

Pilot
Haswell Town Center

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE #3-0-06

AN ORDINANCE APPROVING A TWENTY-FIVE YEAR PAYMENT IN LIEU OF TAXES PROGRAM FOR AN ADULT HOUSING REDEVELOPMENT PROJECT TO BE CONSTRUCTED IN THE BOROUGH OF WANAQUE BY WANAQUE URBAN RENEWAL ASSOCIATES, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

WHEREAS, on May 16, 2005 the Borough Council of the Borough of Wanaque adopted ordinance number 10-0-05 establishing a redevelopment plan, after the appropriate and legally required referral to the Wanaque Planning Board, for an adult housing project within the Borough Wanaque entitled the "Fourth Avenue Adult Housing Redevelopment Area",

WHEREAS, Wanaque Urban Renewal Associates, (the "Entity") is an urban renewal entity, formed and qualified to do business under the provisions of the Long-Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq.; and

WHEREAS, the Entity owns certain parcels of property known as Tax Block 432 Lots 36 and 38 as shown upon the official Tax Maps of the Borough of Wanaque such property is hereinafter referred to as the "Project Premises"; and

WHEREAS, the Project Premises is located within the Fourth Avenue Adult Housing Redevelopment Area as required by N.J.S.A. 40A:20-4 and N.J.S.A. 40A:12A-5(g) and redevelopment of these parcels of property is controlled by the terms and conditions of the aforementioned Adult Housing Redevelopment Plan; and

WHEREAS, the Entity has applied for a twenty five (25) year long term payment in lieu of tax (PILOT; or tax exemption) to enable the construction and financing of an adult housing redevelopment project consisting of a approximately 102 market based adult housing units and approximately 12 affordable housing units, consistent with the guidelines and requirements of the New Jersey Council On Affordable Housing (COAH), and together with all common areas and improvements ancillary to this principal use; and

WHEREAS, Wanaque Urban Renewal Associates, LLC has agreed to pay an annual service charges (also known as a payment in lieu of taxes; PILOT) for the overall redevelopment project of approximately two and one-half percent of the total project cost as this term is defined in the Long Term Tax Exemption Law and described in the proposed Financial Agreement attached to the Entity's

Application for Long Term Tax Exemption; said annual service charge shall also be applicable to future homeowners in the project area; and

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Wanaque that the benefits of this important adult housing project, with the appropriate COAH component, after giving due consideration to the PILOT revenues (annual service charge), include the following:

1. The real estate taxes for the Project Premises generated revenue for the Borough of Wanaque for the tax year 2004, the year immediately preceding the adoption of the redevelopment plan, were sixty thousand nine hundred ninety seven dollars and ten cents (\$60,997.10).
2. The Annual Service Charge as estimated will generate the approximate amount of revenue of six hundred sixty three thousand dollars (\$663,000) per annum to the Borough of Wanaque plus a prorated sum for the COAH units and an additional sum of property taxes to be paid on the common area property;
3. This Project will stabilize and contribute to the economic growth of the Borough of Wanaque by creating a substantial number of jobs;
4. This Redevelopment Project will further the overall redevelopment objectives of the Borough of Wanaque and the Fourth Avenue Adult Housing Redevelopment Plan;
5. The Borough's impact analysis on file with the Office of the Borough Clerk, indicates that the benefits of this adult housing project substantially outweigh the costs to the Borough of Wanaque; and

BE IT FURTHER ORDAINED, that the Borough of Wanaque hereby determines that the PILOT, long-term tax exemption, is critical to the development of the project and influencing the location decisions of probable adult residents for the following reasons:

-The relative stability and predictability of the PILOT, annual service charge, will make the project more attractive to purchasers who need to finance their home; and

-The relative stability and predictability of the PILOT annual service charge will allow both the Borough and the Entity to stabilize their operating budgets, allowing for a high level of investment in the project and required improvements over the life of the project, which will attract homeowners to the project and as will such insure the likelihood of the success of the project.

