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HEADLINE: Waterfront South plan in judge's hands

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Council, chief operating officer present arguments

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A Superior Court judge will decide in January whether the Waterfront South Redevelopment Plan should move forward.

Assignment Judge Francis Orlando on Thursday heard two hours of arguments from attorneys representing the city council, which rejected the plan on Nov. 4, and Chief Operating Officer Randy Primas, who wants it to proceed.

Under the Municipal Rehabilitation and Economic Recovery Act, Orlando is empowered to arbitrate disagreements between the council and Primas.

Orlando said during the hearing that he felt council members were obligated under the act to lay out their reasons for dismissing the plan.

Andrew Dwyer, a Newark attorney representing council, told Orlando that council was told by Primas' staff to offer no amendments to the plan or an impasse would result.

Dwyer said that Primas had been inconsistent in his statements about the plan. Primas had said there would be no new housing in the neighborhood until environmental remediation occurred, yet the plan calls for new housing, Dwyer said. He also said the plan has no provision to clean up contaminated sites or improve air quality, and adds industry to the neighborhood.

"The whole problem is (the plan) perpetuates (poor environmental conditions)," Dwyer said. "This is the worst plan because it industrializes the neighborhood and leaves the residences to die. And, one by one, (residents) will have to move out."

Joseph Kenney, a Cherry Hill attorney representing Primas, said the plan

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was approved by council in March, but incorrectly. The council had approved the plan through a resolution rather than an ordinance. Primas is asking the council only to approve the plan correctly, Kenney said.

Primas, under the Recovery Act, can call for an impasse when he feels council has taken an action that would hurt the recovery of the city, argued Kenney.

Food processors are interested in the former Gallagher site on Ferry Avenue, Kenney said, adding that project could produce 1,900 jobs and \$2.7 million more in property taxes.

But the plan has no provision to give jobs to residents, noted Dwyer. He said no housing developer or business would show interest in a neighborhood that is surrounded by industry.

"The city administration has a terrible track record in providing jobs to residents," he said. "They have a terrible history on tax collection. It's intelligent economic development that improves a city."

"But when is that going to get done?" asked Orlando. "(Council members) don't have a plan. (Council) is saying 'we don't like the plan because certain stakeholders don't like it.'"

Much of the hearing focused on the use of the Gallagher site, which is a former industrial area.

Lula Williams, president of South Camden Citizens in Action, said Gallagher is only addressing the concerns of Heart of Camden, a nonprofit housing agency in the neighborhood.

"There's nothing in (the hearing) for us," she said. "They left us out."

Orlando did not set a date in January for his decision.

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