



Legislation Details (With Text)

File #: 19-1409 **Version:** 1 **Name:** Bronze Shields of Newark NJ

Type: Resolution **Status:** Adopted

File created: 9/3/2019 **In control:** Economic and Housing Development

On agenda: 12/10/2019 **Final action:** 12/10/2019

Title: Dept/ Agency: Economic and Housing Development
 Action: Ratifying Authorizing Amending
 Type of Service: Private Sale/Redevelopment
 Purpose: To develop a headquarters for the Bronze Shields of Newark, New Jersey and Community Center with parking.
 Entity Name: The Bronze Shields of Newark, New Jersey
 Entity Address: 43 William Street, Newark, New Jersey 07102
 Sale Amount: \$85,661.48
 Cost Basis: \$2.00 PSF Negotiated N/A Other:
 Assessed Amount: \$107,100.00
 Appraised Amount: \$0.00
 Contract Period: To commence within three (3) months and be completed within twenty-four (24) months from the transfer of ownership by the City
 Contract Basis: Bid State Vendor Prof. Ser. EUS
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a
 List of Property:
 (Address/Block/Lot/Ward)
 23-27 Wright Street/Block 2800/Lot 1/South Ward
 29-31 Wright Street/Block 2800/Lot 41/South Ward
 33 Wright Street/Block 2800/Lot 5/South Ward
 35 Wright Street/Block 2800/Lot 6/South Ward
 168-176 Brunswick Street/Block 2800/Lot 40/South Ward
 178 Brunswick Street/Block 2800/Lot 32/South Ward
 180 Brunswick Street/Block 2800/Lot 31/South Ward
 182 Brunswick Street/Block 2800/Lot 30/South Ward
 184 Brunswick Street/Block 2800/Lot 29/South Ward
 Additional Information:
 Total Price: Square Footage X PSF = 42,830.74. X \$2.00 = \$85,661.48

Sponsors: John Sharpe James, Eddie Osborne

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/10/2019	1	Municipal Council	Adopt	Pass

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- 184 Brunswick Street/Block 2800/Lot 29/South Ward

Additional Information:

Total Price: Square Footage X PSF = 42,830.74. X \$2.00 = \$85,661.48

WHEREAS, the purpose of this resolution to approve the sale and redevelopment of the following City-owned properties located in the South Ward of the City of Newark (the "Properties"):

<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>
23-27 Wright St.	2800	1	78.9X104.6	8,252.94
29-31 Wright St.	2800	41	30.6X100	3,060.
33 Wright St.	2800	5	25X130.6	3,265.
35 Wright St.	2800	6	25X128.3	3,207.5
168-176 Brunswick St.	2800	40	114X107.7	12,277.8
178 Brunswick St.	2800	32	25X127.6	3,190.
180 Brunswick St.	2800	31	25X127.7	3,192.5
182 Brunswick St.	2800	30	25X127.7	3,192.5
184 Brunswick St.	2800	29	25X127.7	3,192.5

Total Square Footage: 42,830.74.

Total Purchase Price: \$85,661.48 (\$2.00 per sf.); and

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

WHEREAS, pursuant to N.J.S.A. 40A: 12A-8(f), the City 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 is proceeding with the rehabilitation 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 thereafter adopted Ordinance 6S&Fd(AS) on August 17, 2005, adopting the Third Amendment to the South Ward Redevelopment Plan governing the redevelopment of City-owned Properties located within the South 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 The Bronze Shields of Newark New Jersey, 43 William Street, Newark, New Jersey 07102 (the “Redeveloper”), a registered New Jersey Not for Profit Corporation; and

WHEREAS, the Redeveloper has proposed to the City’s Department of Economic and Housing Development to redevelop the Properties by developing a headquarters for the Bronze Shields of Newark New Jersey and community center with parking (the “Proposal”); 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 develop 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 South 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 The Bronze Shields of Newark, New Jersey which is willing to purchase the properties from the City, for the consideration of Eighty-Five Thousand, Six Hundred Sixty-One Dollars and Forty-Eight Cents (\$85,661.48), 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 South 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 Acting 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 The Bronze Shields of Newark, New Jersey, 43 William Street, Newark, New Jersey 07102, 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 South Ward Redevelopment Plan, as amended:

<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>
23-27 Wright St.	2800	1	78.9X104.6	8,252.94

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Total Square Footage: 42,830.74.

Total Purchase Price: \$85,661.48 (\$2.00 per sf.)

2. Said Properties shall be sold to The Bronze Shields of Newark New Jersey, by private sale for the purpose of redeveloping the above-mentioned Properties to create a headquarters for The Bronze Shields of Newark, New Jersey and community center with parking. Any deed of conveyance by, for, or on behalf of the Redeveloper shall contain the aforesaid use restrictions, and title to the Property shall automatically revert to the City if the Properties are converted to any use other than as a headquarters for The Bronze Shields of Newark, New Jersey and community center as specified herein without the informed written consent of the Acting Director of the Department of Economic and Housing Development and approval of the Municipal Council.
3. The Acting 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 Acting 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 Acting 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 and/or rehabilitation 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 Acting 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 Acting Director of the Department of Economic and Housing Development shall place a copy of the executed Agreement for the Sale and Redevelopment of Land, the Quitclaim Deed, and all such other executed agreements authorized by this resolution on file in the Office of the City Clerk.
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 C (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 development of the Properties shall commence within three (3) months and be completed within twenty-four (24) months from the transfer of ownership of the Properties by the City to the Redeveloper.
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 Property. Any and all waivers of the City's Right of Reverter shall be in writing.
12. The Acting 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 Acting Director of the

Department of Economic and Housing Development to enter into and execute an Agreement for the Sale and Redevelopment of Land with The Bronze Shields of Newark, New Jersey, 43 William Street, Newark, New Jersey 07102, 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 South Ward Redevelopment Plan, as amended, to develop a headquarters for the Bronze Shields of Newark, New Jersey and Community Center with parking.

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