Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

http://www.bloomfieldtwpnj.com

Meeting: 02/27/23 07:00 PM

2023 RESOLUTION APPROVAL

RESOLUTION: THIRD AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH 71 LOCUST AVENUE LLC

WHEREAS, the Township of Bloomfield and 71 Locust Ave LLC ("71 Locust") negotiated a Memorandum of Understanding for the purpose of obtaining binding approvals for deferred payment schedules for tax owed on the real property located on Lot 10 and Block 152, also known as 71 Locust Avenue in the Township of Bloomfield; and

WHEREAS, the MOU's term ended in 2019 and the First Amendment to the MOU was approved by Resolution of the Mayor and Township Council; and

WHEREAS, the First Amendment's term ended in 2021 and the Second Amendment to the MOU was approved by Resolution of the Mayor and Township Council; and

WHEREAS, the term of the Second Amendment to the MOU will expire on April 30, 2023, and the parties mutually agree to further amend and extend its terms; and

WHEREAS, because of the COVID-19 Pandemic and related shutdowns, 71 Locust was delayed in constructing its redevelopment project at 71 Locust Avenue; and

WHEREAS, the Bloomfield Zoning Board of Adjustment adopted a Resolution providing an extension of its final site plan approval and variance relief granted to the redevelopment project, as authorized by the Permit Extension Act, until April 24, 2024; and

WHEREAS, in the absence of mutual agreement, the term of the Third Amendment to the MOU shall end on April 30, 2024.
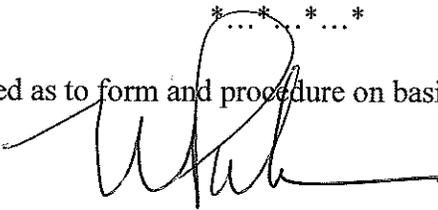
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby approves and authorizes the Mayor or his

designee to execute the Third Amendment to the Memorandum of Understanding between the Township
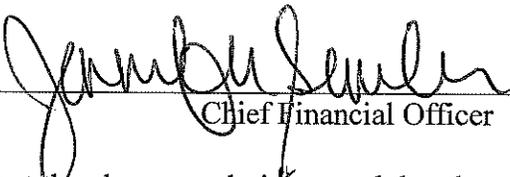
of Bloomfield and the 71 Locust Ave LLC.

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Approved as to form and procedure on basis of facts set forth.

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Director of Law-Township Attorney

    I do hereby certify that the funding will be legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of New Jersey Local Public Contract Law and the Code of the Township of Bloomfield.

_____
Chief Financial Officer

    I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on February 27, 2023.

_____
Municipal Clerk of the Township of Bloomfield

_____
Mayor of the Township of Bloomfield

✓ Vote Record – Resolution					
☐ Adopt ☐ Deny		Yes/Aye	No/Nay	Abstain	Absent
☐ Withdrawn	Jenny Mundell	☑	☐	☐	☐
☐ Table ☐ Not Discussed	Nicholas Joanow	☑	☐	☐	☐
☐ First Reading	Sarah Cruz	☑	☐	☐	☐
☐ Table with no Vote	Wartyna Davis	☑	☐	☐	☐
☐ Approve ☐ Veto by Mayor	Ted Gamble	☑	☐	☐	☐
☐ Discussion	Richard Rockwell	☑	☐	☐	☐
☐ Defeated ☐ Discussion No Vote	Michael J. Venezia	☑	☐	☐	☐