

CITY COUNCIL**The City of Orange Township, New Jersey**DATE September 5, 2023NUMBER 344-2023**TITLE:****A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE NEW JERSEY URBAN ENTERPRISE ZONE FOR THE ORANGE UEZ MILITARY PARK REHABILITATION PROJECT FOR THE PROGRAM YEAR 2022.**

WHEREAS, the City of Orange Township is a participating municipality in the Urban Enterprise Zone Program; and

WHEREAS, on April 18, 2023, the City of Orange Township approved Resolution No. 182-2023 to submit application and acceptance of a grant application to the New Jersey Urban Zone for the Orange UEZ Military Park for the year 2022; and

WHEREAS, the City of Orange Township hereby accepts the funds under the New Jersey Urban Enterprise Zone Program Year 2022 in the amount of \$388,500.00.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council does hereby authorize the Mayor to accept funding from the New Jersey Urban Enterprise Zone program year 2022.

Adopted: September 5, 2023

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President



State of New Jersey
URBAN ENTERPRISE ZONE AUTHORITY
101 SOUTH BROAD STREET
PO Box 822
1ST FLOOR
TRENTON, NJ 08625-0822

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 26, 2023

City of Orange Township
29 North Day Street
Orange, NJ 07050-3608
Attn: Mayor Warren

RE: Funds Awarded
2022-08021-1593

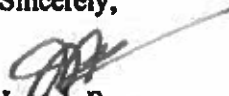
Dear Mayor Warren,

As you know on June 14, 2023, the New Jersey Urban Enterprise Zone Authority Board of Directors approved and authorized an award to City of Orange Township in the amount of \$388,500 for the Orange UEZ Military Park Rehabilitation Project.

Funds were initiated for payment on July 25, 2023.

On behalf of the Authority Board, I wish you great success with the award and offer our continued assistance as you continue in the program.

Sincerely,


Joseph Fusco
UEZA Fiscal Manager

cc: Chris Mobley; via email

CITY COUNCIL**The City of Orange Township, New Jersey**DATE April 18, 2023NUMBER 182-2023

TITLE: A RESOLUTION APPROVING THE SUBMISSION AND ACCEPTANCE OF A GRANT APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY REQUESTING FUNDING FOR THE REHABILITATION OF MILITARY PARK IN THE AMOUNT OF \$388,500.00

WHEREAS, the Municipal Council of the City of Orange Township adopted Resolution 211-85 on August 20, 1985 authorizing an Urban Enterprise Zone in the City of Orange Township; and

WHEREAS, as a result of the City's designation as an Urban Enterprise Zone, qualified businesses are eligible to collect a reduced sales tax, currently 3.3125%, as opposed to the full current rate of 6.625%; and

WHEREAS, the monies collected at this reduced sales tax rate are deposited in the Urban Enterprise Zone Assistance Fund by the New Jersey Division of Taxation and are available for use by the City of Orange Township for programs and projects designed to promote economic development; and

WHEREAS, the fund monies can be used to pay for public improvements and to increase municipal services within the enterprise zone, but they must first be applied for and these monies can only be applied for after they have been accumulated; and

WHEREAS, the City of Orange Township desires to request funding from the Urban Enterprise Zone Assistance Fund in the amount of \$388,500 to be used toward the rehabilitation of Military Park; and

WHEREAS, the attached proposal is an eligible use of Urban Enterprise Zone Assistance Funds under the provisions of the Urban Enterprise Zone Act, P. L. 1993, Chapter 367, and there is sufficient funding available to cover the cost of the proposal.

WHEREAS, pursuant to N.J.S.A. 52:27H-88(c), in order to make funds available for contemplated projects from monies deposited in the Urban Enterprise Zone Administrative Assistance Account, the governing body must adopt a resolution approving the project and authorizing the submission of the application for funding.

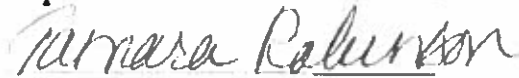
NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP THAT:

1. The Municipal Council of the City of Orange Township does hereby approve the submission and acceptance of the grant proposal to the Urban Enterprise Zone Authority for the rehabilitation of Military Park in the amount of \$388,500.00.
2. The Mayor, Business Administrator, Chief Financial Officer and Municipal Clerk are authorized to execute all documents and agreements required to accept the award of funds.
3. A copy of this Resolution shall be placed in the file with any required documents.

