



City of Newark

City Hall
920 Mayor Kenneth A.
Gibson Boulevard
Newark, New Jersey 07102

Legislation Text

File #: 26-0294, Version: 1

AN ORDINANCE AUTHORIZING THE MAYOR, AND/OR HIS DESIGNEE, THE DEPUTY MAYOR/DIRECTOR OF THE DEPARTMENT OF ECONOMIC AND HOUSING DEVELOPMENT TO ENTER INTO AND EXECUTE AN AGREEMENT WITH BERGEN STREET PARTNERS, LLC FOR THE SALE AND REDEVELOPMENT OF THE CITY OF NEWARK PROPERTY IDENTIFIED ON THE CITY OF NEWARK TAX MAP AS BLOCK 3665, LOTS 1, 2, 3, 4, 5 AND 6 FOR THE AMOUNT OF THREE HUNDRED SIXTEEN THOUSAND EIGHT HUNDRED DOLLARS AND ZERO CENTS.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, in order to stimulate the reinvigoration of the City of Newark (the "City"), by Resolution 7RDO(AS) adopted by the City Municipal Council on June 15, 2005, the entire City was designated as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, the Municipal Council adopted Resolution 7R3-a(S) on January 13, 2015, which directed the Central Planning Board of the City of Newark (the "Planning Board") to conduct an investigation to determine if 285 parcels along the Bergen Street corridor between Madison Avenue and Weequahic Avenue (the "Study Area") qualified as an area in need of redevelopment under the Redevelopment Law; and

WHEREAS, the Planning Board determined that 65 of the 285 parcels qualify as Condemnation Areas in Need of Redevelopment under the LRHL; and

WHEREAS, the Municipal Council adopted Resolution 7R3-b on February 17, 2016, declaring 65 parcels as a Condemnation Area in Need of Redevelopment under the LRHL (the "Redevelopment Area"); and

WHEREAS, the Municipal Council thereafter adopted Ordinance 6PSF-b on January 5, 2017, the South Bergen Street Redevelopment Plan, as amended (the "Redevelopment Plan") governing the redevelopment of property located within the South Ward; and

WHEREAS, the City is the owner of the real property located at 981-991 Bergen Street and identified as Block 3665, Lots 1, 2, 3, 4, 5 and 6 on the tax maps of the City of Newark in the County of Essex, State of New Jersey (the "Property"); and

WHEREAS, the City has determined that the Property is no longer needed for any public use and that redevelopment of the Property will contribute to the economic improvement of the South Ward in accordance with the intent, goals and objectives of the Redevelopment Plan; and

WHEREAS, on July 28, 2025, the City solicited Letters of Intent (“LOI”) for prospective redevelopers to purchase and redevelop the Property within the Redevelopment Plan area; and

WHEREAS, the selection committee reviewed and scored the Best and Final Offer submissions from the two (2) responsive applicants and determined that in furtherance of goals and objectives of the Redevelopment Plan, it is in the City’s best interest that Bergen Street Partners LLC be designated as the Redeveloper of the Property; and

WHEREAS, Bergen Street Partners LLC, a housing redeveloper with extensive development experience in the City of Newark responded with a proposal for the construction of a mixed-use development consisting of approximately 51 units of affordable and workforce housing and approximately 12,500 square feet of ground floor commercial space (the “**Project**”) upon the Property; and

WHEREAS, the City wishes to enter into a Redevelopment Agreement with the Redeveloper for the purpose of setting forth in detail each Parties’ respective undertakings, rights and obligations in connection with the development and construction of the Project; and

WHEREAS, the Redeveloper will implement the development, design, financing and construction of the Project in conformity with the Redevelopment Plan and in accordance with the Redevelopment Law; and

WHEREAS, the City and Redeveloper desire to enter into a Redevelopment Agreement in order to memorialize the terms and conditions of the Project, sale and redevelopment of the Property, in a form substantially consistent to the Redevelopment Agreement, attached hereto as **Exhibit A**; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8(e) and (f) of the Redevelopment Law, the Department of Economic and Housing Development has recommended that the City enter into the Redevelopment Agreement for the Project, including the sale of the Property to the Redeveloper for the consideration of Three Hundred Sixteen Thousand Eight Hundred Dollars and Zero Cents (\$316,800.00) (“Purchase Price”), which price, and under such terms as, the City deems to be reasonable, for the purpose of redeveloping the Property, in accordance with the Redevelopment Law, the Redevelopment Plan, and the Redevelopment Agreement; and

WHEREAS, the Redevelopment Agreement shall supersede any previous agreement(s) or conditions related to the redevelopment of the Property.

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

1. The Recitals set forth above are incorporated herein as if set forth at length.
2. The Mayor of the City of Newark, 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 Redevelopment Agreement (the “Agreement”) with Bergen Street Partners LLC in a form substantially consistent with the one attached hereto as **Exhibit A**.

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 Redevelopment Agreement concerning the sale and transfer of the property commonly known as 981-991 Bergen Street and identified as Block 3665, Lots 1, 2, 3, 4, 5 and 6 on the tax maps of the City of Newark in the County of Essex, State of New Jersey (the "Property") and may enter into and execute any related documents which may be necessary to effectuate same, including but not limited a Quitclaim Deed with a Right of Reverter clause for the Property.

4. 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 acknowledge by the City Clerk.

5. 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 Redevelopment 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 entry into such agreement) to the Municipal Council by the Deputy Mayor/Director of the Department of Economic and Housing Development and the approval of the City's Corporation Counsel.

6. The Redeveloper shall be designated as the exclusive redeveloper of the Property and any other prior legislation authorizing or intended to authorize the sale and/or redevelopment and/or rehabilitation of the Property is hereby rescinded.

7. The Redeveloper shall have thirty (30) days from the date this Ordinance is certified by the Office of the City Clerk to execute the attached Redevelopment Agreement and return same to the Department of Economic and Housing Development. Should the Redeveloper fail to execute and return the attached Redevelopment Agreement within this thirty (30) day time period, the authorization provided by this Ordinance 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.

8. The Director of the Department 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, adopted on 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, adopted on June 21, 2006, for the purpose of preserving low and moderate income affordable housing.

9. The Deputy Mayor/Director of the Department of Economic and Housing Development shall place a copy of the executed Redevelopment Agreement, the Quitclaim Deed, and all such other executed agreements authorized by this Ordinance on file in the Office of the City Clerk.

STATEMENT

This Ordinance authorizes the Mayor of the City of Newark, and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development to enter into a Redevelopment Agreement for the Project, including the sale of the City of Newark property commonly known as 981-991 Bergen Street and identified as Block 3665, Lots 1, 2, 3, 4, 5 and 6 to

Bergen Street Partners LLC. for the amount of Three Hundred Sixteen Thousand Eight Hundred Dollars and Zero Cents (\$316,800.00)