BE IT FURTHER ORDAINED, that the application of Wanaque Urban Renewal Associates LLC, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented by N.J.S.A. 40A:20-1 et seq., on file in the office of the Borough Clerk, for Tax Block 432 Lots 36 and 38 is hereby approved and that the Mayor or Business Administrator is hereby authorized to execute a PILOT-Long-Term Tax Exemption-Financial Agreement which shall include at a minimum the following terms and conditions:

Term: A term of twenty-five (25) years from the adoption of this Ordinance;

P.I.L.O.T.: Individual Payments In Lieu of Taxes shall be established for this Redevelopment project and shall be calculated at approximately two and one-half (2.5%) percent of the total project cost.

The Financial Agreement: shall be substantially in the form on file in the office of the Borough Clerk, subject to such negotiated modifications as the Business Administrator deems appropriate or necessary.

BE IT FURTHER ORDAINED, that all Ordinances and parts of Ordinances inconsistent herewith are hereby repealed and that this Ordinance shall take effect in the manner provided by law.

Dated: January 9, 2006


Katherine J. Falone, RMC, CMC
Municipal Clerk

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE #3-0-06

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was Introduced at a Regular Meeting of the Mayor and Council of the Borough of Wanaque, Passaic County, New Jersey, held on the 9th day of January 2006, and passed on first reading, and the same was then ordered to be published according to law; and that such Ordinance will be further considered for final passage at a meeting of said Mayor and Council to be held in the Municipal Building, 579 Ringwood Avenue, Wanaque, New Jersey, at 8:00 P.M., at which time and place or at any time and place to which said meeting shall be from time to time adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance.

BY ORDER OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
WANAQUE.

DATED: January 9, 2006


KATHERINE J. FALONE, RMC, CMC
Municipal Clerk

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE #3-0-06

BE IT RESOLVED that an Ordinance entitled

AN ORDINANCE APPROVING A TWENTY-FIVE YEAR PAYMENT
IN LIEU OF TAXES PROGRAM FOR AN ADULT HOUSING
REDEVELOPMENT PROJECT TO BE CONSTRUCTED IN THE
BOROUGH OF WANAQUE BY WANAQUE URBAN RENEWAL
ASSOCIATES, LLC, AN URBAN RENEWAL ENTITY, PURSUANT
TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET
SEQ.

pass first reading, and that said Ordinance be further considered for final passage and adoption at a regular meeting of the Borough Council to be held on the 13th day of February 2006, at the Municipal Building in the Borough of Wanaque, at 8:00 o'clock p.m., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

AND BE IT FURTHER RESOLVED that the Borough Clerk be instructed to publish in the manner provided by law a copy of said Ordinance, together with introduction thereof and notice when same will be considered for final passage and adoption.

Passed: 1/9/06

Filed: 1/9/06

Approved: 1/9/06


KATHERINE J. FALONE, RMC, CMC
Municipal Clerk

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

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OF WANAQUE BY WANAQUE URBAN RENEWAL
ASSOCIATES, LLC, AN URBAN RENEWAL ENTITY,
PURSUANT TO THE LONG TERM TAX EXEMPTION
LAW N.J.S.A. 40A:20-1 ET SEQ.

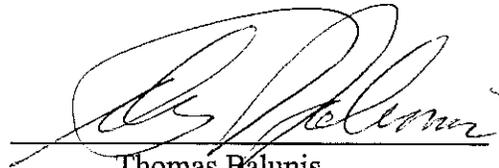
pass final reading and that said Ordinance be adopted as an Ordinance of the Borough of
Wanaque.

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby
directed to cause said Ordinance to be published in the manner prescribed by law.

Passed: 2/13/06

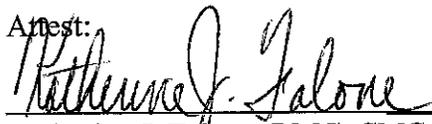
Final: 2/13/06

Approved: 2/13/06



Thomas Balunis
Mayor

Attest:



Katherine J. Falone, RMC, CMC
Municipal Clerk