TOWNSHIP OF WARREN
ORDINANCE NO. 19- 36
FINANCIAL AGREEMENT RUDR SJ URBAN RENEWAL REDEVELOPMENT, LLC

WHEREAS, by Resolution No. 2017-103 adopted on March 16, 2017, the Township Committee of the Township of Warren (the "Committee") designated property (the "Property") located at Block 78, Lot 12 as shown on the Tax Map of the Township of Warren as "a non-condemnation area in need of redevelopment" (the "Redevelopment Area"); and

WHEREAS, pursuant to Ordinance No. 2017-19, the Township Committee adopted a redevelopment plan (the "Redevelopment Plan") for the Redevelopment Area; and

WHEREAS, by Resolution 2019-136, adopted on June 13, 2019, the Committee designated Rudr SJ Urban Renewal Redevelopment, LLC ("Redeveloper") as the redeveloper of the Redevelopment Area in accordance with the Redevelopment Law, and authorized the execution of a Redevelopment Agreement between the Township and Redeveloper; and

WHEREAS, Redeveloper intends to redevelop the Property by constructing thirteen (13) condominium units in one (1) building, together with associated parking on the Property (the "Project"); and

WHEREAS, the Committee has determined that the Project will qualify for a tax exemption under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "LTTEL"); and

WHEREAS, in accordance with the LTTEL, Redeveloper has filed with the Mayor of the Township an application for approval of a long term tax exemption (the "Long Term Tax Exemption") for the Project, which is incorporated herein by reference (the "Application"), to be executed by and between Redeveloper and the Committee; and

WHEREAS, the Mayor submitted the Application to the Committee with his recommendation for approval; and

WHEREAS, the Committee approved the Application by Resolution No. 2019-136 dated June 13, 2019; and

WHEREAS, Redeveloper also submitted to the Mayor (as part of the Application) a form of financial agreement (the "Financial Agreement"), to be executed by the Committee and Redeveloper, establishing the rights, responsibilities and obligations of Redeveloper in accordance with the LTTEL; and

WHEREAS, the Committee makes the following findings in accordance with N.J.S.A. 40A:20-11.a and N.J.S.A. 40:20-11.b regarding the relative benefits and costs of granting the tax

abatement for the Project, and the importance of the tax abatement in realizing the development of the Project:

The Township finds that the Long Term Tax Exemption granted pursuant to the Financial Agreement will benefit the Township and the community by assuring the success of the redevelopment of the Property, which has exhibited the statutorily recognized redevelopment criteria for years. The benefits of granting the Long Term Tax Exemption will substantially outweigh the costs, if any, associated with the Long Term Tax Exemption. The Long Term Tax Exemption is important to the Township and Redeveloper because without the incentive of the Long Term Tax Exemption, it is unlikely that the Project would be undertaken. The high costs associated with the development and construction of the Project and the real estate taxes that would otherwise be levied upon the Project would operate as a disincentive to the redevelopment of the Property, and would therefore frustrate the goals and objectives of the Redevelopment Plan and would make the Project materially less competitive in the marketplace.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Warren, in the County of Somerset, State of New Jersey, as follows:

1. The Mayor and Township Clerk are hereby authorized to execute the Financial Agreement with Redeveloper.

2. An executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Township Clerk.

3. Within ten (10) calendar days following the later of (i) the effective date of this Ordinance following its final adoption by the Township Committee approving the tax exemption or (ii) the execution of the Financial Agreement by Redeveloper, the Township Clerk shall file certified copies of this Ordinance and the Financial Agreement with the Tax Assessor of the Township and the Chief Financial Officer of Somerset County and to Somerset County Counsel, in accordance with N.J.S.A. 40A:20-12.

4. The Mayor and Township Clerk are hereby authorized to take such action and to execute such other documents on behalf of the Township as is necessary to effectuate the terms of the Financial Agreement, as deemed advisable by the Township Attorney.

5. This Ordinance shall take effect upon adoption and publication according to law.

ATTEST:

Cathy Reese, RMC
Township Clerk

WARREN TOWNSHIP COMMITTEE

By: _____
Gary DiNardo, Mayor

INTRODUCED: June 13, 2019

ADOPTED: July 18, 2019

EFFECTIVE: July 25, 2019