



Legislation Details (With Text)

File #: 19-0791 Version: 1 Name: Gomes & Gomes - Orange St
Type: Resolution Status: Adopted
File created: 5/5/2019 In control: Economic and Housing Development
On agenda: 8/20/2019 Final action: 8/20/2019
Title: Dept/ Agency: Economic and Housing Development
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Type of Service: Private Sale/Redevelopment
Purpose: Redevelopment on contiguous land consisting of approximately 105 residential units with ground floor retail space and a community dog park on the neighboring lot.
Entity Name: Gomes and Gomes Development, LLC
Entity Address: 91 Kossuth Street, Newark, New Jersey 07105
Sale Amount: \$87,187.32
Cost Basis: (X) \$10.00-\$28.00 PSF (x) Negotiated ( ) N/A ( ) Other:
Assessed Amount: \$306,100.00
Appraised Amount: N/A
Contract Period: Construction to commence within fourteen (14) months of receipt of construction permits and be completed within 24 months from commencement of construction
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ
(X) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a
List of Property:
(Address/Block/Lot/Ward)
254 Orange Street/Block 2853/Lot 32/Central Ward
253-257 Orange Street/Block/2862/Lot 20/Central Ward
Additional Information:
Total Sale Price: Square Footage x PSF
254 Orange Street: 2,294.19 x \$28.00 = \$64,237.32
253-257 Orange Street: 2,295 x \$10.00 = \$22,950.00
Sale at prices set forth by Ordinance 6S&Fh, adopted April 7, 2004, establishing the minimum sale price of City-owned Property.

Sponsors: Council of the Whole

Indexes:

Code sections:

Table with 5 columns: Date, Ver., Action By, Action, Result. Row 1: 8/20/2019, 1, Municipal Council, Adopt, Pass

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Sale at prices set forth by Ordinance 6S&Fh, adopted April 7, 2004, establishing the minimum sale price of City-owned Property.

**WHEREAS**, the purpose of this resolution is to approve the sale and rehabilitation of the following City-owned properties located in the Central Ward of the City of Newark (the "City"):

<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>
254 Orange St.	2853	32	29X79.11	2,294.19
253-257 Orange St.	2862	20	75X30.6	2,295.

254 Orange St.: Total Sq. Feet 2,294.19 X \$28.00 per sf = \$64,237.32  
253-257 Orange St.: Total Sq. Feet 2,295. X \$10.00 per sf = \$22,950.00

Total Sale Price: \$87,187.32; and

**WHEREAS**, the City of Newark has determined that the above referenced City-owned Properties (the "Properties") are no longer needed for public use; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(f), the City of Newark is authorized to arrange or contract with redevelopers for the planning, re-planning, construction or undertaking of any redevelopment project; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(g), the City of Newark is proceeding with the redevelopment of the area and is conveying properties at such prices and upon such terms as it deems reasonable and said conveyance is made in conjunction with the applicable Redevelopment plan, as amended; and

**WHEREAS**, the Municipal Council previously adopted Resolution 7Rdo(AS) on June 15, 2005, designating the entire City as an "area in need of rehabilitation" under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "LRHL"); and

**WHEREAS**, the Municipal Council adopted Ordinance 6S&Fe(S) on August 17, 2005, adopting the First Amendment to the Central Ward Redevelopment Plan, governing the redevelopment of City-owned properties located within the Central Ward, which includes the above-

referenced Properties; and

**WHEREAS**, the City received a proposal, attached as Exhibit A of the Redevelopment Agreement, for the purchase and redevelopment of the Properties from Gomes and Gomes Development, LLC, 91 Kossuth Street, Newark, New Jersey 07105 (the “Redeveloper”); and

**WHEREAS**, the Redeveloper has proposed to the City’s Department of Economic and Housing Development to redevelop the Properties as part of another redevelopment project located on contiguous land, which will consist of approximately 105 residential units with ground floor retail space and a community dog park (the “Proposal”); and

**WHEREAS**, redevelopment of said Properties will contribute to the social and economic improvement of the Central Ward in accordance with the intent, goals and objectives of the City’s strategy to rehabilitate and reinvigorate neighborhoods with quality housing; additional stores, services and recreational facilities; and improved public spaces; and

**WHEREAS**, based upon the City’s review of the proposal and other such information, the City has determined that the Redeveloper possesses the proper qualifications and requisite financial resources and capacity to acquire the Properties and to redevelop them in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the Agreement for the Sale and Redevelopment of Land, the form of which is attached hereto (the “Agreement”), and the Central Ward Redevelopment Plan, as amended; and

**WHEREAS**, pursuant to the above-mentioned statutory authority, the Department of Economic and Housing Development has recommended that the City of Newark sell the Properties to Gomes and Gomes Development, LLC, whom is willing to purchase the Properties from the City, for the consideration of Eighty-Seven Thousand, One Hundred and Eighty-Seven Dollars and Thirty-Two Cents (\$87,187.32), for the purpose of redeveloping said Properties in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the Agreement, and the Central Ward Redevelopment Plan, as amended.

