



Legislation Details (With Text)

File #: 20-0351 **Version:** 2 **Name:** Brandywine - Police and Fire Training Facility RDA
Type: Resolution **Status:** Adopted
File created: 2/28/2020 **In control:** Economic and Housing Development
On agenda: 5/6/2020 **Final action:** 5/6/2020

Title: Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Redevelopment Agreement
Purpose: Authorizing execution of Redevelopment Agreement with Brandywine Acquisition and Development, LLC, as the designated redeveloper of the Bergen Street Police and Fire Training Academy as part of a public-private partnership entered into under the Local Redevelopment and Housing Law
Entity Name: Brandywine Acquisition and Development, LLC
Entity Address: 2 Ponds Edge Drive, P.O. Box 500, Chadds Ford, Pennsylvania 19317
Contract Amount: One Million Two Hundred Thousand Dollars and Zero Cents (\$1,200,000.00)
Development Agreement Term: This Redevelopment Agreement shall commence on the Effective Date and shall not expire until the issuance of a Certificate of Completion for the Project
City Contribution to Development Project: () Grant or Loan () Guarantee () None () Other:()
Developer Investment: :()
Developer Third-Party Financing
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)
687-689 Bergen Street/Block 2687/Lot 14/South Ward
691 Bergen Street/Block 2687/Lot 16 and 60/South Ward
693 Bergen Street/Block 2687/Lot 17/South Ward
695-715 Bergen Street/Block 2687/Lot 25/South Ward
158 Chadwick Avenue/Block 2687/Lot 43/South Ward
160 Chadwick Avenue/Block 2687/Lot 42/South Ward
162 Chadwick Avenue/Block 2687/Lot 41/South Ward
164 Chadwick Avenue/Block 2687/Lot 40/South Ward
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/6/2020	2	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, on June 15, 2005, pursuant to Council Resolution 7Rdo(AS), the entire City of Newark was designated an “area in need of rehabilitation” as defined by the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., including the lots located at 687-689 Bergen Street, 691 Bergen Street, 693 Bergen Street, 695-715 Bergen Street, 158 Chadwick Avenue, 160 Chadwick Avenue, 162 Chadwick Avenue and 164 Chadwick Avenue, also known as Block 2687, Lots 14, 16, 17, 25, 40, 41, 42, 43 and 60 on the tax maps of the City of Newark (“Property”); and

WHEREAS, on January 5, 2017, pursuant to Municipal Council Ordinance 6PSF-b, the City of Newark adopted the South Bergen Street Redevelopment Plan (the “Redevelopment Plan”), as last amended on January 7, 2020, which governs the zoning of the Property; and

WHEREAS, pursuant to this Resolution, the City seeks to designate Brandywine Acquisition and Development, LLC, as the redeveloper of the Property (the “Redeveloper”) that is to constitute the Bergen Street Police and Fire Training Academy site (the “Project”) subject to entry of a Redevelopment Agreement; and

WHEREAS, based upon the City’s review of the Project and other such information, the City has determined that the Redeveloper possesses the proper qualifications and requisite financial resources and capacity to acquire the Property and to develop it in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the Bergen Street Police and Fire Academy Redevelopment Agreement, the form of which is attached hereto (the “Redevelopment Agreement”), and the South Bergen Street Redevelopment Plan, as amended; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8 and N.J.S.A. 40A:12A-9, the City has negotiated

a Redevelopment Agreement with Brandywine Acquisition and Development, LLC, as the designated redeveloper of the Bergen Street Police and Fire Training Academy site consisting of Block 2687, Lots 14, 16, 17, 25, 40, 41, 42, 43 and 60.

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

1. The terms and conditions contained in the Redevelopment Agreement by and between the City of Newark and Brandywine Acquisition and Development, LLC, the designated redeveloper of the Bergen Street Police and Fire Training Academy, consisting of Block 2687, Lot 14, 16, 17, 25, 40, 41, 42, 43 and 60, are hereby accepted and approved.
2. The Mayor and/or his designee, the Director of the Department of Economic and Housing Development, are hereby authorized and directed to execute the Redevelopment Agreement, substantially in the form attached hereto and made part hereof upon adoption of this Resolution by the Municipal Council.
3. The 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 related documents, which may be necessary in order to effectuate the sale of the Property and the terms and conditions of the Redevelopment Agreement, all in forms subject to approval of the City's Corporation Counsel.
4. The Director of the Department of Economic and Housing Development is hereby authorized to enter into a maximum of two (2) six (6) month 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 Director of the Department of Economic and Housing Development and the approval of the City's Corporation Counsel.
5. Upon the adoption of this Resolution and the Redeveloper's execution of the Redevelopment Agreement, Brandywine Acquisition and Development, LLC, shall hereby be formally deemed as the designated redeveloper of Block 2687, Lot 14, 16, 17, 25, 40, 41, 42, 43 and 60 for all purposes under the law.
6. The Director of the Department of Economic and Housing Development is authorized to execute a Quitclaim Deed to the Redeveloper for the Property. Said Quitclaim Deed conveying title to the Property 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.
7. The Director of the Department of Economic and Housing Development shall place a copy of the executed Agreement, the Quitclaim Deed, and all such other executed agreements authorized by this Resolution on file in the Office of the City Clerk.
8. The redevelopment agreement is subject to an updated financial analysis to be conducted by the City given the current COVID-19 emergency.

9. This Resolution shall become effective immediately pursuant to law.

STATEMENT

This Resolution authorizes the Mayor and/or his designee, the Director of Economic and Housing Development, to enter into and execute a Redevelopment Agreement with Brandywine Acquisition and Development, LLC as the designated redeveloper of the Bergen Street Police and Fire Training Academy as part of a public-private partnership under the Local Redevelopment and Housing Law.