

**ORDINANCE 2013-04**

**AN ORDINANCE AUTHORIZING  
LONG TERM TAX EXEMPTION AGREEMENT**

WHEREAS, Duffy Urban Renewal, LLC, (the “Sponsor”) proposes to construct an affordable housing development on West Second Street at the location of the former Marcella L. Duffy school (known as the “Project”) within the Township of Florence (the “Municipality”) on a site described as Block 45, Lots 8, 9, 10, 13, 14 and 15 as shown on the official assessment map of the Township of Florence, Burlington County; and

WHEREAS, the Project is included in Florence Township’s affordable housing plan (COAH) that has been submitted and approved by the State of New Jersey; and

WHEREAS, the Local Redevelopment and Housing law (N.J.S.A. 40A:20-1, et seq., the “Act” provides for the adoption of a redevelopment plan for all or a portion of a duly designated redevelopment area; and

WHEREAS, Block 45, Lots 8, 9, 10, 13, 14, and 15 within the Township of Florence (the “Project”) are located on West Second Street ; and

WHEREAS, prior to its inclusion in the Redevelopment Area, the Project received approvals from the Planning Board of the Township of Florence (the “Planning Board”) for development of an affordable housing project with related site improvements; and

WHEREAS, the Planning Board approval was granted on November 1, 2012 and memorialized in Resolution No. P.B. 2012-12 adopted by the Planning Board on November 28, 2012; and

WHEREAS, the improvements will result in the establishment of senior affordable housing and site improvements per the approved site plan; and

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**NOTICE:**

**THE FOREGOING ORDINANCE WAS FINALLY ADOPTED BY THE COUNCIL OF THE TOWNSHIP OF FLORENCE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AFTER A PUBLIC HEARING AT A MEETING HELD ON 4-17-13 AT THE MUNICIPAL COMPLEX, 711 BROAD STREET, FLORENCE, NEW JERSEY AND WAS APPROVED BY THE MAYOR ON 4-17-13.**

**JOY M. WEILER, RMC/MMC  
TOWNSHIP CLERK**

**FLORENCE TOWNSHIP  
ORDINANCE NO. 2013-05**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR ACQUISITION OF A STREET SWEEPER IN AND FOR THE TOWNSHIP, APPROPRIATING \$250,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$237,500 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME**

**BOND ORDINANCE STATEMENTS AND SUMMARY**

**PUBLIC NOTICE IS HEREBY GIVEN that the bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Council and signed by the Mayor of the Township of Florence, in the County of Burlington, New Jersey on April 17, 2013. The twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours, at the Township Clerk's office in the Municipal Building to the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:**

**Title: An Ordinance Of The Township Of Florence, In The County Of Burlington, New Jersey, Providing For Acquisition Of A Street Sweeper In And For The Township, Appropriating \$250,000 Therefor, And Authorizing The Issuance Of \$237,500 In General Improvement Bonds Or Notes Of The Township To Finance The Same.**

**Purpose(s): The acquisition of a street sweeper and related costs to prepare the equipment for its intended use, including but not limited to costs associated with painting, outfitting and registering the equipment, and including all work and materials necessary to complete the acquisition of the equipment.**

**Appropriation: \$250,000  
Debt Authorized: \$237,500  
Grants Appropriated: None.  
Section 20 Costs: \$20,000**

**Joy M. Weiler, RMC/MMC  
Township Clerk**

**This Notice is published pursuant to N.J.S.A. 40A:2-17.**

WHEREAS, the improvements involve converting the Duffy School building of approximately 59,970 square feet into affordable housing and constructing a new attached 3 story addition of approximately 18,038 square feet for a grand total 71,009 square feet for the project; and

WHEREAS, the applicant has stated and demonstrated that the affordable housing development would not be viable without the tax exemption due in part to the current economy and due in part to the costs and regulations associated with constructing and managing an affordable housing project of this scope; and

WHEREAS, the Township has concluded that (i) although a site plan has been approved for the property, no actual development has progressed due to the impacts of the present economy and the costs related to the Project; (ii) the current economic conditions and costs of all the improvements do not support development at the scale desired under the Redevelopment plan, and (iii) that the Project will result in a direct benefit for the health, welfare and financial well-being of the Township because it allows for redevelopment of the entire site into productive, useful and job-creating property; and

WHEREAS, to promote the viability of the Project, the Township desires to grant the requested tax exemption and approve a schedule of payments in lieu of taxes in accordance with the terms and provisions set forth in the financial agreement attached hereto as Exhibits A and B (the "Financial Agreement"); and

WHEREAS, notwithstanding said approvals and efforts to develop the site for a use that is inherently beneficial to the public, the site remains vacant; and

WHEREAS, on December 5, 2012, following a public hearing, the Township Council adopted Ordinance No. 2012-35 approving the proposed Redevelopment Plan as reviewed and recommended by the Planning Board; and

WHEREAS, the Project will qualify for a tax abatement under the Long Term Tax Exemption Law; and

WHEREAS, the Sponsor has presented to the Municipal Council a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project, a copy of which is attached hereto as Exhibit "A" and made a part hereof.

