

CITY COUNCIL**The City of Orange Township, New Jersey**

DATE _____

NUMBER 51-2023**TITLE:****ORDINANCE OF THE CITY OF ORANGE TOWNSHIP TO APPROVE A TAX EXEMPTION FOR A TWENTY-TWO (22) YEAR PERIOD AND TO AUTHORIZE THE TWENTY-TWO (22) YEAR EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT BETWEEN THE CITY AND 150 TAYLOR ORANGE URBAN RENEWAL LLC**

WHEREAS, 150 Taylor Orange Urban Renewal LLC (the “**Entity**”) has applied for a long-term tax exemption for a redevelopment project on property located at 150 Taylor Street in the City of Orange Township identified on the City tax map as Block 3402, Lot 26 (the “**Property**”) which is located within the within the Central Orange Redevelopment Area, District E and is governed by the Central Orange Redevelopment Plan; and

WHEREAS, as described more fully within the application for long term tax exemption that the Entity filed with the City, the proposed project consists of the demolition of the existing commercial structure on the Property and the construction of a new three-story multifamily residential building consisting of four (4) one-bedroom townhomes (each of which is a separate unit which will have a one-car garage on the first floor accessible from the Hickory Street frontage) which are proposed for homeownership (collectively, the “**Project**”); and

WHEREAS, the Project will conform to the Central Orange Redevelopment Plan and all applicable municipal zoning ordinances, to the extent it contains provisions that are relevant to the Project, and will also conform with the master plan of the City of Orange Township (the “**City**”); and

WHEREAS, the City is authorized under the provisions of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “**LTTE Law**”) to grant tax exemptions to qualifying entities constructing redevelopment projects within redevelopment areas governed by redevelopment plans and to enter into financial agreements with such entities governing payments made to the City in lieu of real estate taxes on the Project; and

WHEREAS, pursuant to N.J.S.A. 40A:20-8, the Entity filed an application (the “**Application**”) with the City for approval of a long term tax exemption for the Project and has agreed to enter into a financial agreement with the City (the “**Financial Agreement**”); and

WHEREAS, the Financial Agreement sets forth the terms and conditions under which the Entity and the City shall carry out their respective obligations with respect to the long term tax exemption for the Project; and


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WHEREAS, the Mayor, together with counsel for the City, has reviewed the Application and found that it complies with the provisions of the LTTE Law; and

WHEREAS, the Entity has demonstrated to the satisfaction of the Mayor and City Council that the granting of a long term tax exemption will improve the quality of life for the occupants of the Project and the quality of life for the City of Orange; and

WHEREAS, the Mayor and City Council finds that the relative benefits of the Project to the City outweigh the costs to the City associated with granting the long term tax exemption in that it will provide needed housing for families, create both temporary and permanent jobs within the City, enhance the quality of life for residents in and around the Project and that it will be important in influencing the locational decisions of probable occupants of the Project; and

WHEREAS, the City Council has determined that the assistance provided to the Project pursuant to the Financial Agreement is necessary for the creation of the Project and will be a significant inducement for the Entity to proceed with the Project; and

WHEREAS, the Financial Agreement represents an arm's length transaction between the parties and all promises and agreements, express or implied, payment of fees or other benefits, terms or conditions related thereto are incorporated therein as it concerns the Project and the parties hereto as well as their agents and servants; and

WHEREAS, the Entity hereby certifies its compliance with the applicable municipal ordinances as well as the strictures of the LTTE Law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Orange Township as follows:

SECTION 1: PROVISIONS

1. The Entity's Application is hereby approved.
2. The Financial Agreement providing for a long term tax exemption on the Project is hereby approved with the intent that upon execution of the Financial Agreement and upon the terms set forth therein, the Project will be exempt from taxation for a period of twenty-two (22) years.
3. The Mayor of the City is hereby authorized to execute the Financial Agreement substantially in the form as it has been presented to the City Council subject to modification or revision deemed necessary and appropriate in consultation with counsel.
4. The Clerk of the City is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms set forth herein, to attest to the

signature of the Mayor upon such document, and is hereby further authorized and directed thereupon affix the corporate seal of the City upon such document.

5. The City Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the City and the Director of the Division of Local Government Services within the Department of Community Affairs in accordance with Section 12 of the LTTE Law.

SECTION 2: INCONSISTENCIES

All other ordinances and parts of ordinances in conflict or inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

SECTION 3: HEADINGS

All headings within this ordinance are for convenience only and are not deemed to be part of this ordinance.