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

1. The Mayor and/or his designee and the Interim Deputy Mayor/Director of the Department of Economic and Housing Development are hereby authorized to enter into and execute the Agreement for the Sale and Redevelopment of Land attached hereto with Gomes and Gomes Development, LLC, 91 Kossuth Street, Newark, New Jersey, 07105, for the private sale and redevelopment of the following Properties, for the following Purchase Price, in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the attached Agreement, and the Central Ward Redevelopment Plan, as amended:

<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>
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Total Sale Price: \$87,187.32

2. Said properties shall be sold to the Gomes and Gomes Development, LLC, by private sale for the purpose of redeveloping the Properties as part of another redevelopment project located on contiguous land, which will consist of approximately 105 residential units with ground floor retail space and a community dog park.
3. The Interim Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to effectuate certain business terms and conditions related to the Redevelopment Agreement annexed hereto and may enter into access and right of entry agreements and any related documents, which may be necessary in order to effectuate the sale of the Properties and the terms and conditions of the Agreement, all in forms subject to the approval of the City of Newark's Corporation Counsel.
4. The Interim Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to enter into a maximum of two (2) six (6) month extensions of any timeframe set forth in the Agreement, subject to full written disclosure of such extension(s) (in the form of a signed Memorandum to be submitted to the Office of the City Clerk prior to adoption) to the Municipal Council of the City of Newark by the Interim Deputy Mayor/Director of the Department of Economic and Housing Development and the approval of the City of Newark's Corporation Counsel.
5. The Redeveloper shall be designated as the exclusive redeveloper of the Properties and any other prior legislation authorizing or intended to authorize the sale and/or redevelopment of the Properties is hereby rescinded.
6. The Redeveloper shall have thirty (30) days from the date this resolution is certified by the Office of the City Clerk to execute the attached Agreement for the Sale and Redevelopment of Land and return same to the Department of Economic and Housing Development. Should the Redeveloper fail to execute and return the attached Agreement within this thirty (30) day time period, the authorization provided by this resolution shall be null and void, unless the Interim Deputy Mayor/Director of the Department of Economic and Housing Development agrees in writing to extend this thirty (30) day time period.
7. The Director of Finance is hereby authorized to receive proceeds of the sale and to deposit same as follows: ninety percent (90%) of the sale proceeds shall be deposited into the Community and Economic Development Dedicated Trust Fund established under Resolution 7Rg, November 6, 1985; and ten percent (10%) of the sale proceeds shall be placed in the City's Affordable Housing Trust Fund established under City Ordinance 6S&FF, June 21, 2006, for the purpose of preserving low and moderate income affordable housing.
8. The executed Agreement for the Sale and Redevelopment of Land, the Quitclaim Deed, and all such other executed agreements authorized by this resolution shall be placed on file in the Office of the City Clerk by the Interim Deputy Mayor/Director of the Department of Economic and Housing Development.
9. The Redeveloper shall be required to comply with the City of Newark's Minority Set-Aside Ordinance 6S&Fd, April 5, 1995; the City of Newark's Affirmative Action Plan 7Rbp, March 1,

1995; Federal Executive Order 11246, (as amended by Executive Orders 11375 and 12086) regarding the award of goods and services contracts; and the City of Newark Ordinance 6PSF -c June 17, 2015, Amending Title II, Administration, Chapter 4, General Administration, Section 20, Hiring of Newark Residents by Contractors or Other Persons Doing Business with the City of Newark and Section 21, Newark Residents' Employment Policy, by Adding Language to Address Immediate Short Term Training and Employment Opportunities and Repealing the Newark Employment Commission, a copy of which is attached to the Agreement as Exhibit D (the "First Source Ordinance"), all as may be applicable. In addition, the Redeveloper has agreed to ensure that thirty percent (30%) of all contractors, subcontractors and suppliers shall be Newark-based companies.

10. The redevelopment or rehabilitation of the Properties shall commence within fourteen (14) months of receipt of construction permits and be completed within twenty-four (24) months from commencement of construction.
11. The project to be implemented by the Redeveloper shall conform to the City of Newark Design Guidelines, including standards for environmental sustainability and energy efficiency, as established by the Department of Economic and Housing Development. Additionally, the Redeveloper shall conduct any environmental investigation and remediation upon the Properties as may be necessary. Should the Redeveloper fail to diligently pursue the redevelopment of the Properties, then the City, in its sole discretion, may exercise its Right of Reverter to transfer title to the Properties back to the City, in accordance with the terms and conditions of the Agreement and the deed. Failure to exercise or delay in exercising this Right of Reverter by the City of Newark shall not constitute a waiver nor shall such failure and/or delay serve as a basis for adverse possession of the Properties. Any and all waivers of the City's Right of Reverter shall be in writing.
12. The Interim Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to execute a Quitclaim Deed to the Redeveloper for the Properties. Said Quitclaim Deed conveying title to the Properties to the Redeveloper shall be approved as to form and legality by the City's Corporation Counsel and attested to and acknowledged by the City Clerk.

### **STATEMENT**

This Resolution authorizes the Mayor and/or his designee, and the Interim Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into and execute an Agreement for the Sale and Redevelopment of Land with Gomes and Gomes Development, LLC, 91 Kossuth Street, Newark, New Jersey, 07105, for the private sale and redevelopment of the following Properties, for the following Purchase Price, in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the attached Agreement for the Sale and Redevelopment of Land, and the Central Ward Redevelopment Plan, as amended to redevelop the Properties as part of another redevelopment project located on contiguous land, which will consist of approximately 105 residential units with ground floor retail space and a community dog park.

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