

Resolution # _____ -2014

Authorizing an Agreement between the City of Millville and the Holly City Development Corporation to Demolish Nuisance Properties

WHEREAS, the Holly City Development Corporation (HCDC), a New Jersey non-profit corporation formed through a Certificate of Incorporation executed the 26th day of August 1998, received a Neighborhood Revitalization Tax Credit grant for the disposition and demolition of properties in Center City Millville;

AND WHEREAS, the City of Millville has declared certain nuisance properties dangerous, damaged and unfit structures and have agreed to demolish them if reimbursed by the HCDC;

224 – 226 Mulberry Street
418 Vine Street
412 Mulberry Street
516 Mulberry Street

AND WHEREAS, the City of Millville has determined that it is in the best interest of the tax payers to agree to pay for the demolition of the following properties owned by the Millville Housing Authority;

202 Broad Street
204 Broad Street
304 Broad Street
306 Broad Street

NOW THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF THE HOLLY CITY DEVELOPMENT CORPORATION that the Executive Director is authorized to enter into a Memorandum of Agreement with the City of Millville to reimburse demolition costs on the properties listed above through the NRTC grant.

Larry Miller

Dale Finch

Paula Ring

James Parent

Brian Tomlin

CITY OF MILLVILLE

COMMISSIONERS

MICHAEL SANTIAGO, MAYOR
Director of Public Safety
JAMES F. QUINN, VICE MAYOR
Director of Revenue & Finance
LYNNE PORRECA COMPARI
Director of Public Affairs
DAVID W. ENNIS
Director of Public Works
JOSEPH SOOY
Director of Parks & Public
Property



"A MAIN STREET NEW JERSEY COMMUNITY"

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TELEPHONE: (856)825-7000
FAX: (856)825-3686
www.millvillenj.gov

OFFICERS

SUSAN G. ROBOSTELLO
City Clerk/Administrator
MARCELLA SHEPARD
Chief Financial Officer
SHERRI J. BALL
Tax Collector
BRIAN P. ROSENBERGER
Tax Assessor

July 16, 2014

Millville Housing Authority
Mr. Paul Dice, Executive Director
PO Box 803
Millville, NJ 08332

Dear Mr. Dice:

Enclosed please find one (1) duly executed Memorandum of Agreement and one (1) copy of Resolution No. R179-2014, which was approved by the Board of Commissioners at a meeting held on July 15, 2014 described as follows:

Resolution No. R179-2014

Resolution authorizing Memorandum of Agreement with Holly City Development Corporation to reimburse the City for the expenses of demolition on certain structures which have been determined to be dangerous, damaged and unfit

Thank you for your ongoing support.

Very truly yours,



Susan G. Robostello, RMC
City Clerk/Administrator

SGR/cdn
Enclosure

c: Commissioner Porreca Compari
Derek Leary, Asst Director Community Development Program
John Knoop, Municipal Engineer
Samantha Fisher, Assistant Planner
Marcella Shepard, CFO
Sherri Ball, Tax Collector
Jacob & Chiarello, City Attorneys
Wayne Caregnato, Zoning Officer

RESOLUTION NO. R179-2014

WHEREAS, the Holly City Development Corporation (hereinafter referred to a Housing Sponsor) has agreed to reimburse the City of Millville (hereinafter referred to as City) for the expenses of demolition on certain structures which have been determined to be dangerous, damaged and unfit structures; and

WHEREAS, the City has determined that it is in the best interest of the tax payers to agree to pay for the demolition of certain houses owned by the Housing Sponsor; and

WHEREAS, the City has determined that it is in the best interest of the tax payers to enter into the proposed Memorandum of Agreement attached regarding the responsibility of the City and the Housing Sponsor.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE AS FOLLOWS:

1. The attached Memorandum of Agreement is hereby approved and the Mayor and the Clerk are authorized to sign same.

Moved By: Porreca Compari

Seconded By: Sooy

VOTING

Michael Santiago
James F. Quinn
Lynne Porreca Compari
David W. Ennis
Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
X			
X			
X			
X			
X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of the above Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held July 15, 2014.


Susan G. Robosello, City Clerk

MEMORANDUM OF AGREEMENT

THIS AGREEMENT made this 8th day of July, 2014 by and between the City of Millville, a Municipal Corporation of the State of New Jersey with principal offices located at 12 South High Street, P.O. Box 609, Millville, NJ (hereinafter referred to as city or municipality), and the Holly City Development Corporation, which is a subsidiary non-profit corporation of the Millville Housing Authority, with principal offices located at 309 Buck Street, P.O. Box 803, Millville, New Jersey (hereinafter referred to as housing sponsor).

WHEREAS, the city has declared certain nuisance properties dangerous, damaged and unfit structures; and

WHEREAS, the Housing Sponsor has secured financing for this demolition project from a variety of sources; and

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein:

1. The City will demolish the following properties:

Block 368, Lot 1	224 Mulberry Street; 226 Mulberry Street
Block 375, Lot 5	418 Vine Street
Block 378, Lot 16	412 Mulberry Street
Block 379, Lot 22	516 Mulberry Street

2. In the event that the Housing Sponsor has sufficient funding, the Housing Sponsor will reimburse the City for the demolition of Block 379 Lot 22; 516 Mulberry Street and/or a comparable property that has been scheduled for demolition.

3. The Housing Sponsor will reimburse the City for the cost of demolition of said structures so long as the City maintains its liens on the property and assigns the proceeds of receipts from the collection of said liens to the Housing Sponsor.

4. This Agreement shall serve as a legally enforceable assignment of said proceeds.

5. The Municipality will demolish the following properties owned by the Housing Sponsor:

Block 293, Lot 9	204 Broad Street
Block 293, Lot 10	202 Broad Street
Block 341, Lot 3	304 Broad Street
Block 341, Lot 4	306 Broad Street

6. Future properties to be demolished by the City upon which the Housing Sponsor agrees to reimburse the City for the cost of demolition may, by reference to this Agreement, continue said arrangement by mutual consent.

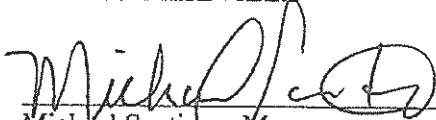
7. This Agreement is conditioned upon the approval of authorizing Resolutions adopted by the governing body of the Municipality and the Housing Sponsor.

8. This Agreement shall be interpreted, governed, and enforced in accordance with the laws of the State of New Jersey without regard to conflict of laws principles.

9. Nothing in this Agreement shall be interpreted to give any rights or benefits to anyone other than the parties to this Agreement.

10. This Agreement represents the entire agreement between the parties. It supersedes any prior oral or written communications.

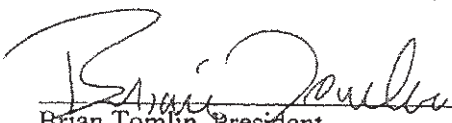
CITY OF MILLVILLE


Michael Santiago, Mayor

ATTEST:


Susan Robostello, City Clerk

HOLLY CITY DEVELOPMENT CORP.


Brian Tomlin, President

ATTEST:


Paul Dice Secretary