NOW, THEREFORE, be it ordained that the Council of the Township of Florence that:

1. The Council authorizes the execution of an agreement substantially in the form attached hereto as Exhibit "B" and made a part hereof authorizing an in lieu tax payment of 6.28 percent of the gross shelter rent of the Project; and
2. The Council hereby authorizes and directs the Mayor of the Municipality to execute, on behalf of the Municipality, the agreement attached hereto as Exhibit "B"; and
3. The Council understands and agrees that the revenue projections set forth in Exhibit "A" are estimates and the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the agreement; and
4. The Council understands that the Sponsor will form a limited partnership or a limited liability company in which the Sponsor will be the general partner or managing member, respectively, and that the Municipality may enter into the

payment in lieu of taxes agreement with such limited partnership or Limited Liability Company.

5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity shall not affect the remaining parts of this ordinance.
6. A copy of this Ordinance shall be available for public inspection at the offices of the Township.
7. This Ordinance shall take effect in accordance with law.

The Municipal Clerk is hereby authorized to forward a certified true copy of this Ordinance to Duffy Urban Renewal, LLC. The Municipal Clerk is hereby authorized to forward a certified true copy of this Ordinance, and the Financial Agreement implementing it, to both the Municipal Tax Assessor and the Director of the Division of Local Government Services.

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**JERRY SANDUSKY**  
**President, Township Council**

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**JOY M. WEILER, RMC/MMC**  
**Township Clerk**

I, Joy M. Weiler, Township Clerk of the Township of Florence, Burlington County, New Jersey, do hereby certify the foregoing to be a true and exact copy of the ordinance which was finally adopted by the Township Council at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2013.

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**JOY M. WEILER, RMC/MMC**  
**Township Clerk**

FLORENCE TOWNSHIP  
ORDINANCE NO. 2013-04

NOTICE OF PENDING ORDINANCE AND SUMMARY

PUBLIC NOTICE IS HEREBY GIVEN that an ordinance, the summary terms of which are included herein, was duly introduced and passed upon first reading at a regular meeting of the Township Council of the Township of Florence, in the County of Burlington, New Jersey, held on April 3, 2013. It will be further considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Township Council to be held in the Municipal Building, Council Chambers, 711 Broad Street, Florence, New Jersey on April 17, 2013 at 8:00 o'clock p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be made available at no cost and during regular business hours, at the Township Clerk's office in the Municipal Building to the members of the general public who shall request the same. The summary of the terms of such ordinance follows:

Title:

**ORDINANCE 2013-04**

**AN ORDINANCE AUTHORIZING  
LONG TERM TAX EXEMPTION AGREEMENT**

Summary: This ordinance pertains to Block 45, Lots 8, 9, 10, 13, 14 and 15 located on West Second Street. The Duffy School was previously used as a school building by the Florence Township Board of Education, and it inhabits the majority of Block 45. It is currently owned by Florence Township. The other two parcels were once a single family home that is also now owned by Florence Township. Together, all of the lots were previously declared as an area in need of redevelopment by the Township Council, and the entire site is scheduled to be developed for affordable housing in accordance with the latest adopted Redevelopment Plan.

This ordinance would approve a tax exemption for certain improvements to be constructed on the Redevelopment Parcels that will provide affordable housing. In exchange for the tax exemption for the improvements, the Township would receive scheduled payment in lieu of taxes (called "Annual Service Charges") pursuant to a Financial Agreement to be approved by the Ordinance. The term for the Tax Exemption would be 30 years in accordance with the terms and conditions of the Financial Agreement. The authorization for the Township to enter into the Financial Agreement is granted under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., which authorizes financial agreements as an incentive to construct projects in accordance with a redevelopment plan.

Copies of the Ordinance, the Financial Agreement to be approved thereunder and the schedule of Annual Service Charges are available for public inspection in the Office of the Florence Township Clerk.

Joy M. Weiler, RMC/MMC  
Township Clerk