

R# 272-09

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LONG BRANCH TO ENTER INTO A CONSENT ORDER OF SETTLEMENT AS A RESULT OF MEDIATION IN THE MATTER OF LONG BRANCH V. ANZALONE AND LONG BRANCH V. MELLILO, ET AL

WHEREAS, the City of Long Branch has brought eminent domain complaints against various defendants in the Beachfront North Redevelopment Zone; and

WHEREAS, the contract developer with the City of Long Branch, Beachfront North II, LLC has advised the City of Long Branch that it is not interested in acquiring any further property in the Zone; and

WHEREAS, the City of Long Branch has prepared for a remand hearing of its prior finding of the area in Beachfront North being in need of redevelopment as ordered by the Appellate Division of the Superior Court of the State of New Jersey; and

WHEREAS, mediation has occurred over the last nine months; and

WHEREAS, the City of Long Branch and the property owners and the contract developer have agreed to a Consent Order of Settlement, a copy of which is annexed hereto and made a part hereof; and

WHEREAS, in addition to the Consent Order of Settlement, the City of Long Branch has agreed to an amendment of the Developer's Agreement with Beachfront North, II, LLC, a copy of which is annexed hereto and made a part hereof; and

WHEREAS, the continued development of the Beachfront North redevelopment area is depicted on a Beachfront North Density Study dated March 3, 2009, which is annexed to the Settlement Agreement; and

WHEREAS, said development will create a buffer zone between the presently developed Beachfront North Phase 1 and Seven President's Park; and

WHEREAS, the Consent Order of Settlement is in the best interests of the citizens of the City of Long Branch; and

WHEREAS, the amendment of the Developer's Agreement will help fund the City of Long Branch's obligations under the Consent Order of Settlement and further allow development in the Beachfront North Redevelopment Zone.

NOW THEREFORE BE IT RESOLVED, that the Mayor of the City of Long Branch be and the same hereby is authorized to execute the Consent Order of Settlement and to execute the amended Developer's Agreement with Beachfront North II, LLC.

MOVED: CELLI

SECONDED: BROWN

AND ADOPTED UPON THE FOLLOWING ROLE CALL:

AYES: 4

NAYES: 1 - UNGER

ABSENT: 0

ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, IRENE A. JOLINE, CITY CLERK OF THE CITY OF LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING TO BE A TRUE, COMPLETE AND CORRECT COPY OF RESOLUTION ADOPTED BY THE CITY COUNCIL AT A

SPECIAL REGULAR MEETING HELD ON SEPTEMBER 15, 2009

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW JERSEY THIS 16TH DAY OF SEPTEMBER 2009

Irene A. Joline
CITY CLERK S.M.C.

R# 273-09

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN
THE FIFTH AMENDMENT TO THE REDEVELOPMENT AGREEMENT**

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby authorize the Mayor to sign the Fifth Amendment to the Redevelopment Agreement.

MOVED: CELLI
SECOND: BROWN

AYES: 4
NAYES: 1 - UNGER
ABSENT: 0
ABSTAIN: 0

STATE OF NEW JERSEY
COUNTY OF MONMOUTH
CITY OF LONG BRANCH

I, IRENE A. JOLINE, CITY CLERK OF THE CITY OF LONG BRANCH, DO HEREBY CERTIFY THE FOREGOING TO BE A TRUE, COMPLETE AND CORRECT COPY OF RESOLUTION ADOPTED BY THE CITY COUNCIL AT A

Special REGULAR MEETING HELD ON SEPTEMBER 15, 2009

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF LONG BRANCH, MONMOUTH COUNTY, NEW JERSEY THIS 10th DAY OF September 2009

Irene A. Joline
CITY CLERK