

ORDINANCE NO. 2024-10

ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING EXECUTION OF FINANCIAL AGREEMENT WITH CLAWSON RP OWNER URBAN RENEWAL LLC PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, 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 "**Redevelopment Law**") authorizes municipalities to determine whether certain parcels of land in a municipality constitute areas in need of redevelopment, and to adopt redevelopment plans for such areas; and

WHEREAS, by Resolution #23-305, adopted on August 15, 2023, the Township of Piscataway (the "**Township**") designated the parcels identified as Block 3401, Lots 12.02, 43.01, 47.01; Block 3402, Lot 13; Block 3403, Lots 1.01, 2.01, 5.01 and 72.01; and Block 3404, Lots 29.01, 45.01, 47.01, 56.01, 59.01, 62.01, 66.01 and 71.01 on the Township's tax maps and commonly known as 33 Clawson Street, 37 Clawson Street, 76 Clawson Street, 30 Clawson Street, 70 Clawson Street, 500 Field Avenue, 440 Field Avenue, 501 Brooke Avenue, 440 Brook Avenue, 450 Brook Avenue, 460 Brook Avenue, 470 Brook Avenue, 480 Brooke Avenue, 490 Brook Avenue, 500 Brook Avenue, 510 Brook Avenue, along with portions of the Clawson Street, Brook Avenue and Field Avenue Rights-Of-Way (Clawson Street and Baekeland Avenue) (the "**Project Site**") as a "non-condemnation area in need of redevelopment" pursuant to the Redevelopment Law; and

WHEREAS, by Ordinance #2023-28, adopted on November 9, 2023, the Township adopted the Clawson Street and Baekeland Avenue Redevelopment Plan (the "**Redevelopment Plan**"), which contains development standards for the Project Site; and

WHEREAS, 33 Clawson Owner, LLC and Catalyst Investment Partners, LLC, both affiliates of Clawson RP Owner Urban Renewal LLC (the "**Entity**"), are the contract purchaser and/or owner of all the properties in the Project Site; and

WHEREAS, on March 5, 2024, the Township adopted a Resolution designating the Entity (or an affiliate thereof) as "redeveloper" of the Project Site and authorizing the execution of a redevelopment agreement (the "**Redevelopment Agreement**"), pursuant to which the Entity will demolish existing residential structures on the Project Site and construct thereon an approximately 8,000 square foot office and services building and a truck and trailer parking facility (the "**Project**"); and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful Project, the Entity submitted to the Mayor of the Township (the "**Mayor**") an application (the "**Application**"), which is on file with the Township Clerk, seeking tax exemption in connection with the Project pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 *et seq.* (the "**Long Term Tax Exemption Law**"), in exchange for which the Entity proposes to make payments to the Township in lieu of taxes; and

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WHEREAS, the Entity also submitted to the Mayor a form of financial agreement (the "**Financial Agreement**"), a copy of which is attached as **Exhibit 19** to the Application, establishing the rights, responsibilities and obligations of the Entity; and

WHEREAS, the Mayor submitted the Application and Financial Agreement to the Township Council with his recommendation for approval, a copy of which recommendation is on file with the Township Clerk; and

WHEREAS, the Township Council has determined that the Project represents an undertaking permitted by the Long Term Tax Exemption Law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, NEW JERSEY AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Application and Financial Agreement are hereby approved.

Section 3. The Mayor is hereby authorized to execute the Financial Agreement substantially in the form attached as **Exhibit 19** to the Application, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

Section 4. 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 5. This ordinance shall take effect in accordance with applicable law.

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GABRIELLE CAHILL, Council President

Attest:

KELLY MITCH, Deputy Township Clerk

Adopted, First Reading: March 5, 2024

Publication Date: March 10, 2024

Adopted, Second Reading: April 16, 2024

Publication Date: April 21, 2024

BRIAN C. WAHLER, Mayor

Date: 4/17/24

CERTIFIED AS TO FORM AND LEGALITY:

JAMES F. CLARKIN III, ESQ.
Assistant Township Attorney