SECTION 4: EFFECTIVE DATE

This ordinance shall take effect as required by law.

ADOPTED:

Joyce L. Lanier
Municipal Clerk

Tency A. Eason
Council President

APPROVED:

Dwayne D. Warren, Mayor

August __, 2023

Joyce L. Lanier, City Clerk
City of Orange Township
City Hall
29 North Day Street
Orange, New Jersey 07050

**Re: Long Term Tax Exemption Application for:
150 Taylor Orange Urban Renewal LLC
150 Taylor Street (Block 3402, Lot 26)**

Dear Ms. Lanier:

I have reviewed the Application, Financial Agreement and supporting documents submitted by 150 Taylor Orange Urban Renewal LLC (the "Applicant") for a redevelopment project which, as described more fully within the application for long term tax exemption that the Applicant filed with the City, consists of the demolition of the existing commercial structure on the Property and the construction of a new three-story multifamily residential building consisting of four (4) one-bedroom townhomes (each of which is a separate unit which will have a one-car garage on the first floor accessible from the Hickory Street frontage) which are proposed for homeownership (collectively, the "Project").

The Project is located within the Central Orange Redevelopment Area, District E and is governed by the Central Orange Redevelopment Plan. The Project will support ongoing revitalization and reinvestment within the City through the accommodation of residential uses in an area that has not experienced significant change in decades. The Project will contribute to the wellbeing of the community by creating housing opportunities, and provide parking for residents. Other Project benefits include temporary and permanent employment and increased tax revenue to the City.

The Applicant has submitted an application for a twenty-two (22) year Long Term Tax Abatement pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.. The Applicant is requesting an annual service charge of 10% of annual gross revenue per year with phasing towards full taxation in a manner consistent with the requirements of the Long Term Tax Exemption Law. Additionally, in the Financial Agreement, the Applicant will commit to certain provisions governing local and minority hiring during construction.

I believe that this Project is a desirable improvement in our City. Therefore, I recommend that the Long Term Tax Exemption be favorably considered by the Municipal Council, provided that all legal prerequisites have been satisfied.

Very truly yours,

DWAYNE D. WARREN, ESQ.
MAYOR

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing ordinance was duly introduced and passed upon first reading at a regular meeting of the City Council of the City of Orange Township, in the County of Essex, New Jersey, held on September 5, 2023. The ordinance authorizes the execution and delivery of a Financial Agreement with 150 Taylor Orange Urban Renewal LLC in connection with a redevelopment project to be located at of 150 Taylor Street and consisting of the construction of a new three-story multifamily residential building consisting of four (4) one-bedroom townhomes (each of which is a separate unit which will have a one-car garage on the first floor accessible from the Hickory Street frontage) which are proposed for homeownership. Under the Financial Agreement, the project will receive a 22-year tax exemption and the redeveloper will be obligated to pay certain annual service charges to the City in lieu of taxes on the improvements. Further notice is hereby given that said ordinance will be considered for final passage and adoption, after public hearing thereon, at a regular meeting of said City Council to be held at City Hall, 29 North Day Street, Orange, New Jersey 07050 on September 19, 2023 at 7:00 p.m. ET, and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available without cost at the City Clerk's Office to the members of the general public who shall request the same.

Joyce L. Lanier, City Clerk

NOTICE OF ADOPTION OF ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the ordinance published herewith has been finally adopted by the City Council of the City of Orange Township, in the County of Essex, New Jersey on September 19, 2023. The ordinance authorizes the execution and delivery of a Financial Agreement with 150 Taylor Orange Urban Renewal LLC in connection with a redevelopment project to be located at of 150 Taylor Street and consisting of the construction of a new three-story multifamily residential building consisting of four (4) one-bedroom townhomes (each of which is a separate unit which will have a one-car garage on the first floor accessible from the Hickory Street frontage) which are proposed for homeownership. Under the Financial Agreement, the project will receive a 22-year tax exemption and the redeveloper will be obligated to pay certain annual service charges to the City in lieu of taxes on the improvements. A copy of the ordinance has been filed for public inspection in the City Clerk's Office, located at City Hall, 29 North Day Street, Orange, New Jersey 07050. Further notice is hereby given that any action or proceeding of any kind or nature in any court questioning the validity or proper authorization of ordinance or the actions authorized to be taken as set forth in the ordinance shall be commenced within 20 days after the publication of this notice, as stated below.

Date of publication: _____, 2023.

Joyce L. Lanier, City Clerk