

Ordinance

No. 8-2023

AN ORDINANCE AUTHORIZING SALE OF BLOCK 34, LOT 37, ALSO KNOWN AS 201 BROADWAY, AND BLOCK 48, LOT 7, ALSO KNOWN AS 18 PINE STREET, AND THE EXECUTION OF ALL NECESSARY DOCUMENTS

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented ("Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment or rehabilitation; and

WHEREAS, the Mayor and Council of the Borough (the "Borough Council") designated Block 12, Lot 1; Block 13, Lots 1 & 2; Block 13.01, Lot 1; Block 13.02, Lot 1; Block 14, Lots 1, 2, & 3; Block 17, Lot 1; Block 18, Lots 1 & 3-8, inclusive; Block 21, Lots 1-5 inclusive; Block 24, Lots 1-5 inclusive; Block 28, Lot 1; Block 30, Lots 1-5 inclusive; Block 31, Lots 1, 2, 3, 3.01, 11 & 13-25 inclusive; Block 33, Lots 1-5 inclusive, 5.01, & 6-25 inclusive; Block 34, Lots 1-5 inclusive, Block 30-33 inclusive, and 35-43 inclusive; Block 47, Lots 42 & 44-49 inclusive; Block 48, Lots 1-10 inclusive, 10.01 & 11-18 inclusive; Block 50, Lots 1-6 inclusive; and Block 51, Lots 1-4 inclusive & 11, within the Borough as an area in need of redevelopment (the "Redevelopment Area") by way of Resolution #133-01, adopted on November 28, 2001; and

WHEREAS, on December 12, 2001, the Borough Council adopted Ordinance #8-01, which adopted a redevelopment plan for the Redevelopment Area entitled the "Redevelopment Area Study and Redevelopment Plan for the Downtown Preservation District Borough of Westville in the County of Gloucester New Jersey," dated October 2001 (the "Redevelopment Plan"); and

WHEREAS, by way of Resolution No. 70-2019, adopted on May 6, 2019, the Borough Council designated the entirety of the Borough, excepting exception Block 31, Lots 16, 17 & 18 (the "Rehabilitation Area") as an Area in Need of Rehabilitation," in accordance with the Redevelopment Law; and

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WHEREAS, Section 8(f) of the Redevelopment Law authorizes the Borough to arrange or contract with a redeveloper for the planning, construction, or undertaking of any project or redevelopment work in an area designated as an area in need of rehabilitation or redevelopment; and

WHEREAS, Section 8(g) of the Redevelopment Law authorizes the Borough to convey property to to any other party, without public bidding, and at such prices and upon such terms as it deems reasonable, provided that the sale is made in conjunction with a redevelopment plan; and

WHEREAS, Section 8(f) of the Redevelopment Law authorizes the Borough to provide financial assistance, including the provision of credit and the making of loans, when without such financial assistance, the redevelopment work would not be undertaken in its intended scope; and

WHEREAS, the Borough of Westville is the owner of the property located at 201 Broadway, formally known as Block 34, Lot 37 on the Official Tax Map of the Borough, and 18 Pine Street in the Borough of Westville, more formally known as Block 48, Lot 7 on the Official Tax Map of the Borough (the "Borough Properties"), which is located within the Redevelopment Area and the Rehabilitation Area; and

WHEREAS, the Borough desires to rehabilitate and redevelop the Borough Properties, pursuant to the Redevelopment Law; and

WHEREAS, the Borough has determined that it is in its best interest to accomplish the redevelopment of the Borough Properties through the sale of the Borough Properties in furtherance of the Redevelopment Plan; and

WHEREAS, PBM Real Estate, LLC (the "Redeveloper"), owns property located at 20 Pine Street in the Borough of Westville, more formally known as Block 48, Lot 6 on the Official Tax Map of the Borough; and

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WHEREAS, the Redeveloper proposes the redevelopment and rehabilitation of an existing building at 201 Broadway into first and second floor retail uses and third floor residential uses, and for development and construction of a 900 square foot single-family modular home at 18 Pine Street and 22 Pine Street to be completed pursuant to the provisions of the Redevelopment Plan; and

WHEREAS, the Redeveloper made an offer to purchase the Borough Properties for the amount of Three Hundred Thousand Dollars (\$300,000) which will be funded, in part through a loan for the same amount made by the Borough and secured by a Mortgage on the Borough Properties (the “Loan”); and

WHEREAS, the Redeveloper will be required to enter into a redevelopment agreement with the Borough prior to the sale of the Borough Properties; and

WHEREAS, the Borough believes that the sale of the Borough Properties to the Redeveloper and the making of the Loan is in the best interest of the Borough and its residents.

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Westville, County of Gloucester, State of New Jersey, as follows:

Section 1. The Borough hereby authorizes the sale of the property identified as 201 Broadway, formally known as Block 34, Lot 37 on the Official Tax Map of the Borough, and 18 Pine Street in the Borough of Westville, more formally known as Block 48, Lot 7 on the Official Tax Map of the Borough, to PBM Real Estate, LLC, or their successors and assigns, subject to the terms of a Redevelopment Agreement and an Agreement of Sale.

Section 2. The Mayor and/or Borough Administrator and Borough Clerk, as may be required, are authorized to execute any documents necessary to effectuate the sale of the Borough Properties, for the amount of Three Hundred Thousand Dollars (\$300,000) and the issuance of the loan for \$150,000, secured by a mortgage on the Borough

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Properties, the form of which documents are conditioned upon final review and approval of the Borough Solicitor and Redevelopment Counsel, and subject to certification from the Borough's Chief Financial Officer as to availability of funds.

Section 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect after final adoption and publication according to law.

Introduced: April 24, 2023

Adopted: May 22, 2023

BOROUGH OF WESTVILLE

**Fritz Sims, Jr.
MAYOR**

ATTEST:

**Kathleen Carroll
DEPUTY MUNICIPAL CLERK**