

**TOWNSHIP OF BELLEVILLE
ESSEX COUNTY, NEW JERSEY**

ORDINANCE NO. 44-23

DATE OF INTRODUCTION: 12/12/23 DATE OF ADOPTION: 1/23/24
Legal Advertisement: 12/21/23 Legal Advertisement: 2/1/24

TITLED:

ORDINANCE APPROVING THE AGREEMENT BETWEEN THE TOWNSHIP OF BELLEVILLE AND CRP/LEG BELLEVILLE URBAN RENEWAL LLC UNDER N.J.S.A. 40A:20-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, the Belleville Township Council considered it to be in the best interest of the Township to have the Township Planning Board conduct such an investigation of an area consisting of certain property identified as 705-757 Main Street and designated as Block 10001, Lot 3 on the official Tax Map of the Township of Belleville (collectively, the “Redevelopment Area”), to determine whether such Redevelopment Area, or any portions thereof, is a condemnation redevelopment area; and

WHEREAS, in Resolution No. 21-224, adopted August 17, 2021, the Township Council authorized and directed the Township Planning Board to conduct a preliminary investigation to determine whether the Redevelopment Area, or any portions thereof, constitute a condemnation “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5 of the LRHL; and

WHEREAS, the Redevelopment Area is generally bounded by Main Street to the east, a railroad right-of-way to the west, a PSE&G/utility right-of-way to the south, and a private drive/road/East Street to the north; and

WHEREAS, on behalf of the Planning Board, Topology prepared a report entitled “Preliminary Investigation, Block 10001, Lot 3, Belleville, NJ”, dated January 21, 2022, which concluded, for the reasons stated therein, that the Redevelopment Area meets the criteria under the LRHL supporting a declaration that the Redevelopment Area is a condemnation redevelopment area; and

WHEREAS, on March 22, 2022, the Township Council declared the Redevelopment Area a condemnation “area in need of redevelopment” in Resolution No. 22-92 and authorized Topology to

prepare a redevelopment plan for the Redevelopment Area in order to effectuate the redevelopment of the Redevelopment Area; and

WHEREAS, Topology prepared a redevelopment plan for the Redevelopment Area entitled “705-757 Main Street Redevelopment Plan”, dated June 16, 2022 (the “Redevelopment Plan”); and

WHEREAS, on August 11, 2022, the Planning Board reviewed the Redevelopment Plan in accordance with N.J.S.A. 40A:12A-7 and resolved, inter alia, that the Redevelopment Plan is consistent with the Township’s Master Plan and Reexamination Reports, and advised the Township Council of same in a letter, dated August 15, 2022; and

WHEREAS, on August 16, 2022, the Township Council adopted the Redevelopment Plan pursuant to Ordinance No. 3655 and in accordance with the LRHL; and

WHEREAS, Township and CRP/LEG Belleville Urban Renewal LLC (the “Entity”) entered into a Redevelopment Agreement, dated September 21, 2022, as may be amended (collectively, the “Redevelopment Agreement”), relative to the development of the Redevelopment Area for approximately 204,550 square feet of non-residential/warehouse space within two (2) buildings, together with parking and associated improvements (collectively, the “Project”); and

WHEREAS, the Redevelopment Area is owned by the Entity, which is an urban renewal entity under the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “LTTE Law”) and desires to seek a long term tax exemption for the Project under the LTTE Law; and

WHEREAS, on or about November 10, 2023, the Entity submitted to the chief executive officer an application for tax exemption, which is on file with the Township Clerk (the “Application”), requesting an exemption of the improvements constituting the Project pursuant to the LTTE Law; and

WHEREAS, the chief executive officer submitted the Application to the Township Council with a recommendation for approval; and

WHEREAS, the Township Council has reviewed the information provided in the Application and has deemed it appropriate and acceptable; and

WHEREAS, on _____, 2023, the Township Council accepted and approved the Application in Resolution No. 23-__, finding that the Project represents an undertaking permitted by the LTTE Law, and constitutes improvements made for the purposes of clearance, replanning, development or redevelopment of an area in need of redevelopment within the Township, as authorized by the Redevelopment Law and the LTTE Law; and

