



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtpnj.com>

Meeting: 05/20/19 07:00 PM

2019 RESOLUTION AGREEMENTS

RESOLUTION OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, AUTHORIZING A THIRD AMENDMENT TO A REDEVELOPMENT AGREEMENT BETWEEN THE TOWNSHIP OF BLOOMFIELD AND LACKAWANNA STATION URBAN RENEWAL, LLC TO ELIMINATE THE OBLIGATION TO CONSTRUCT COMMUNITY BENEFIT SPACE WITHIN THE REDEVELOPMENT PROJECT TO BE CONSTRUCTED ON BLOCK 225, LOT 1 (F/K/A BLOCK 225, LOTS 1 AND 9) IN LIEU OF CONSTRUCTING ROADWAY IMPROVEMENTS WITHIN THE AFFECTED REDEVELOPMENT AREA AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS TO EFFECTUATE SAME

RECITALS

WHEREAS, by resolution duly adopted on December 18, 2000, the Township Council of the Township of Bloomfield (the "**Township Council**") designated a portion of the Township, consisting of the properties then identified as Block 220, Lot 40, Block 225, Lots 1 and 9, Block 227, Lots 1, 3, 5, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 19, 20, 22, 24, 26, 30, 31, 32 and 35, Block 228, Lots 1, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24, 27, 28, 29, 30, 31, 33 and 35, and Block 243, Lots 1, 3, 4, 5, 6, 7, 8, 10, 11, 13, 15, 17, 18 and 20 on the Township's tax map (collectively, the "**Redevelopment Area**"), as an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "**Redevelopment Law**"); and

WHEREAS, by ordinance finally adopted on December 15, 2008, the Township Council approved and adopted a redevelopment plan, as amended by ordinance adopted on November 21, 2011 and further amended by ordinance adopted on April 29, 2019, approving and adopting a Redevelopment Plan, entitled "Bloomfield Center Redevelopment Plan - Phase I" for the Redevelopment Area (and as may be amended from time to time, collectively, the "**Redevelopment Plan**"); and

WHEREAS, on October 17, 2016, the Township Council adopted a resolution conditionally designating redeveloper's affiliate as redeveloper of Block 225, Lot 1 (f/k/a Block 225, Lots 1 and 9) on the Tax Maps of the Township of Bloomfield (the "**Project Site**") as the redeveloper of the Project Site, subject to the successful negotiation of a redevelopment agreement; and

WHEREAS, on February 13, 2017 the Township of Bloomfield (the "**Township**") and Lackawanna Station Urban Renewal, LLC (the "**Redeveloper**") entered into a Redevelopment Agreement for the redevelopment of the Project Site (the "**Original Redevelopment Agreement**"), as amended by that certain First Amendment to Redevelopment Agreement, dated

February 26, 2018 (the "First Amendment"), and that certain Second Amendment to Redevelopment Agreement, dated May 21, 2018 (the "Second Amendment"), and together with the Original Redevelopment Agreement and the First Amendment, the "Prior Redevelopment Agreement"; and

WHEREAS, pursuant to the terms of the Prior Redevelopment Agreement, the Township and Redeveloper agreed that redevelopment of the Project Site would consist of constructing thereon a mixed use project including: (i) a parking garage with approximately 314 parking spaces (the "Parking Garage"), (ii) approximately 176 residential units (the "Residential Component"), and (iii) approximately 2,700 square feet of space to be utilized by the Township as community space (the "Community Benefit Space") (collectively the "Redevelopment Project" or the "Project"); and

WHEREAS, after the execution of the Prior Redevelopment Agreement, the Township determined that certain roadway improvements to be constructed on the Community Unit property are necessary to facilitate the efficient flow of traffic immediately adjacent to the Project Site and within the Redevelopment Area generally (the "Roadway Improvements"); and

WHEREAS, in order to effectuate the Roadway Improvements, the Township and the Redeveloper have agreed to modify the Redevelopment Project as defined in the Prior Redevelopment Agreement (Sections 4.1 and 4.9) to (i) eliminate Redeveloper's obligation to construct the Community Benefit Space and (ii) impose upon the Redeveloper the obligation to construct the Roadway Improvements in accordance with the terms of a Third Amendment to the Redevelopment Agreement (the "Third Amendment").

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council, as follows:

Section 1. The foregoing recitals are incorporated herein by reference as though specifically set forth herein below.

Section 2. The Township Council finds that it is in the best interests of the Township and the Redevelopment Area that the Redeveloper be released of its obligation to construct the Community Benefit Space in order to facilitate the Roadway Improvements.

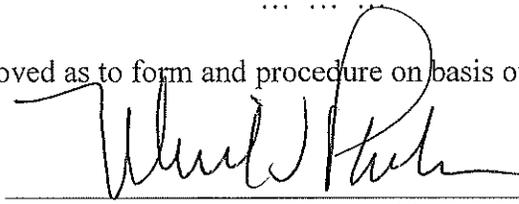
Section 3. The Township Council hereby authorizes the Third Amendment in substantially the same form annexed hereto as Exhibit A, with any modification to be approved by the Township Attorney, including without limitation the revised Concept Plans attached to the Third Amendment, which revised Concept Plans the Township Council finds are consistent with and furthers the goals of the Township, the Redevelopment Plan, and the Redevelopment Agreement, and are in the best interests of the Township and its residents. The Mayor and/or his designee are hereby authorized to execute and deliver the Third Amendment.

Section 4. If any part(s) of this Resolution shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts hereof.

Section 5. This Resolution shall take effect immediately.

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



 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 May 20, 2019.



 Municipal Clerk of the Township of Bloomfield



 Mayor of the Township of Bloomfield

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