

ORDINANCE 2023-17

AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR A LONG TERM TAX EXEMPTION WITH PAULSBORO RD AP URBAN RENEWAL LLC FOR BLOCK 14, LOT 2 ON THE OFFICIAL TOWNSHIP TAX MAP

WHEREAS, the Township is empowered, pursuant to the provisions of the Local Redevelopment and Housing Law, as amended and supplemented, *N.J.S.A. 40A:12A-1 et seq.* (“the Redevelopment Law”), to declare certain properties located within the Township as areas in need of redevelopment, and to adopt and implement redevelopment plans, and carry out redevelopment projects; and

WHEREAS, on July 20, 2009 the Township Committee adopted Resolution R-2009-165 designating Block 14, Lots 2 and 4 an Area In Need of Redevelopment (“Redevelopment Area”); and

WHEREAS, thereafter, the Township Committee adopted a redevelopment plan entitled “Nike Missile Site Redevelopment Plan” via Ordinance 2017-03 on March 3, 2017 (the “Original Redevelopment Plan”); and

WHEREAS, by way of Ordinance 2021-23, adopted by the Township Committee on December 6, 2021, the Township Committee an amendment to the Original Redevelopment Plan (“Plan Amendment”) (the Original Plan together with the Plan Amendment is the “Redevelopment Plan”); and

WHEREAS, the Paulsboro RD AP Urban Renewal Entity, LLC (the “Entity”) proposes the construction of a 214,271 +/- square foot warehouse distribution center together with 168 +/- passenger vehicle parking spaces, trailer parking spaces, 39 loading bays, two freestanding signs, 2 building facade signs, a sound attenuation wall, landscaping, stormwater management facilities, and related site improvements (the “Project”) on the Property; and

WHEREAS, the Township has issue bonds to finance a portion of the Project pursuant to the Redevelopment Area Bond Financing Law, *N.J.S.A. 40A:12A-64 et seq.*, the Redevelopment Law or other applicable law; and

WHEREAS, the Long Term Tax Exemption Law (“LTTEL”), *N.J.S.A. 40A:20-1, et seq.* authorizes municipalities to grant long term tax exemptions and enter into financial agreements for projects located in areas in need of redevelopment; and

WHEREAS, in order to implement the development, financing and renovation of the Project, the Township Committee desire to enter into a Financial Agreement (the “Financial Agreement”) with the Entity authorizing a long term-tax exemption pursuant to LTTEL; and

WHEREAS, pursuant to the requirements of the LTTEL, the Entity provided the Township with the information required by Section 8 of the LTTEL in the form of an application for long-term tax exemption (the “Application”); and

WHEREAS, such information in the Application provided the Township with the basis for determining to execute the Financial Agreement; and

WHEREAS, the Township Committee find that the relevant benefits of the redevelopment of the Property outweigh the loss, if any, of property tax revenue in granting the long term tax-exemption; and

WHEREAS, the Township Committee has determined that the assistance provided to the Project pursuant to the Financial Agreement is a significant inducement for the Entity to proceed with the Project; and

WHEREAS, the Township and the Entity have agreed to execute a Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Woolwich, County of Gloucester, and State of New Jersey that:

1. The foregoing recitals are incorporated herein by reference as if fully set forth at length.
2. The Application for Long Term Tax Exemption filed by Paulsboro RD AP Urban Renewal Entity, LLC hereby be granted.
3. The Financial Agreement with Paulsboro RD AP Urban Renewal Entity, LLC hereby be approved, and the Mayor and the Clerk are hereby authorized to execute the Financial Agreement on behalf of the Township, upon the review and approval of its final form by the Township Administrator, Township Solicitor and Township Redevelopment Counsel, which such final form will be on file with the Township Clerk.
4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.
5. In the event any clause, section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Mayor and Township Committee that the balance of the Ordinance remain in full force and effect to the extent it allows the Township to meet the goals of the Ordinance.
6. This Ordinance shall take effect after final passage and publication as required law.

TOWNSHIP OF WOOLWICH

Craig Frederick, 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 1st day of May, 2023. 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 15th day of May, 2023 at the Woolwich Township Building, 120 Village Green Drive, Woolwich Township, New Jersey, commencing at 6:30 p.m.

Jane DiBella, Clerk

CERTIFICATION OF ADOPTION

The foregoing Ordinance was duly adopted by the Township Committee of the Township of Woolwich upon second reading and subsequent to a public hearing conducted on the same, at a meeting of the Woolwich Township Committee held on the 15th day of May, 2023.

Jane DiBella, Clerk