

ORDINANCE NO. ____ 2017

**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH AUTHORIZING
TAX ABATEMENTS, EXEMPTIONS, AND PAYMENTS IN LIEU OF
TAX AGREEMENTS**

WHEREAS, the Township of Woolwich has determined that there is a need to establish procedures for and authorize entry into property tax exemptions, abatements, and payment in lieu of tax agreements for particular projects within the Township, as permissible under N.J.S.A. 40A:20-1, *et. seq.* and N.J.S.A. 40A:21-1, *et. seq.*; and

WHEREAS, the Township of Woolwich recognizes potential benefits to society in general, and to the residents of the Township in particular, by entering into certain tax exemption, abatement, and payment in lieu of taxes agreements for particular projects. The Township further finds that exemption and/or abatement from taxation is an effective tool in promoting rehabilitation and redevelopment, and assisting economic development and redevelopment within the Township. The Township Committee desires to maintain or increase the tax base of the Township, as well as maintain, diversify and expand commerce within the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township of Woolwich, County of Gloucester, State of New Jersey, that this Ordinance shall be part of the Woolwich Township Code, and shall establish the Township's authority and discretion to allow alternative tax treatment, pursuant to law, for particular redevelopment, development and reuse projects as follows:

The Township shall have the authority to enter into agreements ("Financial Agreements") with redevelopers, developers and/or other appropriate entities, for the granting of up to five (5) years of alternative tax treatment, pursuant to N.J.S.A. 40A:21-1, *et. seq.*, and for a longer term, pursuant to N.J.S.A. 40A:20-1, *et. seq.*, concerning certain projects within the Township, subject to the following conditions:

Application

- A. Applications for five (5) year PILOT Agreements may be informal but must be reduced to a Financial Agreement to be authorized by further Ordinance.
- B. Applicants for long term tax treatment pursuant to N.J.S.A. 40A:20-1, *et. seq.*, shall provide the Township Committee with an application setting forth the following:
 - 1. A general description of the project for which an abatement, exemption, or payment in lieu of tax agreement is sought.
 - 2. A legal description of all real estate comprising:
 - (a) The project site; and

- (b) The proposed tax treatment area at such project site.
 3. Plans, drawings and other documents as may be required by the Governing Body to demonstrate the structure and design of the project.
 4. A description of the number, classes and types of employees to be employed at the project site within two (2) years of completion of the project.
 5. A statement of the reasons for seeking tax abatement and/or exemption or other tax treatment as part of applicant's project and a description of the benefits to the Township likely to be realized if a Financial Agreement is granted.
 6. Estimate of the cost of completing such project.
 7. Estimate of the time to complete such project.
 8. A statement showing:
 - (a) The real property taxes as currently assessed for the project site; and
 - (b) Estimated, proposed tax payments that would be made by applicant for the tax treatment portion of the project site during the period of the Financial Agreement, pursuant to law.
 9. Names of current owners of property within:
 - (a) The entire proposed project site; and
 - (b) The proposed tax treatment area.
 10. A description of any agreements of sale and lease agreements between applicant and any other entity, including the proposed users of the project site, and a history and description of such users' business.
 11. Such other pertinent information as the Governing Body may require.
- C. Applicants shall apply for a Financial Agreement prior to commencement of construction (allowing, however, for minimal preparatory site work to be undertaken prior to commencement of construction if applicant is under a Redevelopment or Development Agreement with the Township).
- D. Upon receipt of a completed, lawful, and timely application as set forth above, the Township Committee shall review the application to determine whether to negotiate and enter into a Financial Agreement. Once the Township Committee approves an

application, the Township's counsel shall assist the Township in negotiating a Financial Agreement, and the Township shall adopt an authorizing Ordinance for the project. Any Agreement so authorized shall provide for applicant to pay the Municipality according to the Financial Agreement and controlling Statutes.

- E. No abatement, exemption, payment in lieu of taxes, or other tax treatment shall be granted except upon written application, filed with and approved by the Township Committee.
- F. No abatement, exemption, payment in lieu of taxes, or other tax treatment shall be granted, and no Financial Agreement shall be entered into, for any property for which property taxes are delinquent or unpaid, nor for which penalties for non-payment of taxes are due.

BE IT FURTHER ORDAINED THAT, this Ordinance shall take full effect upon final adoption when published pursuant to law.

TOWNSHIP OF WOOLWICH

ALAN SCHWAGER, MAYOR

ATTEST:

JANE DIBELLA, CLERK

CERTIFICATION

The foregoing Ordinance was introduced upon first reading by the Township Committee of the Township of Woolwich at a meeting held on the 19th day of June, 2017. It will be further considered for final adoption upon a second reading and subsequent to a public hearing to be held on such ordinance at which time any interested person(s) may be heard. Said meeting to be conducted on the 17th day of July, 2017 at the Woolwich Township Municipal Building, 120 Village Green Drive, Woolwich Township, New Jersey, beginning at 7:00 p.m.

Jane DiBella, Clerk

CERTIFICATION OF ADOPTION

The foregoing Ordinance was adopted upon second reading and subsequent to a public hearing at a meeting of the Woolwich Township Committee on the 17th day of July, 2017.

Jane DiBella, Clerk