

RESOLUTION NO. 2015- 210

A RESOLUTION RECONSIDERING ORDINANCE NO. 2015-26, ENTITLED "ORDINANCE RATIFYING, CONFIRMING AND APPOINTING THE CITY COUNCIL OF THE CITY OF VINELAND AS THE REDEVELOPMENT ENTITY FOR THE NEWCOMB REDEVELOPMENT PROJECT," AND RESOLVING TO OVERRIDE THE MAYOR'S VETO.

WHEREAS, the governing body of the City of Vineland introduced Ordinance No. 2015-26, entitled "ORDINANCE RATIFYING, CONFIRMING AND APPOINTING THE CITY COUNCIL OF THE CITY OF VINELAND AS THE REDEVELOPMENT ENTITY FOR THE NEWCOMB REDEVELOPMENT PROJECT," on April 14, 2015; and

WHEREAS, upon introduction, said ordinance was properly published in its entirety and a public hearing was conducted on April 28, 2015 and adopted by the governing body by a unanimous vote of 5-yeas and was sent to the Mayor for his consideration; and

WHEREAS, Ordinance No. 2015-26 was vetoed by the Mayor on May 11, 2015, citing these reasons for his veto:

- *The intent of Council to circumvent the mayor's authority;*

WHEREAS, in accordance with N.J.S.A. 40:69A-41, City Council may reconsider the vetoed ordinance on or after the third day following its return by the mayor, providing a vote of two-thirds of the members resolve to override the mayor's veto.

NOW, THEREFORE, BE IT RESOLVED, that the City Council reconsidered Ordinance No. 2015-26 and confirms the passage of said ordinance, hereby overriding the mayor's veto.

Adopted:

President of Council

ATTEST:

City Clerk


Bermudez Ruben

From: Bermudez Ruben
Sent: Monday, May 11, 2015 3:47 PM
To: Petrosky Keith
Cc: Tonetta Richard; Fanucci Anthony R; Spinelli Paul; Calakos Angela; Gonzalez Maritza R; Procopio John A; Dickenson Bob; Scarpa Christine
Subject: Ordinance # 2015-26
Attachments: Newcomb Redevelopment 4-21-15 (copy).docx
Importance: High

Keith,

I am vetoing Ordinance # 2015-26 due to the intent of council to circumvent my authority on the Newcomb Redevelopment Project. As, I had previously provided my comments in writing with a statement including my recommendations for the contract concerning this project. The letter is dated April 21, 2015 to the attention of the City Solicitor, Richard Tonetta and copied Council. Please see attached letter.

Respectfully,



Mayor Ruben Bermudez



VINELAND

New Jersey

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Ruben Bermudez
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April 21, 2015

From: Mayor Ruben Bermudez
640 E. Wood Street
Vineland, NJ 08360

To: Richard Tonetta, Vineland City Solicitor

Rick,

I have reviewed the draft of the Redevelopment Agreement for the Former Campus of Newcomb Hospital. While I am totally supportive of the project, I feel that we nevertheless have a responsibility to protect the interests of the City. I have a few concerns that I hope can be addressed with revisions to the Agreement.

First, the entire project is dependent on the parking garage at the corner of Chestnut Avenue and Howard Street. This garage is on a separate lot that isn't part of the Redevelopment District. It is also owned by a different LLC than the Newcomb property. Who will ultimately own the garage? Who will maintain the garage? Who will operate the garage? All these questions need to be addressed at the beginning of the project because the entire project is dependent on this facility. Different scenarios also need to be examined to fully answer the questions. What if only phase I is constructed? What if only phases 1 and 2 are constructed? How will space within the garage be assigned, and how will it be managed until full build-out of the project?

Second, I have not been provided with adequate information regarding inclusion of an EMT Station in the project. I recognize that a new station is needed. I recognize that this would be a good location. But what are the construction and operational costs? There isn't sufficient detail in the Agreement for the City to make a commitment to locate the Station within the Newcomb project. What is the City actually getting? The size of the building is called out, but nothing else. Does the City get any portion of the site? What will the costs of operation be? By this I mean will there be a cost to utilize space in the garage? Will there be a cost to maintain site improvements that will be shared via cross-easements? Think of something as simple as snow removal. Who is responsible? Who will pay? Because development of a new EMT Station dictates the expenditure of City money, I feel we need to know the total construction and operational costs to compare to other options. This may turn out to be the most economical option for the City, or it may not.



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Third, I have a concern about the long term tax abatements. While I recognize the City will receive a payment-in-lieu of taxes, I believe the City should be very careful in allowing for long term abatements. Generally, they should only be considered if a property is so

contaminated or so outmoded that a property won't redevelop without assistance. In my opinion, Newcomb would qualify because it is an outmoded hospital facility. Re-use of the building is difficult. But I only support long term abatements for Newcomb if the City is guaranteed that the entire building will be addressed. Independently, the new construction proposed for phases 2 and 3 don't warrant long term abatements. Building new buildings on what is now a parking lot isn't a heavy lift. But phase 1 requires significant demolition, and phase 4 requires either significant rehabilitation or significant demolition. The blanket long term tax abatement should only be considered if the City is guaranteed that phases 1 and 4 are completed.

Respectfully,

Mayor Ruben Bermudez

CITY OF VINELAND

ORDINANCE NO. 2015- 26

ORDINANCE RATIFYING, CONFIRMING AND APPOINTING THE CITY COUNCIL OF THE CITY OF VINELAND AS THE REDEVELOPMENT ENTITY FOR THE NEWCOMB REDEVELOPMENT PROJECT.

WHEREAS, the former campus of the Newcomb Hospital, Block 4216, Lot 1, has been vacant and in disrepair for many years following its relocation to Sherman Avenue and has been determined to be an area in need of redevelopment (Newcomb Redevelopment District also Newcomb Redevelopment Project); and

WHEREAS, Newcomb Medical Alliance Center, 104 Garden Court, Franklin Lakes, New Jersey, the owner of Block 4216, Lot 1, is proposing a plan for the redevelopment of the property; and

WHEREAS, in accordance with NJSA 40A:12A-4, the City Council is entrusted with the appointment of a redevelopment entity responsible for implementing a redevelopment plan and carrying out a redevelopment project and may assume the responsibility itself; and

WHEREAS, the City Council of the City of Vineland finds it to be in the best interest of the City to assume the responsibilities of the redevelopment entity for the Newcomb Redevelopment Project and Newcomb Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that the City Council shall be designated as the Redevelopment Entity for the Newcomb Redevelopment Plan and Newcomb Redevelopment Project with all of the powers and responsibilities afforded it in accordance with Redevelopment & Housing Laws, NJSA 40A:12A-1, et seq.

Passed first reading: April 14, 2015

Passed final reading: April 28, 2015

President of Council arf

Approved by the Mayor:

Mayor rb

ATTEST:

City Clerk kp