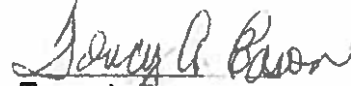

A. M. Bennett

4. This resolution shall take effect immediately.

Adopted: April 18, 2023



Tamara Robinson
Deputy Municipal Clerk



Tency A. Eason
Council President

**MEMORANDUM**

TO: Members of the Authority

FROM: James Slaughter
Executive Director; UEZ/DCA

DATE: May 10, 2023

SUBJECT: ORANGE UEZ MILITARY PARK REHABILITATION PROJECT

REQUESTS:

The Members of the Authority are asked to:

- 1) Adopt the recommended finding by staff that the Orange Urban Enterprise Zone (Orange UEZ) is an Urban Enterprise Zone (UEZ) entity in good standing that is eligible for a distribution from its Zone Assistance Fund (ZAF) account prior to submitting their updated preliminary Zone Development plan pursuant to N.J.S.A. 52:27H-68(c).
- 2) Approve the proposed Orange Urban Enterprise Zone (UEZ) Military Park funding request for \$388,500.00.

STATUTORY EXCEPTION TO THE 5-YEAR DEVELOPMENT PLAN:

Because of the COVID Pandemic and all the uncertainties that municipalities sustained within the various Urban Enterprise Zones (UEZs), local coordinators are delayed in requesting permission from the Urban Enterprise Zone Authority (UEZA) to begin formulating and submitting their updated preliminary Zone Development plans under the new UEZ law. UEZs will begin to submit their 5-year Zone Development plans starting in July 2023. N.J.S.A. 52:27H-68(c) provides that *"A zone development corporation or governing body of a municipality without a zone development plan in place, which can demonstrate to the UEZ Authority an actionable and feasible plan to carry out a project eligible for zone assistance funds, and which can demonstrate reliance on zone assistance funding, may petition the authority for distribution from that municipality's zone assistance fund account prior to the authority's approval of an updated preliminary zone development plan."*

Additionally, N.J.S.A. 52:27H-88(a)(2) requires local UEZs to be *"in good standing with the UEZ Authority in accordance with rules adopted by the UEZ Authority"* for Treasury to set up the zone account. While staff continue to work on proposed rules to implement this provision, staff proposes the following interim definition: *"Good standing" means that the UEZ-designated entity is up-to-date on filing any and all State reports (required by law) and are in possession of or are in the process of obtaining any State licenses and permits required to execute the actions submitted in the application. If approved, the UEZ entity must comply with all statutory rules concerning the execution of the proposed project.*

APPLICANT:

Orange UEZ
Christopher Mobley, UEZ Coordinator

PROJECT NAME:

Orange UEZ Military Park Rehabilitation Project

PROJECT LOCATION:

City of Orange
29 North Day Street
Orange NJ 07050

DESCRIPTION OF THE PROPOSED PROJECT:***Orange Urban Enterprise Zone FY2023 Orange Military Park Rehabilitation Project***

The FY2023 Enterprise zone assistance fund (ZAF) for Orange UEZ is \$1,254,273.00. Orange UEZ is requesting \$388,500.00 to reconstruct Military Park. The Authority may provide funds as an initial increment towards the municipality's projected FY2023 total Urban Enterprise Zone (UEZ) administrative budget pursuant to N.J.S.A. 52:27H-88(b). A local UEZ may use funds in its ZAF for economic development projects with annual caps of 25 percent for public safety purposes and 10 percent for administrative expenses. These costs include salary for personnel, as well as operating expenses such as advertising, membership, equipment, and consumable office supply costs. After this disbursement, the FY2023 Orange UEZ ZAF remaining balance will be \$865,773.00. In FY2022, the Enterprise zone assistance fund (ZAF) for Orange was \$624,607; however, Orange did not request a disbursement in 2022.

As required by N.J.S.A. 52:27H-88(c), to request funding from the ZAF, the local UEZ must submit an application with a description of the proposed project; an estimate of the total project costs, and an estimate of the amounts of funding necessary annually from the enterprise zone account; a statement of any other revenue sources to be used to finance the project; a statement of the time necessary to complete the project; a statement of the manner in which the proposed project furthers the municipality's policy and intentions for addressing economic development in the enterprise zone as set forth in the zone development plan approved by the authority; and a description of the financial and programmatic controls and reporting mechanisms to be used to guarantee that the funds will be spent in accordance with the plan and the project will accomplish its purpose.

