

**TOWNSHIP OF WOOLWICH  
ORDINANCE NO. 2021-22**

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**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH,  
COUNTY OF GLOUCESTER, NEW JERSEY  
AUTHORIZING AND APPROVING THE APPLICATION  
FOR A TAX EXEMPTION AND THE EXECUTION AND  
DELIVERY OF A FINANCIAL AGREEMENT BETWEEN  
THE TOWNSHIP OF WOOLWICH AND DPIF3 NJ 8 2057  
WOOLWICH URBAN RENEWAL, LLC, FOR A  
REDEVELOPMENT PROJECT LOCATED ON PROPERTY  
CURRENTLY DESIGNATED AS BLOCK 12, LOT 3 ON THE  
OFFICIAL TAX MAPS OF THE TOWNSHIP, PURSUANT  
TO THE LONG TERM TAX EXEMPTION LAW (N.J.S.A.  
40A:20-1 et seq.)**

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**WHEREAS**, the Township of Woolwich ("Township") is a municipal entity organized and existing under the laws of the State of New Jersey and located in the County of Gloucester; and

**WHEREAS**, pursuant to the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* ("Redevelopment Law"), specifically including *N.J.S.A. 40A:12A-6(a)*, on April 17, 2017, the Township Committee of the Township ("Township Committee") adopted Resolution No. 2017-120 designating certain parcels of real property in the Township as an "Area in Need of Redevelopment" ("Redevelopment Area") as such term is defined in the Redevelopment Law; and

**WHEREAS**, pursuant to such designation, by Ordinance 2017-12 adopted by the Township Committee on July 17, 2017, the Township adopted the "Kings Landing Redevelopment Plan, Route 322 Corridor", a redevelopment plan that includes applicable development goals and standards for, among other things, the redevelopment of the Redevelopment Area ("Original Redevelopment Plan"); and

**WHEREAS**, the Township has heretofore designated the Township Committee as the "Redevelopment Entity" (as such term is defined in the Redevelopment Law) for the purpose of implementing the Redevelopment Plan; and

**WHEREAS**, the Township Committee, by virtue of Ordinance No. 2019-25 adopted on December 30, 2019, adopted an amendment to the Original Redevelopment Plan entitled the "Kings Landing at Woolwich Township, 2019 Amendment to the Kings Landing Redevelopment Plan, Route 322 Corridor", dated December 2019, and may hereafter further amend the Original Redevelopment Plan (as amended, the "Redevelopment Plan"); and

**WHEREAS**, the Township Committee, by way of Ordinance 2021-11, adopted on July 19, 2021, adopted a further amendment to the Original Redevelopment Plan entitled "Kings

Landing at Woolwich Township, 2019 Amendment to the Kings Landing Redevelopment Plan, Route 322 Corridor,” dated December 2019 (the “Redevelopment Plan Amendment”); and

**WHEREAS**, certain property designated as Block 12, Lot 3 on the Official Tax Map of the Township ("Property") is located within the Redevelopment Area; and

**WHEREAS**, by resolution, the Township Committee appointed DPIF3 NJ 8 2057 Woolwich Urban Renewal, LLC ("Developer"), as the redeveloper of the Property; and

**WHEREAS**, the redevelopment plan of the Developer consists of the redevelopment of the Property by the undertaking of certain improvements to the Property consisting of the development and construction of an approximately 336,700 square foot commercial warehouse facility and related amenities on the Property, together with associated parking, landscaping, lighting and other site improvements (collectively, the "Project"); and

**WHEREAS**, the Developer has purchased the Property and will construct, or cause to be constructed, the Project; and

**WHEREAS**, in connection with the Redevelopment Plan, and as part of the Project in particular, the Township has issued its bonds to finance the costs of certain infrastructure improvements such as the extension of sanitary sewer service along Route 322, pursuant to the Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64 *et seq.* ("RAB Law"), the Redevelopment Law and other applicable law; and