WHEREAS, the Entity also submitted, as part of the Application, a form of financial agreement (the “Financial Agreement”), establishing the rights, responsibilities and obligations of the Entity under a tax exemption for the Project; and

WHEREAS, the Township Council has reviewed the information provided in the Financial Agreement and has deemed it warranted and acceptable under the LTTE Law.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Belleville in the County of Essex, New Jersey, as follows:

Section 1. The Financial Agreement, concerning CRP/LEG Belleville Urban Renewal LLC and the Long Term Tax Exemption of the Project under the LTTE Law is hereby approved substantially in the form attached hereto, and the Mayor is hereby authorized to execute such Financial Agreement, subject to such modifications or revisions, as deemed necessary and appropriate after consultation with counsel, and to perform and enforce the rights and obligations set forth therein.

Section 2. The Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

Section 3. The executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Township Clerk. Further, the Clerk of the Township shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Township and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the Long Term Tax Exemption Law.

Section 4. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 5. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are hereby rescinded.

Section 6. This ordinance shall take effect in accordance with applicable law.

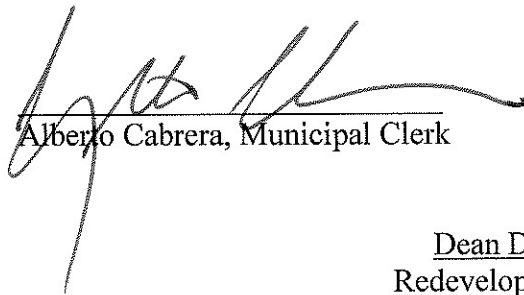
On a motion by Council Member: ROVELL

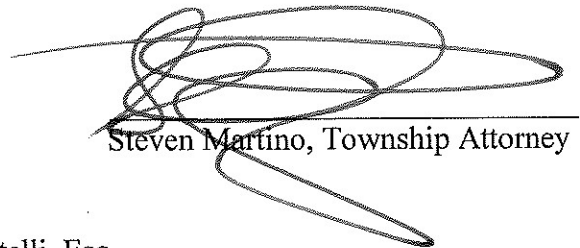
Seconded by Council Member: COZZARELLI

INTRODUCTION

Adopted by the Municipal Council of the Township of Belleville, N.J.									
COUNCIL RECORD OF VOTE									
Council Member	YES	NO	N.V.	AB.	Council Member	YES	NO	N.V.	AB.
COZZARELLI	X				ROVELL	X			
DE PEÑA				X	STRUMOLO BURKE	X			
GRAZIANO				X	MAYOR MELHAM	X			
NOTARI	X								
X - Indicates Vote				N.V. - Not Voting			AB - Absent		

I, Alberto Cabrera, Registered Municipal Clerk of the Township of Belleville do hereby certify that the foregoing is a true copy of an Ordinance introduced by the Belleville Township Council at a meeting held on the 12th day of DECEMBER, 2023.


Alberto Cabrera, Municipal Clerk


Steven Martino, Township Attorney

Dean Donatelli, Esq.
Redevelopment Attorney

ORDINANCE#44-23
 ADOPTION
 JANUARY 23, 2024


On a motion by Council Member: ROVELL

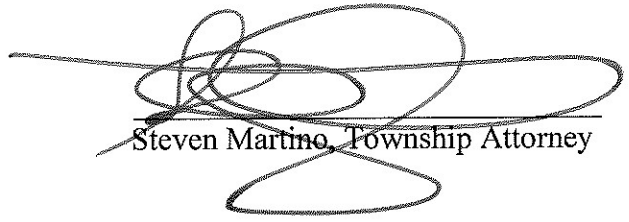
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COZZARELLI	X				ROVELL	X			
DE PEÑA	X				STRUMOLO BURKE	X			
GRAZIANO	X				MAYOR MELHAM	X			
NOTARI	X								
X - Indicates Vote					N.V. - Not Voting			AB - Absent	

I, Alberto Cabrera, Registered Municipal Clerk of the Township of Belleville do hereby certify that the foregoing is a true copy of an Ordinance introduced by the Belleville Township Council at a meeting held on the 23rd day of JANUARY, 2024.


 Alberto Cabrera, Municipal Clerk


 Steven Martino, Township Attorney

Dean Donatelli, Esq.
 Redevelopment Counsel