APPLICANT BACKGROUND:

This project will provide Zone Assistance Funds in the amount of \$388,500.00 for the construction of certain components of the Military Park in the City of Orange Township. The reconstruction of Military Park will support the major redevelopment in the downtown corridor. Currently, twenty-four (24) redevelopment projects have received planning board approval; some are currently under construction and others are in the development pipeline. Combined, these redevelopment projects will result in approximately 2,497 market-rate and affordable housing units. In addition, there are three (3) proposed parking garages, and a health and wellness center.

The City's Master Plan was completed in November of 2018. The process included several public meetings to understand the concerns of local residents and business owners. One of major points made during the meetings was Military Park. Residents believed the City needed to redevelop the park as it had fallen in disrepair and was underutilized. The initiative to rehabilitate Military Park is in line with the

recommendations contained in the City's latest Master Plan.

The Park renovations in total are estimated to cost \$1,288,500.00, with Green Acres contributing \$900,000.00 and the remaining through the Zone funds. Redeveloping Military Park will help reinvigorate Main Street, attract shoppers and residents, and will create value as the City attracts new businesses.

"Any individual, including an individual who is not directly employed by a municipality, with the authority to administer, allocate, or approve the use of Zone Assistance Funds is subject to the "Local Government Ethics Law" P.L. 1991, c.29 (C.40A:9-22.1 et. seq.)".

Commerce regulation 12A:2A-3.1 provides for the payment of prevailing wage in connection with certain construction contracts funded in whole or in part with zone assistance funds. Any zone assistance funds approved for use in accordance with this proposal will not be utilized in a manner that would violate said provision.

PROJECT BACKGROUND:

52:27H-88 – 4(b) "The enterprise zone assistance fund shall be used for the purpose of assisting qualifying municipalities in which enterprise zones are designated in undertaking economic development projects in designated enterprise zones by funding qualified assistance fund expenses."

The City of Orange Township Department of Public Works is set to begin a total renovation of Military Park on Main Street. Military Park is the gateway to the City and an important gathering and transportation hub for the East portion of the City's Main Street shopping district. Mayor Dwayne D. Warren, Esq. sees the project as the "precursor to the COVID-19 delayed Main Street rehabilitation that the City has on tap."

The Military Park project will commence this winter and continue into the spring. The total project includes the all-new vegetative cover, modified geometric and landscape amenities, a new decorative walking path with areas for quiet reflection and other areas for gathering. Contractors have been directed to carefully preserve and rearrange all of the historic monuments and markers. The landscape will be improved with the installation of many new trees, beautiful plantings and new walkway decorative lighting and flagpoles. Public gathering and arts areas including a farmers market, new benches and ornamental improvements that will be spread over the park grounds.

The Military Park project will fit into the downtown revitalization plan and integrates both good civic design with a focus on community transformation and promoting new business and commerce opportunities. This significant safety and beautification project will receive additional funding from Green Acres and will be completed by August 18, 2023.

In addition, this project will be a destination for many people shopping on Main Street. The park is situated in the center of Main Street between Hillyer and Park Street. On this section of Main Street, the park will provide people with a resting place, but will also serve as an outdoor event venue where shoppers will be able to attend.

Parks and open space attract non-resident visitors who put new dollars into local economies. The proximity of Military Park to businesses and residential properties will enhance the value of properties and produce increased tax revenues for communities.

ESTIMATE OF THE TOTAL PROJECT COSTS & THE AMOUNTS OF FUNDING NECESSARY ANNUALLY FROM THE ENTERPRISE ZONE ASSISTANCE FUND (ZAF):

The State of New Jersey has appropriated for FY2023 \$1,254,273.00 to the Orange UEZ.

The total cost for the ORANGE UEZ MILITARY PARK REHABILIATION PROJECT is **\$1,288,500.00**.

The Orange UEZ is requesting \$388,500.00.

ADDITIONAL REVENUE SOURCES TO BE USED TO FINANCE THE PROJECT:

\$900,000.00 from Green Acres

PREVIOUSLY AWARDED ZONE ASSISTANCE FUNDS (ZAFS):

This is the first request from the Orange UEZ to fund this project.

TIME NECESSARY TO COMPLETE THE PROJECT:

This project is for period 04/24/2023 – 08/18/2023. This is the 1st request since the resumption of the availability of UEZ funds and prior to a five-year plan. The Orange UEZ does not anticipate additional annual funds will be required for this project.

