

TOWN OF HACKETTSTOWN

ORDINANCE NO. 2021- 07

WHEREAS, by Resolution, and pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq. (the “Redevelopment Law”), the Town Council of the Town of Hackettstown (the “Council”) previously designated certain real property (the “Property”) located at Lots 1.01 and 2 in Block 45 as shown on the Tax Map of the Town of Hackettstown as “a non-condemnation area in need of redevelopment” (the “Redevelopment Area”); and

WHEREAS, pursuant to Ordinance, the Council previously adopted the “Bilby Road Redevelopment Plan” (the “Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, by Resolution, and pursuant to the Redevelopment Law, the Council designated Moudro Urban Renewal, LLC (“Moudro”) as the redeveloper of the Redevelopment Area in accordance with the Redevelopment Law; and

WHEREAS, Moudro intends to redevelop the Redevelopment Area with a residential project consisting of 275 total residential units, of which 55 units are “affordable” rental units (the “Project”); and

WHEREAS, the Council 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, Moudro has filed with the Mayor of the Town of Hackettstown an application for approval of a long term tax exemption (the “Long Term Tax Exemption”) for the Project, which application is incorporated herein by reference (the “Application”); and

WHEREAS, the Mayor submitted the Application to the Council with his recommendation for approval on April 22, 2021; and

WHEREAS, the Council approved the Application by unanimous vote on April 22, 2021; and

WHEREAS, with the Application, Moudro also submitted to the Mayor a form of financial agreement (the “Financial Agreement”), to be executed by the Mayor, on behalf of the Town of Hackettstown and Moudro, establishing the rights, responsibilities, and obligations of Moudro in accordance with the LTTEL; and

WHEREAS, the Council 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 Town finds that the Long Term Tax Exemption granted pursuant to the Financial Agreement will benefit the Town 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 Town and Moudro because without the incentive of the Long Term Tax Exemption, it is unlikely that the Project, which will address a portion of the Township's Third Round affordable housing obligation, 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 Town Council of the Town of Hackettstown, in the County of Warren, State of New Jersey, as follows:

1. The Application is hereby approved.
2. The Mayor and Township Clerk are hereby authorized to execute the Financial Agreement with Moudro.
3. An executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Township Clerk.
4. Within ten (10) calendar days following the later of (i) the effective date of this Ordinance following its final adoption by the Town Council approving the Long Term Tax Exemption or (ii) the execution of the Financial Agreement by Moudro, the Town 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 Warren County and to Warren County Counsel, in accordance with N.J.S.A. 40A:20-12.
5. The Mayor and Town 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.
6. The Town Clerk shall publish notice of this ordinance in a newspaper of general circulation in the Town and in Warren County, in accordance with N.J.S.A. 40A:20-12.
7. This Ordinance shall take effect upon adoption and publication according to law.

NOTICE

Notice is hereby given that the aforesaid ordinance was introduced at a regular meeting of the Common Council of the Town of Hackettstown, New Jersey, held on May 13, 2021, and that at a regular meeting of the same to be held remotely (access information available on Town website: <https://www.hackettstown.net/>) as a consequence of the Covid-19 emergency, on June 10, 2021 at the Municipal Building, 215 Stiger Street, Hackettstown, New Jersey, at the hour of 7:00 p.m., the said Common Council will conduct a public hearing and will consider the final passage of said ordinance.

WILLIAM W. KUSTER, JR.

Town Clerk/Administrator