

TOWNSHIP OF FLORENCE

ORDINANCE 2016-28

**AN ORDINANCE RESCINDING ORDINANCE 2016-07
AUTHORIZING AN AGREEMENT FOR TAX EXEMPTION WITH ROEBLING
GROUP, L.L.C. FOR PROPERTY LOCATED AT 1301 HORNBERGER AVENUE,
BLOCK 126.02, LOT 1.02**

WHEREAS, the Township Council of the Township of Florence (hereinafter the "Township Council"), adopted Ordinance 2016-07 that provided for a tax exemption with the Roebling Group, L.L.C. (hereinafter the "Property Owner") pursuant to the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq., and Township Ordinance 2012-13; and

WHEREAS, the Tax Abatement Agreement (hereinafter the "Agreement") was fully executed on April 19, 2016, a copy of which is attached hereto as "Exhibit A;"

WHEREAS, the Agreement recognized that the Property Owner received preliminary and final site plan approval from the Township of Florence Planning Board to construct a 16,500 facility consisting of 7,000+/- square feet of retail space (preliminarily designed to permit seven (7) retail units) and 9,500 square feet of residential space (to be utilized to created seven (7) residential units) (collectively, the "Project"); and

WHEREAS, the Property Owner commenced construction of the Project, but the Township has not issued any Certificates of Occupancy allowing use of the Project; and

WHEREAS, the Agreement required the Property Owner to complete the Project by May 31, 2016 (see Paragraph 5A of the Agreement); and

WHEREAS, Township staff have consistently attempted to contact the Property Owner in an effort to ascertain the status of the Project in an effort to facilitate the ongoing relationship between the parties and assist Property Owner toward completion of the Project for the overall benefit of the Township and such attempts have been unsuccessful; and

WHEREAS, the Township Council determines that as of this date, the Project has not been completed as defined in the Agreement and has not received any indication from the Property Owner regarding a timeline for the completion of the Project, and the Township Council desires to rescind the Agreement pursuant to the Property Owner's breach of the Agreement;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Florence in the County of Burlington, State of New Jersey that:

1. Ordinance 2016-07 finally adopted on April 6, 2016 authorizing an agreement for Tax Exemption with Roebling Group, L.L.C. for property located at 1301 Hornberger Avenue, Block 126.02, Lot 1.02 is hereby rescinded, void and of no effect.
2. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
3. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
4. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.
5. Upon adoption of this Ordinance a certified copy of this Ordinance shall be transmitted to the Township Tax Assessor, Collector, Chief Financial Officer and the Property Owner.

THEODORE J. LOVENDUSKI
COUNCIL PRESIDENT

JOY M. WEILER, RMC/MMC
TOWNSHIP CLERK

TOWNSHIP OF FLORENCE
NOTICE OF PENDING ORDINANCE
Ordinance No. 2016-28

AN ORDINANCE AN ORDINANCE RESCINDING ORDINANCE 2016-07
AUTHORIZING AN AGREEMENT FOR TAX EXEMPTION WITH ROEBLING GROUP,
L.L.C. FOR PROPERTY LOCATED AT 1301 HORNBERGER AVENUE, BLOCK
126.02, LOT 1.02

Take Notice that the Ordinance identified above which rescinds an agreement for tax exemption with Roebbling Group, L.L.C. for property located at 1301 Hornberger Avenue, Block 126.02, Lot 1.02 has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, held on December 7, 2016. It will be considered for final passage after public hearing to be held on December 21, at 8:00 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

The Ordinance will take effect immediately upon adoption and publication as required by law.

Copies of the full ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained free of charge on request and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Joy M. Weiler, RMC/MMC
Township Clerk