

O-17-01  
01/18/17

**ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON  
APPROVING A FINANCIAL AGREEMENT WITH BAYONNE PARTNERS  
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 property now known as Block 830, Lot 1.05 (the “Property”) as an area in need of redevelopment pursuant to the provisions of the Redevelopment Law; and

**WHEREAS**, the City of Bayonne has determined to act directly as the “redevelopment entity” for the Peninsula, including that portion designated as Block 830, Lot 1.05 on the tax maps of the City of Bayonne; and

**WHEREAS**, on November 12, 2015 this Municipal Council designated Bayonne Partners Urban Renewal LLC to serve as redeveloper of the Property and approved a Redevelopment and Purchase and Sale Agreement providing for the acquisition and redevelopment of the Property, in phases, by Bayonne Partners Urban Renewal LLC; and

**WHEREAS**, Bayonne Partners Urban Renewal LLC proposes to redevelop the Property with a multi-phased development and construction of not less than five hundred (500) residential units and up to eight hundred fifty (850) residential units, common areas, up to ten thousand (10,000) square feet of retail space and associated common areas, amenities and facilities along with all other approved uses ancillary to the aforementioned principal use in three (3) phases; and

**WHEREAS**, Bayonne Partners 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 property which had remained vacant for many years, 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, Bayonne Partners 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**, Bayonne Partners 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 Bayonne Partners 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 Bayonne Partners 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 Bayonne Partners 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 Bayonne Partners 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.

JFC/jc