

O-19-61
11/6/19

**ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON
APPROVING A FINANCIAL AGREEMENT WITH POST ROAD
AFFORDABLE URBAN RENEWAL LLC.**

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “**City**”), a public body corporate and politic of the State of New Jersey (the “**State**”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, the Municipal Council of the City (the “Municipal Council”) has designated the properties now known as Block 192, Lot 27, and Block 21, Lot 4.02 (the “Properties”) as an area in need of redevelopment pursuant to the provisions of the Redevelopment Law; and

WHEREAS, on October 16, 2019 this Municipal Council designated Post Road Affordable Urban Renewal LLC to serve as redeveloper of the Properties; and

WHEREAS, Post Road Affordable Urban Renewal LLC proposes to rehabilitate and renovate the Properties; and

WHEREAS, Post Road Affordable Urban Renewal LLC has applied to the Municipal Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et. seq.* (the “**Exemption Law**”) with respect to the Project; and

WHEREAS, the Municipal Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the redevelopment of the properties, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

WHEREAS, the Municipal Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, Post Road Affordable Urban Renewal LLC has submitted a form of Financial Agreement (the “**Financial Agreement**”) providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, Post Road Affordable Urban Renewal LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the Municipal Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with Post Road Affordable Urban Renewal LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it ORDAINED that the Municipal Council of the City of Bayonne does hereby adopt the tax exemptions for Post Road Affordable Urban Renewal LLC as follows:

Section 1. The development of the Project is hereby approved for the grant of a tax exemption under the Exemption Law by virtue of, pursuant to, and in conformity with the provisions of the Exemption Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with Post Road Affordable Urban Renewal LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to Post Road Affordable Urban Renewal LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute, any additional documents that may be necessary to implement and carry out the intent of the Financial Agreement.