**WHEREAS**, the New Jersey Long Term Tax Exemption Law, the *N.J.S.A. 40A:20-1 et seq.* ("Long Term Tax Exemption Law") permits a municipality to enter into a financial agreement exempting real property from tax assessment and accepting payments of an Annual Service Charge, in lieu of taxes, where the property is qualified; and

**WHEREAS**, in accordance with the Long Term Tax Exemption Law, the Developer submitted a written application ("Application") to the Township for approval of a tax exemption for the improvements to be constructed as part of the Project ("Improvements"); and

**WHEREAS**, based upon, among other things, the representations made by the Developer in the Application, and the other materials included by the Developer therein, and after review of the Application by the Township Committee, the Township Committee has determined, *inter alia*, that the Project would not have been constructed without a tax exemption for the Improvements; and

**WHEREAS**, as part of its Application for tax exemption, the Developer submitted a form of Financial Agreement ("Financial Agreement") providing for payments of an Annual Service Charge, in lieu of taxes, a copy of which is attached to this Ordinance as Exhibit "A", which includes exhibits and schedules attached to the Financial Agreement; and

**WHEREAS**, the Township Committee has heretofore determined that exemption from taxation of the Improvements pursuant to the Financial Agreement and receipt by the Township of an Annual Service Charge, in lieu of taxes, allows maximum redevelopment of the Property; and

**WHEREAS**, the maximum redevelopment of the Property is in the best interest of the Township and is in accordance with the provisions of the Long Term Tax Exemption Law and the public purposes pursuant to which the redevelopment has been undertaken; and

**WHEREAS**, the Township Committee now deems it to be in the best interest of the Township to adopt this Ordinance authorizing the Township to approve the Application submitted by the Developer and to enter into the Financial Agreement with the Developer on the terms and conditions stated in the Financial Agreement attached to this Ordinance and as further set forth herein, including *inter alia* the granting of a tax exemption:

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Woolwich, County of Gloucester, and State of New Jersey, that the Application submitted by the Developer is hereby approved and, as a result thereof, the Township will enter into a Financial Agreement with the Developer on the terms and conditions stated in the Financial Agreement attached to this Ordinance and as further set forth herein:

1. The Township Committee makes such determinations and findings by virtue of and pursuant to and in conformity with the Long Term Tax Exemption Law, the RAB Law and other applicable law.
2. The development of the Project is hereby approved for the grant of a tax exemption under the Long Term Tax Exemption Law by virtue of, pursuant to and in conformity with the provisions of the same.
3. The Financial Agreement, in substantially the form attached (with such changes as shall be approved by the Township Business Administrator and the Township Solicitor upon prior notice to the Township Committee), and all exhibits and schedules thereto, are hereby authorized and approved.
4. The Improvements, when constructed and deemed substantially completed, shall be exempt from real property taxation and, in lieu of real property taxes, the Developer shall make payments of an Annual Service Charge to the Township during the term and under the provisions set forth in the Financial Agreement.
5. Upon adoption of this Ordinance and execution of the Financial Agreement, a certified copy of this Ordinance and the Financial Agreement shall be transmitted to the Department of Community Affairs, Director of the Division of Local Government Services; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon proper passage in accordance with the law; and

**BE IT FURTHER ORDAINED** that the Mayor, the Township Business Administrator, the Township Chief Financial Officer are each hereby authorized to execute the Financial Agreement and any additional documents as are necessary to implement and carry out the intent of this Ordinance and the Financial Agreement. Such Financial Agreement and any additional documents may each be attested on behalf of the Township by the Township Clerk or Township Deputy Clerk.

**TOWNSHIP OF WOOLWICH**

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Vernon Marino, Mayor

ATTEST:

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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 15th day of November, 2021. 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 is to be conducted on the 6th day of December, 2021, at the Woolwich Township Building, 120 Village Green Drive, Woolwich Township, New Jersey, beginning at 6:00 p.m.

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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 6<sup>th</sup> day of December, 2021.

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Jane DiBella, Clerk

EXHIBIT "A"  
FORM OF FINANCIAL AGREEMENT

4882-4892-2370, v. 1