



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 21-1093, Version: 1

**Dept/ Agency:** Economic and Housing Development

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Private Sale/Redevelopment

**Purpose:** To develop properties into multi-family homes.

**Entity Name:** Maureen Poncelet-Delsole Real Estate Corporation

**Entity Address:** Paterson, New Jersey 07501

**Sale Amount:** \$62,385.00

**Cost Basis:** (X) \$6.00 PSF ( ) Negotiated ( ) N/A ( ) Other:

**Assessed Amount:** \$121,300.00

**Appraised Amount:** \$0.00

**Contract Period:** To commence within three (3) months and be completed within eighteen (18) months following transfer of property ownership from the City to the Redeveloper

**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)**

478 South 10<sup>th</sup> Street/Block 289/Lot 41/Central Ward

558-562 South 11<sup>th</sup> Street/Block 308/Lot 32/Central Ward

179 North 9<sup>th</sup> Street/Block 1937/Lot 60/West Ward

**Additional Information:**

Sale Price: Total Square Footage X PSF = 10,397.50 X \$6.00 = \$62,385.00.

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

**WHEREAS**, the purpose of this Resolution is to approve the sale and redevelopment of the following City-owned properties located in the Central Ward and West Ward of the City of Newark:

<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT(S)</u>	<u>SIZE</u>	<u>SQ. FEET</u>
478 South 10 <sup>th</sup> Street	289	41	24.9X100	2,490.00
558-562 South 11 <sup>th</sup> Street	308 1937	32	60 75X62.10	4,657.50 25X130
179 North 9 <sup>th</sup> Street			3,250.00	

Total Square Footage: 10,397.50

Purchase Price: \$62,385.00 (\$6.00 per s.f.); and

**WHEREAS**, the City of Newark (the "City") 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(g), the City of Newark 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 Plans, 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&Fe(S) on August 17, 2005, adopting the First Amendment to the Central Ward Redevelopment Plan, governing the redevelopment of City-owned property located within the Central Ward, which two of the above referenced Properties; and

**WHEREAS**, the Municipal Council also adopted Ordinance 6S&Fc(S) on August 17, 2005, adopting the Second Amendment to the West Ward Redevelopment Plan, governing the redevelopment of City-owned properties located within the West Ward, which includes one of the above-referenced Properties; and

**WHEREAS**, the City received a Letter of Intent, attached as Exhibit A to the Agreement for the Sale and Redevelopment of Land (“Agreement”), also known as Proposal, for the purchase and redevelopment of the Properties from Maureen Poncelet-Delsole Real Estate Corporation, 95 Quartz Lane, Executive Suite 95, Paterson, New Jersey 07501 (the “Redeveloper”); and

**WHEREAS**, the Redeveloper proposed to the City’s Department of Economic and Housing Development to redevelop the Properties into multi-family homes (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,, the form of which is attached hereto (the “Agreement”), and the Central Ward and West Ward Redevelopment Plans, as amended; and

**WHEREAS**, pursuant to the above-mentioned statutory authority, the Department of Economic and Housing Development recommends that the City sell the Properties to Maureen Poncelet-Delsole Real Estate Corporation, whom is willing to purchase the Properties from the City, for the consideration of Sixty-Two Thousand Three Hundred Eighty-Five Dollars and Zero Cents (\$62,385.00), for the purpose of rehabilitating said Properties in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the Agreement, and the Central Ward and West Ward Redevelopment Plans, 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, the 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 (“Agreement”) attached hereto with Maureen Poncelet-Delsole Real Estate Corporation, 95 Quartz Lane, Executive Suite 95, Paterson, New Jersey

07501 ("Redeveloper"), for the private sale and rehabilitation 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 and West Ward Redevelopment Plans, as amended:

<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT(S)</u>	<u>SIZE</u>	<u>SQ. FEET</u>
478 South 10 <sup>th</sup> Street	289	41	24.9X100	2,490.00
558-562 South 11 <sup>th</sup> Street	179 North 9 <sup>th</sup>	308 32 60	75X62.10 3,250.00	4,657.50 25X130

Total Square Footage: 10,397.50

Purchase Price: \$62,385.00 (\$6.00 per s.f.)

2. Said Properties shall be sold to the Redeveloper, by private sale for the purpose of redeveloping the above- into multi-family homes.
3. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to effectuate certain business terms and conditions related to the 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 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 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 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 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 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 Deputy Mayor/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. The Redeveloper shall provide the Department of Economic and Housing Development with the required forms showing compliance with the above, and a copy of these forms shall be filed with the Office of the City Clerk. 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 eighteen (18) months following the transfer of ownership of the Properties from 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. The City's failure to exercise or delay in exercising this Right of Reverter shall not constitute a waiver nor shall such a 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 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 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 Maureen Poncelet-Delsole Real Estate Corporation, 95 Quartz Lane, Executive Suite 95, Paterson, New Jersey 07501, 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 and West Ward Redevelopment Plans, as amended, to develop the Properties into multi-family homes:

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