

**TOWN OF WEST NEW YORK
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #38/24

**ORDINANCE AUTHORIZING THE SALE OF PUBLIC PROPERTY LOCATED AT
6301 MADISON STREET REAR, BLOCK 152, LOT 25, WEST NEW YORK, NJ 07093**

WHEREAS, the Town of West New York (the “Town”) is a municipality as defined by N.J.S.A. 40A:12-2(e); and

WHEREAS, the Town currently owns Block 152, Lot 25, otherwise known as 6301 Madison Street REAR, West New York New Jersey 07093, which it acquired through a tax foreclosure action (the “Property”); and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) authorizes the private sale of land owned by a municipality when such land is less than the minimum size required for development; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) limits such sale opportunity to the owners of property contiguous to the property subject to the sale; and

WHEREAS, the Board of Commissioners has determined that the Property meets the statutory criteria of N.J.S.A. 40A:12-13(b)(5), and the Property is no longer needed for a public purpose; and

WHEREAS, the sale of the Property is in the best interests of the Town; and

WHEREAS, the Property contains a structure which is in disrepair and unsafe for habitation and must be demolished no later than 30 days from the date of conveyance; and

WHEREAS, the Town notified by written correspondence the contiguous property owners on or about October 21, 2024 of its intent to sell the Property and requesting bids for the purchase of the Property from the contiguous property owners by October 27, 2024; and

WHEREAS, in the same correspondence, the Town notified the contiguous property owners that if the Town did not receive a bid from them by October 27, 2024, the contiguous property owner waived the right to bid on the Property; and

WHEREAS, the owners of 6300 Polk Street, 6302 Polk Street, 6307 Madison Street, and 6301 Madison did not submit a bid on the Property within the time period required and thus waived their right to bid on the Property; and

WHEREAS, the owner of 5600 Kennedy Boulevard, Echevarria Industries, Inc., (the “Purchaser”) submitted a bid to purchase the Property in the form of demolition and debris removal of the unsafe structure located on the Property, valued at an estimated total amount of one hundred thousand dollars (\$100,000.00).

NOW, THEREFORE, BE IT ORDAINED that the Board of Commissioners of the Town of West New York in the County of Hudson, State of New Jersey, do hereby authorize as follows:

Section 1. The Board of Commissioners does hereby authorize the sale of the property located at 6301 Madison Street Rear, Block 152, Lot 25, West New York, NJ 07093 to Echevarria Industries, Inc. in exchange for the demolition of the existing structure on the property.

Section 2. The Property is being sold in an “as-is condition.” The Purchaser is responsible for demolition of the structure on the property within 30 days of the conveyance. The Purchase is also responsible for conducting any and all inspections and testing of the Property at their own cost and expense. No representation is made by the Town as to the utility, usability or environmental condition of the Property.

Section 3. Corporation Counsel is authorized to prepare the necessary closing documents to convey the Property to the Purchaser, and the Mayor and Town Clerk are authorized to sign the necessary closing documents.

Section 4. The Board of Commissioners finds and determines, in accordance with N.J.S.A. 40A:12-13(b)(5) that the purchase price for the Property, which includes the cost of demolition, is equal to or greater than the fair market value of the Property based upon appraisals of similar properties and tax assessment practices with the Town.

Section 5. The Board of Commissioners, as mandated by statute, is permitted to reconsider this Ordinance not later than thirty days from the date hereof. A copy of this Ordinance shall be posted on the bulletin board in Town Hall and published in the official newspaper of the Town of West New York within five days following the adoption hereof.

Section 6. If any article, section, sub-section, sentence, clause or phrase of this Ordinance is for any reason deemed to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

Section 7. All other parts, portions and provisions of the Town Code be and the same are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

Section 8. This Ordinance shall take effect upon passage and publication as required by law.

Introduced: November 13, 2024

Adopted: December 4, 2024

Statement

The foregoing ordinance having been previously adopted for first reading and published was further considered by the Mayor and Board of Commissioners of the Town of West New York on **December 4, 2024** and at said date was duly and finally adopted after public hearing thereon.

Adelanny Plaza, RMC
Town Clerk

Commissioner Marcos A. Arroyo

Commissioner Victor M. Barrera

Commissioner Marielka A. Diaz

Commissioner Adam W. Parkinson

Mayor Albio Sires
Board of Commissioners

Attest: _____
Adelanny Plaza, RMC
Town Clerk