. And it might be worthwhile to
22 add a fourth bullet point that says, community
23 agreement should include Host Community Benefits for
24 the City of Camden and its residents.

25 CHAIRMAN DeJESUS: I agree. That is

1 exactly what I'd like to do. So, would you like to
2 make the amendment to your original motion, please?

3 MR. MARTIN: Sure. I so amend it for
4 Bullet 4.

5 CHAIRMAN DeJESUS: Did you get that,
6 Jim?

7 MR. BURNS: I'm writing it down. So,
8 Community Benefits Agreement.

9 MR. MARTIN: Point 4. (.4): Said
10 Agreement should include Host Community Benefits for
11 the City of Camden.

12 MR. LEE: That's no redundant, right?
13 They are not one in the same?

14 CHAIRMAN DeJESUS: They are not the same.
15 Two different things.

16 DR. WILLIAMS: They're not the same.

17 CHAIRMAN DEJESUS: One is money and the
18 other is community --

19 COUNCILWOMAN REYES-MORTON: One is
20 financial and one is --

21 MS. CREAN: So, should No. 4 say
22 financial benefits?

23 MR. MARTIN: Council is going to be the
24 one that deals with the Host Community Benefits,
25 whatever they are. They'll be the one doing the

1 contract for said. We're recommending to City
2 Council, hold their feet to the fire and get a Host
3 Community Benefits.

4 MR. BURNS: I'll read it again. It says:
5 Community Benefits Agreement shall include Host
6 Community Benefits for the City of Camden.

7 CHAIRMAN DeJESUS: Correct.

8 MR. MARTIN: Yes.

9 MR. BURNS: I agree with the Councilwoman
10 and with Fred, that that's really the job of City
11 Council to determine what those will be.

12 MS. CREAN: Okay.

13 CHAIRMAN DeJESUS: Saying all that, I
14 need a motion.

15 MR. MARTIN: I move to amend the original
16 motion as presented by Mr. Burns with our amendment
17 to Point 3 (.3) and the additional Point 4. (.4).

18 MS. CREAN: Second.

19 CHAIRMAN DEJESUS: Roll call.

20 MS. MILLER: Fred Martin.

21 MR. MARTIN: Yes.

22 MS. MILLER: Jose DeJesus.

23 CHAIRMAN DEJESUS: Yes.

24 MS. MILLER: Councilwoman Reyes-Morton.

25 COUNCILWOMAN REYES-MORTON: Absolutely,

1 yes.

2 MS. MILLER: Director Walker.

3 DIRECTOR WALKER: Yes.

4 MS. MILLER: Erin Crean.

5 MS. CREAN: Yes.

6 MS. MILLER: Steven Lee.

7 MR. LEE: Yes.

8 MS. MILLER: Motion carried to amend and
9 approve.

10 MR. MARTIN: Mr. Chairman, I move the
11 adoption of the amended motion.

12 MS. CREAN: Second.

13 CHAIRMAN DeJESUS: Thank you, Erin. Roll
14 call.

15 MS. MILLER: Fred Martin.

16 MR. MARTIN: Yes.

17 MS. MILLER: Jose DeJesus.

18 CHAIRMAN DEJESUS: Absolutely.

19 MS. MILLER: Councilwoman Reyes-Morton.

20 COUNCILWOMAN REYES-MORTON: Yes.

21 MS. MILLER: Director Walker.

22 DIRECTOR WALKER: Yes.

23 MS. MILLER: Erin Crean.

24 MS. CREAN: Yes.

25 MS. MILLER: Steven Lee.

1 MR. LEE: Yes.

2 MS. MILLER: Motion carried to approve.
3 Thank you.

4 CHAIRMAN DeJESUS: Doctor Ed, is there
5 anything else you need from us?

6 DR. WILLIAMS: No. I want to commend the
7 Board members for a job well done with the initial
8 hearing and this hearing as well. I think now is the
9 time for City Council to do its work and move it
10 along however they wish.

11 MR. BURNS: Angela, I'm going to send you
12 the revised agreement tomorrow. You can email it to
13 Jose for his signature and then you can sign it for
14 delivery to the Council for tomorrow nights meeting.

15 MS. MILLER: No problem. Thank you.

16 MR. BURNS: Just look at it tomorrow,
17 Jose.

18 CHAIRMAN DeJESUS: Thank you, sir. God
19 bless all of you and good night.

20 MS. MILLER: We need to adjourn.

21 MR. MARTIN: Motion to adjourn.

22 MS. CREAN: Second.

23 CHAIRMAN DEJESUS: Roll call.

24 MS. MILLER: Fred Martin.

25 MR. MARTIN: Yes.

1 MS. MILLER: Jose DeJesus.

2 CHAIRMAN DEJESUS: Yes.

3 MS. MILLER: Councilwoman Reyes-Morton.

4 COUNCILWOMAN REYES-MORTON: Yes.

5 MS. MILLER: Director Walker.

6 DIRECTOR WALKER: Yes.

7 MS. MILLER: Erin Crean.

8 MS. CREAN: Yes.

9 MS. MILLER: Steven Lee.

10 MR. LEE: Yes.

11 MS. MILLER: Motion carried to adjourn.

12 Thank you and have a good night.

13 - - -

14 (**Meeting concluded at 6:24 p.m.**)

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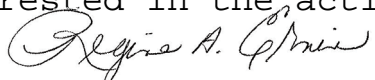
1 CERTIFICATION

2
3
4 I HEREBY CERTIFY that I am a Certified Court
5 Reporter and Notary Public.

6 I FURTHER CERTIFY that the witness was sworn
7 to testify to the truth.

8 I FURTHER CERTIFY that the foregoing is, to
9 the best of my ability, a true and accurate
10 transcript of the testimony taken stenographically by
11 me at the time, place, and date hereinbefore set
12 forth.

13 I FURTHER CERTIFY that I am neither a relative,
14 employee, attorney or counsel to any of the
15 parties to the action, nor a relative or employee of
16 such attorney or counsel and that I am not
17 financially interested in the action.

18 

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