

WEST DEPTFORD TOWNSHIP COMMITTEE

RESOLUTION NO. 2018-180

RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD, COUNTY OF GLOUCESTER, STATE OF NEW JERSREY APPROVING THE APPLICATION FILED WITH THE TOWNSHIP BY GROVE LAND URBAN RENEWAL LLC FOR A LONG TERM TAX EXEMPTION FOR A PORTION OF THE RIVERCENTER AT WEST DEPTFORD REDEVELOPMENT AREA KNOWN AS BLOCK 328, LOT 3.01 AND AUTHORIZING THE EXECUTION OF THE REDEVELOPMENT AGREEMENT

WHEREAS, the Township of West Deptford (the "Township") is a municipal entity organized and existing under the laws of the state of New Jersey and 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 Township and/or 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 Renwal 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 has conditionally appointed 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, on June 29, 2018, Grove filed an Application with the Township dated June 28, 2018 for approval pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1, et seq. (“Law” and/or “PILOT”) for the Improvements proposed for the Project as described below as permitted by the Law and the payments in lieu of taxes on such Improvements. A copy of said Application is attached as Exhibit A; and

WHEREAS, it is contemplated that the Township will receive stable, ascertainable, long-term payments in lieu of taxes from Grove during the operations of this Project, pursuant to the Financial Agreement; and

WHEREAS, it is important to the viability of the Improvements and the Project for the PILOT thereon to be stable and ascertainable on a long-term basis; and

WHEREAS, the Township believes that the in lieu tax consideration to be given to the Improvements pursuant to the Financial Agreement allows maximum redevelopment of the Property and is, therefore, in the best interest of the Township and the health, safety, morals and welfare of its residents and is in accordance with the provisions of the Law and the public purposes pursuant to which the redevelopment of the Township is being undertaken in accordance with the applicable provisions of State Law;

WHEREAS, Grove has provided conceptual proposals to redevelop the Property, together with related improvements and facilities, and has provided information to the Township to address the proposed Project. Specifically, Grove has proposed a four-story senior age restricted apartment building consisting of a total of 78 senior low-income, moderate income and market rate rental apartments comprised of 17 two-bedroom and 61 one-bedroom units and related amenities (the Property and Improvements are sometimes collectively called the “Project”); 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 and Application, and 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 Grove and the Township of the Administrative Cost Reimbursement Agreement (“Reimbursement 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, Grove has agreed to enter into the Reimbursement Agreement to, among other things, reimburse the Township for costs incurred by the Township on or after the date of the

Reimbursement Agreement in order to review Grove's proposals for redevelopment and negotiation and execution of a Financial Agreement and Redevelopers Agreement; and for such other costs as the Parties may agree including, without limitation, costs of outside professional consultants, attorneys, planners, engineers, financial consultants; and

WHEREAS, on July 2, 2018 the Township introduced an Ordinance to approve the Financial Agreement between the Township and Grove for the redevelopment of Block 328, Lot 3.01 which authorizes a thirty (30) year PILOT and Annual Service Charges; and

WHEREAS, the Township and Grove have negotiated the terms of a Redevelopment Agreement consistent with said Financial Agreement for the redevelopment of Block 328, Lot 3.01 which designates Grove as the Redeveloper for the Project; and

WHEREAS, it is contemplated that the Township will receive stable, ascertainable and long term payments in lieu of taxes from Grove during the operations of this Project; and

WHEREAS, Grove has provided conceptual proposals for the Project which reflect a proposed four-story senior age-restricted apartment building consisting of a total of 78 rental apartment units with senior low-income, moderate-income and market rate age-restricted rental apartments comprised of 17 two-bedroom and 61 one-bedroom units; and

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

1. Pursuant to and in accordance with the provisions of the LRHL and this Resolution, the Township Committee hereby approves the Grove Application in the form as attached hereto as Exhibit A, which is incorporated by reference herein.
2. The Township Committee designates Grove Land Urban Renewal LLC as the Redeveloper for the Property and Project.
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, the Application and/or the Redevelopment Agreement, including but not limited to the execution of the Redevelopment Agreement.
4. This Resolution shall take effect immediately upon adoption of the Ordinance approving the Financial Agreement, the execution of the Financial Agreement and the execution of the Redevelopment Agreement.

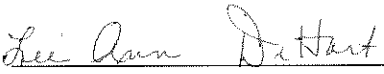
BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to execute any and all related documents in order to effectuate this Resolution, subject to the review and approval of any documents by the Township Solicitor and Redevelopment Counsel.

Adopted at a meeting of the Township Committee of the Township of West Deptford held on July 02, 2018.

TOWNSHIP OF WEST DEPTFORD

BY: 
DENICE DICARLO, Mayor

Attest:


Lee Ann DeHart,
Registered Township Clerk

CERTIFICATION

I, Lee Ann DeHart, Registered Municipal Clerk, of the Township of West Deptford, in the County of Gloucester, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Township of West Deptford held on July 2, 2018.


LEE ANN DEHART,
Registered Municipal Clerk