

ORDINANCE NUMBER O-18-04

AN ORDINANCE TO TRANSFER BLOCK 1209 LOTS 7 AND 8 OWNED BY THE TOWNSHIP OF HILLSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY TO 1239-1269 CENTRAL AVE URBAN RENEWAL, LLC PURSUANT TO THE PROVISIONS OF THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40:12A-1 et. seq.

WHEREAS, the Township of Hillside, in the County of Union, State of New Jersey (hereinafter referred to as the "Township") owns real property described as Block 1209 Lots 7 and 8 as shown on the Official Assessment Tax Map of the Township and more commonly known as 1239-1269 Central Avenue, Hillside, New Jersey (the "Property"); and

WHEREAS, the aforementioned properties are vacant lots for which the Township is not utilizing for a public purpose; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1 et seq., specifically N.J.S.A. 40A:12A-8(g), authorizes the Township to lease or convey property without public bidding provided the conveyance is made in conjunction with a redevelopment plan; and

WHEREAS, said Property is located in a Redevelopment Area known as the Central Avenue Redevelopment Area, designated via Ordinance No. R-08-307 of the Township duly adopted on October 28, 2008; and

WHEREAS, 1239-1269 Central Ave Urban Renewal, LLC (hereinafter referred to as the "Redeveloper") has agreed to purchase the Property from the Township for Nine Hundred Thousand Dollars (\$900,000); and

WHEREAS, the Redeveloper has proposed and agrees to purchase the property "as is" and will be responsible for any and all environmental clean-up of the Property; and

WHEREAS, the Redeveloper plans to redevelop the Property to be used as a commercial window business, namely Survivor Window business.

NOW, THEREFOR, BE IT ORDAINED, by the Municipal Council of the Township of Hillside, in the County of Union, State of New Jersey that:

Section 1. The Mayor and Township Clerk are hereby authorized to execute a Redevelopment Agreement, Contract of Sale, Escrow Agreement and Deed and any other agreement, contract, and document related to the sale of the Property by the Township to the Redeveloper, subject to the following conditions:

A. The development of the site must be in accordance with the provisions of the Central Avenue Redevelopment Plan.

B. Development activities must be initiated within sixty (60) days of site plan approval from the Hillside Planning Board.

C. The project shall be completed within the timetable established in the Redevelopment Agreement.

D. The Redeveloper provides down payment upon execution of, and in the amount specified in, the Redevelopment Agreement.

E. The submission of a development plan and construction schedule, complete with deadlines, and benchmarks subject to penalties for this development project, which shall be acceptable to the Municipal Council of the Township.

F. The Redeveloper agrees that if it fails to close by a deadline agreed to by the Redeveloper and the Township, the Redeveloper shall forfeit the previously-mentioned payments, as further described in the Redevelopment Agreement.

Section 2. The Office of Corporation Council is hereby directed to prepare a Redevelopment Agreement, Contract of Sale, Escrow Agreement and Deed in accordance with the terms hereof, which terms and conditions shall be acceptable to both parties as recommended for approval by the Township Corporation Counsel.

Section 3. Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

Section 4. That all ordinances and parts of ordinances and conflicts that are inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

Section 5. This ordinance shall take effect after final passage and upon expiration of twenty (20) days following publication unless otherwise provided by resolution of this City Council.

First Reading and Introduction on January 30, 2018

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT	EXCUSED
		Cook	X				
		DeAugustine	X				
		Epps	X				
	X	Mobley	X				
		Mondella	X				
X		Freedman, CVP	X				
		Hyatt, CP	X				

Public Hearing: on March 27, 2018

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT	EXCUSED
	X	Cook	X				
		DeAugustine					X
		Epps	X				
X		Mobley	X				
		Mondella	X				
		Freedman, CVP	X				
		Hyatt, CP	X				


Final Adoption: on March 27, 2018

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT	EXCUSED
	X	Cook	X				
		DeAugustine					X
		Epps	X				
		Mobley	X				
		Mondella	X				
X		Freedman, CVP	X				
		Hyatt, CP	X				




 Andrea Hyatt, Council President

ATTEST:


 Lorraine N. Messiah, Acting Township Clerk

Approved:



 Dahlia O. Vertreese, Mayor

4-1-2018

 Date

Vetoed: _____

 Dahlia O. Vertreese, Mayor

 Date

Returned to the Township Clerk with the following statement of objections:
