

WEST DEPTFORD TOWNSHIP COMMITTEE

RESOLUTION NO. 2018-163

RESOLUTION DESIGNATING GROVE LAND URBAN RENEWAL LLC AS REDEVELOPER FOR A PORTION OF THE RIVERCENTER AT WEST DEPTFORD REDEVELOPMENT AREA KNOWN AS BLOCK 328, LOT 3.01 AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE PAYMENT OF ADMINISTRATIVE COSTS ASSOCIATED THEREWITH

WHEREAS, the Township of West Deptford (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 LRHL"), 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, pursuant to N.J.S.A. 40A:12A-4, a municipality may designate a redevelopment entity for purposes of undertaking municipal redevelopment efforts, as prescribed in the LRHL, or may execute those responsibilities directly as a redevelopment entity; and

WHEREAS, the Township has elected to directly act as the redevelopment entity, through the Township Committee ("the Committee"), for purposes of redevelopment matters; and

WHEREAS, on or about April 6, 1999, the Township Committee directed the West Deptford Township Planning Board to undertake a preliminary investigation to determine if the area known as the "RiverCenter at West Deptford Redevelopment Area," which included the property designated as Block 328, Lots 3.01 on the Township's Tax Map (the "Redevelopment Area"), satisfied the criteria for designation as an area in need of redevelopment pursuant to the LRHL, such that the municipality may use all of those powers provided in the LRHL for the use in a in a designated area in need of redevelopment, pursuant to N.J.S.A 40A:12A-1 et seq.; and

WHEREAS, after receiving the recommendation from the Planning Board, the Township Committee, after a public hearing held on June 3, 1999, adopted an ordinance approving the recommendation of the West Deptford Planning Board concerning the RiverCenter Redevelopment Plan and declared the Redevelopment Area as an area in need of redevelopment under the LRHL; and

WHEREAS, Grove Land Urban Renewal LLC ("Grove") is the fee simple owner of part of Parcel 2 within the Redevelopment Area, Block 328, Lot 3.01, on the Township's Tax Maps (the "Property") and the Township desires to appoint Grove as the redeveloper for the Property; and

WHEREAS, Grove is a recognized developer, experienced in projects for the construction of residential, commercial, office and mixed use types of development; and

WHEREAS, Grove has provided conceptual proposals to redevelop the Property, together with related improvements and facilities (the "Project"), and has provided information to the Township to address the proposed Project. Specifically, Grove has proposed a four-story senior age restricted apartment building containing a total of 78 units comprised of 17 two-bedroom and 61 one-bedroom units; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8, et seq., a redevelopment entity is authorized to enter into contracts for the planning, construction or undertaking of any redevelopment project or redevelopment work in an area designated as an area in need of redevelopment, including, but not limited to, contracts designating a private entity to serve as a redeveloper for a specific redevelopment project; and

WHEREAS, the Township, having reviewed the proposed Project, has determined that it is in the Township's best interests to designate Grove as the conditional Redeveloper for the Project subject to execution by the Grove and the Township of the within Agreement and satisfaction of all its terms and conditions and with the understanding that Grove shall not be formally designated as redeveloper until the negotiation and execution of a mutually-acceptable Redevelopment Agreement; and

WHEREAS, the Township has determined, at this point in time, that the public interest would be served by designating Grove as conditional Redeveloper for the Property and entering into the Agreement attached hereto, in order to establish an administrative fund to satisfy expenses incurred by the Township in the redevelopment process; and

WHEREAS, Grove has agreed to enter into the within Agreement to, among other things, reimburse the Township for costs incurred on or after the date of this Agreement by the Township in the review of Grove's proposals for redevelopment and negotiation and execution of a Redevelopers Agreement; and for such other costs as the Parties may agree including, without limitation, to fund any activities the Township may determine to undertake to advance the Project, all of which is to be undertaken in the sole and absolute discretion of the Township; and

WHEREAS, the Township will incur certain costs, of outside professional consultants such as attorneys, planners and engineers, related to the conditional designation of a redeveloper, the development and implementation of the review of the proposed Project and the negotiation of a Redevelopment Agreement (the "Administrative Costs"); and

WHEREAS, Grove agrees to pay for these reasonable Administrative Costs as hereafter set forth;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of West Deptford, acting in its capacity as redevelopment entity:

1. The Township Committee designates Grove Land Urban Renewal LLC as the conditional Redeveloper for the Property conditioned upon said Redeveloper submitting a five percent (5%) PILOT proposal for this Property to the Township..

2. Pursuant to and in accordance with the provisions of the LRHL and this Resolution, the Township Committee hereby approves the Agreement in the form as attached hereto as Exhibit "A" which is incorporated by reference herein.

3. The Township Committee is hereby authorized, empowered and directed to do all such acts and things, as may be necessary and proper to carry out and comply with the provisions of this Resolution, the LRHL, or the Agreement, including but not limited to the execution of the Agreement.

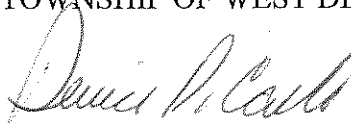
4. This Resolution shall take effect immediately upon adoption this ___ day of June, 2018 and shall expire (1) upon the Parties' execution of a formal Redevelopment Agreement; or (2) upon the Parties' determination not to enter into a Redevelopment Agreement, whichever shall first occur. Nothing herein shall preclude the Parties from mutually agreeing to extend the term of the Agreement or preclude either Party from terminating the Agreement upon such notice to terminate to the other Party.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to execute any and all related documents in order to effectuate this Resolution, subject to the review and approval of any documents by the Township Solicitor and Redevelopment Counsel.

ADOPTED at a meeting of the Township Committee of the Township of West Deptford held on June 6, 2018.

TOWNSHIP OF WEST DEPTFORD

By:



DENICE DICARLO, MAYOR


ATTEST:



Lee Ann DeHart, Registered Municipal Clerk

CERTIFICATION

I, Lee Ann Dehart, Registered Municipal Clerk of the Township of West Deptford in the County of Gloucester, State of New Jersey, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Township Committee held on June 6, 2018.

A handwritten signature in cursive script that reads "Lee Ann DeHart". The signature is written in black ink and is positioned above a horizontal line.

Lee Ann DeHart, Registered Municipal Clerk