HOW DOES THE PROPOSED PROJECT FURTHER THE MUNICIPALITY'S POLICY AND INTENTIONS FOR ADDRESSING ECONOMIC DEVELOPMENT IN THE UEZ?

The proposed project will further the City's Policy and intentions for addressing economic development in the UEZ by having support staff whose responsibility is to attract and retain businesses. The Orange office of Economic development will work with professionals to develop a 5-year development plan by assessing the current economic and social conditions of the community and reaching out to businesses and community organizations, including minority outreach in order to create a vision with goals and objectives that promotes investment and job creation and improved quality of life for the community.

DESCRIPTION OF FINANCIAL AND PROGRAMMATIC CONTROLS AND REPORTING MECHANISMS USED TO GUARANTEE THAT FUNDS ARE SPENT IN ACCORDANCE WITH THE PLAN/ESTABLISHED GUIDELINES AND THAT THE PROJECT WILL ACCOMPLISH ITS PURPOSE:

The City of Orange Township Municipal Council approves the submission of application to the NJ UEZ Authority. Municipal Council approves funds to be spent and application for grant processes. Upon receipt of award, a Chapter 159 resolution is completed and approved by Municipal Council and it is then sent to Division of Local Government Services for inclusion of budget. The City of Orange Township utilizes Edmund's system to itemize each expense and track all funds accordingly. Edmunds ensures all funds are entered and disbursed in accordance with the approved budget. The Division of Governing Services audits funds yearly. The accounting structure is in place to ensure proper oversight to ensure all funds are appropriately spent in accordance with UEZ approved projects.

GOOD STANDING REVIEW:

DCA staff confirms that they have reviewed the required UEZ reports and finds that the Orange UEZ is up to date with all required reports. Additionally, the project does not require any State licenses and permits required to execute the actions in the project, as they entail administrative and advertising activities. Thus, staff recommends a finding that the Orange UEZ is in good standing.

REQUESTS:

Members of the Authority are asked to adopt the finding that the Orange UEZ is in good standing and to approve the proposed Orange Urban Enterprise Zone Program's request of \$388,500.00 for the ORANGE UEZ MILITARY PARK REHABILIATION PROJECT.

CONDITIONS OF APPROVAL:

N/A

FISCAL OBSERVATIONS:

The City of Orange Township was awarded \$624,607 for FY22 and \$1,254,273 for FY23. Their combined total award is \$1,878,880. The City has not yet submitted an Administrative Budget. This request is for \$388,500.00 for the reconstruction of Military Park, a Green Acres Community Park. If this request is awarded, the remaining funds available to this zone will be \$1,490,380.00.

PROJECT REVIEW COMMITTEE LEAD: Joyce Zayas, UEZ/DCA
APPROVAL OFFICER: James Slaughter, Executive Director, UEZ/DCA
APPROVAL OFFICER: Joseph J. Fusco, Financial, UEZ/DCA

INCLUDED ANALYSIS:**Appendix 1: ORANGE UEZ MILITARY PARK REHABILITATION PROJECT**

James Slaughter,
Executive Director; UEZ/DCA

Budget Detail**ORANGE UEZ MILITARY PARK REHABILITATION PROJECT**APPENDIX 1

Budget Category	UEZ Assistance	Anticipated UEZ Assistance	Municipal Funds	Other Funds	Total Budget
Program -Development					
Construction					
Decorative Street Lights	\$44,000.00				\$44,000.00
Benches	\$12,000.00				\$12,000.00
Trash Receptacles & Recycle Bins	\$25,000.00				\$25,000.00
Sod Lawn	\$43,500.00				\$43,000.00
Irrigation System	\$45,000.00				\$45,000.00
Lighted Bollards	\$84,000.00				\$84,000.00
Granite	\$60,000.00				\$60,000.00
Entry Sign	\$75,000.00				\$75,000.00
Minor Category Sub-Total	\$388,500.00	\$0.00	\$0.00	\$0.00	\$388,500.00
Major Category Sub-Total	\$388,500.00	\$0.00	\$0.00	\$0.00	\$388,500.00
PROGRAM- Other					
Other					
New Jersey Department of Environmental Protection - Green Acres Program	\$0.00	\$0.00	\$0.00	\$900,000.00	\$900,000.00
Minor Category Sub-Total	\$0.00	\$0.00	\$0.00	\$900,000.00	\$900,000.00
Major Category Sub-Total					
TOTAL	\$388,500.00	\$0.00	\$0.00	\$900,000.00	\$1,288,500.00

