



Legislation Details (With Text)

File #: 21-0549 **Version:** 1 **Name:** 640 E. Park URBAN RENEWAL, LLC Amendment to FA

Type: Ordinance **Status:** Adopted

File created: 4/19/2021 **In control:** Economic and Housing Development

On agenda: 7/8/2021 **Final action:** 7/20/2021

Title: AN ORDINANCE AMENDING THE ORIGINAL TAX ABATEMENT GRANTED TO NEWARK 40 E. PARK URBAN RENEWAL, LLC, 128 MAIN AVENUE, PASSAIC, NEW JERSEY 07055, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW TO EXTEND THE TIMEFRAME TO CONSTRUCT THE PROJECT CONSISTING OF THE RENOVATION OF A VACANT, ABANDONED BROWNSTONE OFFICE BUILDING INTO FIFTEEN (15) MARKET RATE RESIDENTIAL UNITS LOCATED ON REAL PROPERTY FORMERLY KNOWN AS 40 EAST PARK STREET AND 36-38 AND 40 KITCHELL STREET, NEWARK, NEW JERSEY 07102 AND IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY OF NEWARK, AS BLOCK 126, LOTS 1, 2 AND 52, WHICH HAS BEEN MERGED AND IS NOW KNOWN AS 35-47 MULBERRY STREET, BLOCK 126, LOT 1. (Central Ward)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
7/20/2021	1	Municipal Council	Close on Public Hearing and Adopt	Pass
7/8/2021	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

AN ORDINANCE AMENDING THE ORIGINAL TAX ABATEMENT GRANTED TO NEWARK 40 E. PARK URBAN RENEWAL, LLC, 128 MAIN AVENUE, PASSAIC, NEW JERSEY 07055, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW TO EXTEND THE TIMEFRAME TO CONSTRUCT THE PROJECT CONSISTING OF THE RENOVATION OF A VACANT, ABANDONED BROWNSTONE OFFICE BUILDING INTO FIFTEEN (15) MARKET RATE RESIDENTIAL UNITS LOCATED ON REAL PROPERTY FORMERLY KNOWN AS 40 EAST PARK STREET AND 36-38 AND 40 KITCHELL STREET, NEWARK, NEW JERSEY 07102 AND IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY OF NEWARK, AS BLOCK 126, LOTS 1, 2 AND 52, WHICH HAS BEEN MERGED AND IS NOW KNOWN AS 35-47 MULBERRY STREET, BLOCK 126, LOT 1. (CENTRAL WARD)

WHEREAS, on September 8, 2016, the Municipal Council adopted Ordinance 6PSF-c (the “Ordinance”, a copy of which is attached hereto as Exhibit A) granting a fifteen (15) year tax abatement to Newark 40 E. Park Urban Renewal, LLC, an urban renewal entity qualified to do business under the provisions of the Long Term Tax Exemption Law as amended and supplemented, N.J.S.A. 40A:20-1, et seq. (the “Long Term Tax Exemption Law”), 128 Main Avenue, Passaic, New Jersey 07055 (the “Entity”), for a project to renovate a vacant, abandoned brownstone office building into fifteen (15) market rate residential rental units, located on real property commonly known as 40 East Park Street and 36-38 and 40 Kitchell Street, Newark, New Jersey 07102 and identified on the Official Tax map of the City of Newark, as Block 126, Lots 1, 2 and 52, which has been merged and is now known as 35-47 Mulberry Street, Block 126, Lot 1 (the “Project”)

WHEREAS, the Parties entered into a Financial Agreement on November 10, 2016, (the “Original Financial Agreement”, a copy of which is attached hereto as Exhibit B); and

WHEREAS, construction of the Project was delayed and the Project has not been completed within the timeframe set forth in the Original Financial Agreement; and

WHEREAS, the Parties desire to enter into Amendment #1 to Financial Agreement to extend the timeframe for the Entity to complete the Project, (the “Original Financial Agreement” and Amendment #1 to Financial Agreement shall be collectively referred to as the “Financial Agreement”); and

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor of the City of Newark is hereby authorized to execute, on the City’s behalf, the Amendment #1 to Financial Agreement in the form attached hereto as Exhibit C.

2. An executed copy of the Amendment #1 to Financial Agreement authorized by this ordinance shall be filed and maintained with the City Clerk.

3. The Entity shall in the operation of the Project comply with all laws so that no person shall be subject to any discrimination because of race, religious principles, color, national origin, or ancestry.

4. The Entity shall file an employment report (herein described below) with the Office of Affirmative Action who shall forthwith after receiving the report send a copy thereof to the City Clerk and the Office of Affirmative Action shall forthwith investigate the matters contained therein and report its findings to the Municipal Council.

5. The adoption of this ordinance is expressly conditioned upon the requirement that the Entity pay the City all outstanding taxes and/service charges, and water/sewer charges within thirty (30) days of the date of the adoption of this ordinance. If the Entity fails to timely satisfy these requirements, this ordinance and the approval granted herein shall be null and void.

6. This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

Ordinance authorizing Amendment #1 to the Original Financial Agreement granting a tax abatement to Newark 40 E. Park Urban Renewal, LLC, 128 Main Avenue, Passaic, New Jersey 07055, an urban renewal entity qualified to do business under the provisions of the Long Term Tax Exemption Law as amended and supplemented, N.J.S.A. 40A:20-1, et seq., to extend the timeframe to construct the Project consisting of the renovation of a vacant, abandoned brownstone office building into fifteen (15) market rate residential rental units, located on real property commonly known as 40 East Park Street and 36-38 and 40 Kitchell Street, Newark, New Jersey 07102 and identified on the Official Tax Map of the City of Newark, as Block 126, Lots 1, 2 and 52, which has been merged

and is now known as 35-47 Mulberry Street, Block 126, Lot 1. (Central Ward)