

**SOUTH ORANGE VILLAGE**  
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## **RESOLUTION #2021-190**

**June 28, 2021**

### **RESOLUTION OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE DESIGNATING BCUW/MADELINE HOUSING PARTNERS, LLC. AS THE CONDITIONAL REDEVELOPER OF BLOCK 1902, LOTS 39 AND 40 ON THE VILLAGE'S OFFICIAL TAX MAP AND AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE A CONDITIONAL REDEVELOPMENT AGREEMENT WITH RESPECT THERETO**

**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 accordance with the criteria set forth in the Redevelopment Law, on April 24, 2000, pursuant to Resolution #92-00, the Board of Trustees (the "**Trustees**") of the Township of South Orange Village (the "**Village**") identified and designated Block 1902, Lots 39 and 40 on the Village's official tax map as an "area in need of redevelopment (non-condemnation)" (the "**Redevelopment Area**"); and

**WHEREAS**, in May 2020, the Village adopted the Church Street Redevelopment Plan (as subsequently amended and restated (the "**Redevelopment Plan**")); and

**WHEREAS**, pursuant to that certain Settlement Agreement (the "**Settlement Agreement**") with Fair Share Housing Center ("**FSHC**") executed in May 2019, the Village identified the Redevelopment Area as a site to help meet its affordable obligation and to be redeveloped by a non-profit; and

**WHEREAS**, in furtherance of the Settlement Agreement, on or about June 28, 2021, the Village finally adopted Ordinance 2021-15 which amends the Redevelopment Plan to create a new affordable housing overlay zone within the Redevelopment Area for the development of a 100% affordable multi-family apartment with up to 26 units (the "**Project**"); and

**WHEREAS**, the Redevelopment Law authorizes the Village to arrange or contract for the planning, construction or undertaking of any development project or redevelopment work in an area designated as an "area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-8; and



**WHEREAS**, BCUW/Madeline Housing Partners, LLC. (the "**Conditional Redeveloper**"), or an affiliate thereof, is a non-profit organization that shall develop the Project in accordance with the Redevelopment Plan; and

**WHEREAS**, Conditional Redeveloper seeks to (a) be designated as the "redeveloper" of the Redevelopment Area in accordance with the Redevelopment Law, and (b) formulate and construct the Project within the Redevelopment Area in accordance with the Redevelopment Plan; and

**WHEREAS**, in order to commence the negotiation of a redevelopment agreement with the Conditional Redeveloper, the Village desires to designate such entity as the "conditional redeveloper," provide for execution of a conditional redevelopment agreement (the "**Conditional Redevelopment Agreement**") and provide for the establishment of an escrow account, if the Conditional Developer shall be required to place funds in escrow, to pay for certain costs of the Village;

**NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE AS FOLLOWS:**

**Section 1.** The Board of Trustees hereby designates BCUW/Madeline Housing Partners, LLC., as the "conditional redeveloper" of the Redevelopment Area, together with JESPY House, pursuant to an agreement between those parties, the terms of which shall be acceptable to the Village Board of Trustees.

**Section 2.** In order to defray the costs of the Village in the negotiation of a redevelopment agreement, financial agreement and such other documents and agreements that may be necessary, the Board of Trustees hereby approves the negotiation and execution of a Conditional Redevelopment Agreement upon consultation with Village professionals and staff.

**Section 3.** The Board of Trustees hereby authorizes the Village President to execute the Conditional Redevelopment Agreement on behalf of the Village.

**Section 4.** This resolution shall take effect immediately.



Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Brown						
Coallier			X			
Haskins			X			
Hartshorn Hilton	X		X			
Jones					X	
Zuckerman		X	X			

#### CERTIFICATION

I, Ojetti E. Davis, Acting Village Clerk of the Township of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this is a true and correct copy of the Resolution adopted by the Board of Trustees at their regular meeting held on Monday, June 28, 2021.

A handwritten signature in blue ink, appearing to read "Ojetti E. Davis", is written over a horizontal line.

Ojetti E. Davis  
Acting Village Clerk