**#1340**

**ORDINANCE AUTHORIZING THE TOWNSHIP OF HADDON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY TO ENTER INTO A SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT FOR DYDEE REDEVELOPMENT PLAN BETWEEN THE TOWNSHIP AND FIELDSTONE ASSOCIATES, L.P. d/b/a TOWNE CENTER AT HADDON URBAN RENEWAL, LLC (“REDEVELOPER”)**

**WHEREAS**, the Redeveloper is the contract purchaser of property within the Township, which property is identified on the tax maps of the Township as Block as Block 21.05, Lot 43 and Block 21.06, Lot 12 (“Property”);

**WHEREAS**, on November 26, 2002, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq*. (the “LRHL”) the Township designated the Property as a “Redevelopment Area” as such a term is defined by the LRHL;

**WHEREAS**, on November 26, 2002, the Township adopted a redevelopment plan for the Property (the “Redevelopment Plan”);

**WHEREAS**, the Board of Commissioners of the Township has been designated as the Redevelopment Entity for purposes of implementing the Redevelopment Plan;

**WHEREAS**, on July 15, 2003, by Resolution #2003-97, the Township appointed the Redeveloper as the Redeveloper of the Property;

**WHEREAS**, on November 10, 2003, as modified and readopted in 2006, the Township and Redeveloper entered into a Redevelopment Agreement which was amended by the First Amendment to Redevelopment Agreement dated August 17, 2010 (together, the “Redevelopment Agreement”), which Redevelopment Agreement set forth the terms and conditions relative to the redevelopment of the Property;

**WHEREAS**, the Redevelopment Agreement did not include any provisions or obligations for the Redeveloper to contribute to the Township’s affordable housing obligations pursuant to the *Mount Laurel* Doctrine and the Fair Housing Act, *N.J.S.A.* 52:27D-301, *et seq*. (the “FHA”);

**WHEREAS**, following the grant of Final Site Plan Approval of the redevelopment project by the Haddon Township Planning Board, by Resolution June 2, 2011, Fair Share Housing Center, Inc. (“FSHC”) in the matter captioned *Fair Share Housing Center, Inc. v. The Township of Haddon, the Planning/Zoning Board of Haddon Township and Fieldstone Associates, LP d/b/a Towne Center at Haddon Urban Renewal, LLC*, Docket No. L-4888-11 challenged the Final Site Plan Approval and the Redevelopment Agreement (the “FSHC Lawsuit”);

**WHEREAS**, following the filing of the FSHC Lawsuit, the Township, Redeveloper and FSHC entered into a Settlement Agreement of Litigation (“Settlement Agreement”) that revised the Redeveloper’s affordable housing obligations and provided for revisions to the Redevelopment Plan and the Project pursuant to the terms of the Agreement;

**WHEREAS**, modifications to the site plan to reduce the retail/commercial component, and modify the residential to include a maximum of 252 rental units, are required in order to provide affordable housing units at the Project;

**WHEREAS**, the Redeveloper and Township wish to amend the Redevelopment Agreement to reflect the terms of the Settlement Agreement; and

**NOW, THEREFORE**, be it Ordained by the Mayor and Board of Commissioners of the Township of Haddon, County of Camden, State of New Jersey, as follows:

1. The Mayor and Board of Commissioners of the Township of Haddon make such determinations and findings by virtue of and pursuant to and in conformity with the LRHL as set forth in the above Recitals.

2. The Second Amendment to Master Redevelopment Agreement for the Dydee Redevelopment Plan between the Township and Redeveloper, attached hereto as Exhibit “A” is hereby approved and authorized.

3. The Mayor of the Township of Haddon is hereby authorized to execute the Second Amendment to Master Redevelopment Agreement and any other documents necessary to effectuate same.

THE TOWNSHIP OF HADDON

BY:

RANDALL TEAGUE., MAYOR

BY:

PAUL DOUGHTERTY, COMMISSIONER

BY:

JOHN C. FOLEY, COMMISSIONER

ATTEST:

DAWN M. PENNOCK, MUNICIPAL CLERK

The foregoing Ordinance was introduced by the Board of Commissioners at the regular meeting held on July 28, 2015. This Ordinance will be considered for adoption on final reading and public hearing to be held on \_August 25, 2015 at 7:00 p.m. in the Meeting Room, Haddon Township Municipal Building, 135 Haddon Avenue, Westmont, New Jersey.

The purpose of this Ordinance is to approve the Second Amendment to the Redevelopment Agreement for Dydee Redevelopment Plan between the Township and Redeveloper. A copy of this Ordinance is available at no charge to the general public between the hours of 8:30 AM to 4:30 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Township Clerk, Haddon Township Municipal Building, 135 Haddon Avenue, Westmont, New Jersey.

I, do hereby certify the foregoing to be a true copy of an ordinance adopted by the Board of Commissioners of the Township of Haddon at a meeting held on 25th of August, 2015.

DAWN M. PENNOCK, MUNICIPAL CLERK

**EXHIBIT A**

**SECOND AMENDMENT TO MASTER REDEVELOPMENT AGREEMENT FOR DYDEE REDEVELOPMENT PLAN BETWEEN THE TOWNSHIP AND REDEVELOPER**