



Legislation Details (With Text)

File #: 16-0323 **Version:** 1 **Name:** Tri-Party Agreement with Trust for Public Land and Ironbound Community Corporation
Type: Resolution **Status:** Adopted
File created: 2/19/2016 **In control:** Economic and Housing Development
On agenda: 5/4/2016 **Final action:** 5/18/2016

Title: Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Pass Through Agreement
Purpose: Joseph G. Minish Passaic River Waterfront Park and Historic Area a/k/a Minish Park a/k/a Newark Riverfront Park
Entity Name: Trust for Public Land ("TPL") and Ironbound Community Corporation ("ICC")
Entity Address: TPL-1 Washington Park, Suite 1401-H, Newark, New Jersey 07102; ICC - 317 Elm Street, Newark, New Jersey 07105
Grant Amount: \$200,000.00
Funding Source: State of New Jersey, Department of Environmental Protection, Green Acres Program and Office of the Natural Resource Restoration
Total Project Cost: \$400,000.00
City Contribution: City funding granted to TPL for the project pursuant to Resolution 7R3-d(S) 042313, will provide \$200,000.00 in matching funds
Other Funding Source/Amount: \$
Contract Period: completion of project
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: (if applicable)
(Address/Block/Lot/Ward)
Block 2025, Lots 1 and 2; Block 2026, Lots 7, 19, and 22; Block 2027, Lot 2; Block 2028, Lots 1 and 2; Block 2029, Lots 1, 7, 21, and 22; Block 171, Lots 1, 6 and 8 (East Ward)
Additional Information:
City Funds were previously granted. This Resolution does not require any additional City Funds.
Deferred 7R3-a (as) 050416

Sponsors: Augusto Amador, Anibal Ramos, Jr.

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/18/2016	1	Municipal Council	Adopt	Pass
5/4/2016	1	Municipal Council	Defer	Pass

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07105

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Additional Information:

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Deferred 7R3-a (as) 050416

WHEREAS, pursuant to Resolution 7R1-i, adopted on January 6, 2010, the City executed and entered into an Agreement with the Trust for Public Land (TPL), among other things, for the rehabilitation, improvement, and renovation of a portion of Newark Riverfront Park (formerly known as Joseph Minish Park), shown on the Tax Map of the City of Newark as Block 2025, Lots 1 and 2; Block 2026, Lots 7, 19, and 22; Block 2027, Lot 2; Block 2028, Lots 1 and 2; Block 2029, Lots 1, 7, 21, and 22; and Block 171, Lots 1, 6 and 8 (the "Site"); and

WHEREAS, Block 2025, Lots 1 and 2; Block 2026, Lots 7, 19, and 22; Block 2027, Lot 2; Block 2028, Lots 1 and 2; and Block 2029, Lots 1, 7, 21, and 22 are owned by the City of Newark and are subject to all relevant Green Acres restrictions and requirements, including, without limitation, the requirements of community and public access for recreational purposes; and

WHEREAS, Block 171, Lots 1, 6 and 8, are owned by NJDOT ("NJDOT Parcels"), and for which, prior to the expenditure of Green Acres funds on those lots, the City of Newark will hold a 25 year lease in the form attached as Exhibit A; and

WHEREAS, the NJDOT Parcels are subject to all relevant Green Acres restrictions and requirements, including, without limitation, the requirements of community and public access for recreational purposes, during the term of the lease; and

WHEREAS, pursuant to Resolution 7R3-d(S), adopted on April 23, 2013, the City executed and entered into a pass-through Agreement with TPL to utilize grant funding received through the United States Department of Housing and Urban Development's Community Development Block Grant ("CDBG") program for the development of Newark Riverfront Park (the "Agreement"); and

WHEREAS, TPL and the City completed the a portion of Newark Riverfront Park in August 2013; and

WHEREAS, the next phase of construction for the Newark Riverfront Park is scheduled to

begin in early 2016; and

WHEREAS, the Governing Board of the Ironbound Community Corporation (ICC) pursuant to Resolution(s), adopted May 2, 2013, authorized the Chief Executive Officer to submit an application to, accept funding from, and execute an agreement with the Green Acres Program for grant funding for the Newark Riverfront Park project; and

WHEREAS, the ICC has been awarded a grant from the Green Acres Program in the amount of \$200,000.00 to be used to develop and make improvements at Newark Riverfront Park (the "Grant"), Green Acres Project # 07-12-03, attached hereto as Exhibit B; and

WHEREAS, the grants awarded to ICC from the Green Acres Program require matching funds in the amount of \$200,000.00; and

WHEREAS, matching funds will be provided from grant monies previously allocated to TPL by Resolution 7R3-d(S) adopted April 23, 2013, which authorized a pass through agreement with TPL for monies received from the United States Housing and Urban Development's Community Development Block Grant (CDBG) program ; and

WHEREAS, pursuant to N.J.S.A. 40:12-20 et seq., the State of New Jersey recognizes the needs of municipalities to enter into agreements to rehabilitate, improve, and maintain their parks, and thus authorizes municipalities to establish mutually beneficial partnerships, through an agreement, with nonprofit organizations that will result in municipal parks that are better maintained, operated, and improved for the use and enjoyment of the public; and

WHEREAS, N.J.S.A. 40:12-21 defines "improvement" as meaning, but not necessarily limited to, construction, reconstruction, stabilization, repair, rehabilitation, renovation, restoration of a park or park facility, building, structure, infrastructure, or feature; and

WHEREAS, N.J.S.A. 40:12-23 allows a municipality to provide the partnering nonprofit organization with equipment, materials, supplies, or services to assist with the municipal park maintenance, operation, or improvements; and

WHEREAS, this Agreement is not subject to the requirements or provisions of Local Public Contracts Law pursuant to N.J.S.A. 40:12-28(b)

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

1. The Mayor and/or his designee, the Business Administrator and the Deputy Mayor/Director of the Department of Economic and Housing Development, are hereby authorized to enter into and execute an agreement with TPL and ICC, whereby the City will acknowledge ICC as a partner in the Newark Riverfront Park project and to authorize the use of ICC's Green Acres grant funding the rehabilitation, improvement and renovation of Newark Riverfront Park
2. City funding previously obtained pursuant to Resolution 7R3-d(S), adopted on April 23, 2013, will provide the \$200,000.00 matching funds required by the ICC Green Acres Grant. No additional Municipal Funds are required.

3. A fully executed copy of the agreement shall be filed with the Office of the City Clerk by the Business Administrator.

STATEMENT

Resolution authorizing the Mayor and/or his designees, the Business Administrator and the Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into and execute an agreement with the Trust for Public Land, 20 Community Place, Morristown, New Jersey 07960, and Ironbound Community Corporation, 317 Elm Street, Newark, New Jersey 07105, accepting the use of funding obtained by ICC from the New Jersey Department of Environmental Protection Office of Natural Resource Restoration for a total grant award of \$200,000.00 to develop and make improvements within Newark Riverfront Park, for the period commencing on the date of adoption and terminating upon completion of the project. No additional City funds are required.