Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

http://www.bloomfieldtwpnj.com

Meeting: 10/30/23 07:00 PM

2023 ORDINANCE NEW ORDINANCE

OCD 23-

46

AN ORDINANCE OF THE TOWNSHIP OF BLOOMFIELD TO ACQUIRE FROM THE COUNTY OF ESSEX BY NEGOTIATED AGREEMENT INTEREST IN REAL PROPERTY LOCATED AT 209 FRANKLIN STREET AND DESIGNATED AS BLOCK 335, LOT 21 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, NEW JERSEY FOR A RECREATION/ATHLETIC FACILITY, OPEN SPACE AND RELATED PUBLIC USES

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF BLOOMFIELD, NEW JERSEY:

WHEREAS, pursuant to the Local Land and Building Law, N.J.S.A. 40A:12-1, et seq. the Township has the power to acquire real property; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township has the power to acquire any real property for a public purpose through a negotiated agreement process; and

WHEREAS, the Township desires to acquire the real property located at 209 Frankin Street and designated as Block 335 Lot 21 on the Official Tax Map of the Township of Bloomfield for public use pursuant to a negotiated purchase/sale agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Bloomfield, Essex County, State of New Jersey, that the voluntary acquisition by negotiated agreement of fee simple title to real property located at 209 Frankin Street and designated as Block 335 Lot 21 on the Official Tax Map of the Township of Bloomfield for a recreation/athletic facility, open space and related public uses on such real property is authorized as follows: for good and valuable consideration in the amount of Ten Million and 00/100 Dollars ($10,000,000.00), plus any related due diligence and acquisition/closing costs and fees incurred by the Township; and

BE IT FURTHER ORDAINED, that the Assistant Township Attorney and Township Administrator are hereby authorized to take all actions necessary and desirable to acquire the subject property through negotiation of a purchase/sale agreement and other documents necessary or desirable to acquire the propeliy containing terms consistent with this Ordinance and any other terms and conditions deemed advisable by the Assistant Township Attorney; and

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to sign and witness, respectively, any purchase/sale agreement and other documents necessary or desirable to acquire the subject property, and to perform the Township's obligations and enforce its rights thereunder; and

**BE IT FURTHER ORDAINED,** that if any section, paragraph, subsection, clause or

provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and in effect; and

BE IT FURTHER ORDAINED, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

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Approved as to form and procedure on basis of facts set forth.
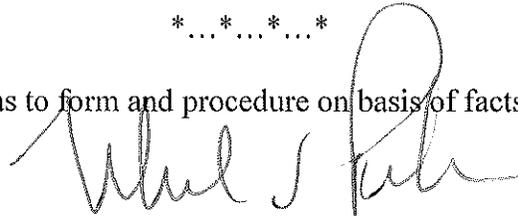
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Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on October 30, 2023.
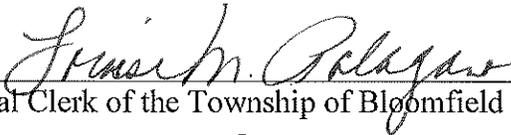
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Municipal Clerk of the Township of Bloomfield
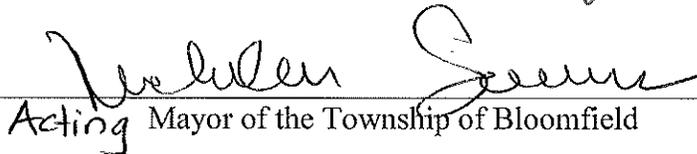
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Acting Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
☐ Adopt			Yes/Aye	No/Nay	Abstain	Absent
☐ Deny						
☐ Withdrawn	Jenny Mundell		☑	☐	☐	☐
☐ Table	Nicholas Joanow		☑	☐	☐	☐
☐ Not Discussed						
☐ 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		☑	☐	☐	☐

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☐ Adopt			Yes/Aye	No/Nay	Abstain	Absent
☐ Deny						
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☐ Discussion	Richard Rockwell		☑	☐	☐	☐

| ☐ Defeated | Michael J. Venezia | | ☐ | ☐ | ☐ | ☑ |
| ☐ Discussion No Vote | | | | | | |