



Mayor and Council Meeting: 07/08/19 05:30 PM
400 Witherspoon Street Department: Clerk
Princeton, NJ 08540

RESOLUTION 19-204

**RESOLUTION AUTHORIZING EXECUTION OF AN
AGREEMENT FOR PAYMENT IN LIEU OF TAXES PURSUANT
TO N.J.S.A. 55:14K-1 ET SEQ. WITH RPM DEVELOPMENT,
LLC/900 HERRONTOWN PRINCETON, LP FOR PROPERTY
LOCATED AT 900 HERRONTOWN ROAD AND IDENTIFIED AS
BLOCK 901, LOT 21 ON THE PRINCETON TAX MAPS**

WHEREAS, RPM Development, LLC through its affiliated entity 900 Herrontown Princeton LP (“RPM”) proposes to construct and operate a sixty-five-unit housing project consisting of sixty-four affordable rental units, one superintendent unit, and other amenities (the “Project”) on a property located at 900 Herrontown Road and identified as Block 901, Lot 21 on the Princeton Tax Maps (the “Property”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.) (the “HMFA Law”);

WHEREAS, the Project will help satisfy Princeton’s “Mt. Laurel” affordable housing obligation;

WHEREAS, the Project will be subject to the requirements of the New Jersey Housing and Mortgage Finance Agency (the “HMFA”), including mortgage and loan documents executed pursuant to the HMFA Law;

WHEREAS, the sixty-four units of rental housing in the Project will qualify as very low, low and moderate income units under the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. and the Uniform Housing Affordability Controls, N.J.A.C. 5:80-16.1 et seq.;

WHEREAS, the HMFA Law permits the governing body of a municipality in which a housing project financed by the HMFA is located to exempt such housing project from real property taxation if the housing project’s sponsor enters into an agreement (a “PILOT Agreement”) with the municipality for payments to the municipality in lieu of taxes for municipal services;

WHEREAS, the Council finds that entering into a PILOT Agreement with RPM is necessary to assure implementation of the Project and the construction of the affordable rental housing, and have negotiated a PILOT Agreement with RPM consistent with HMFA Law and protocols that obligate RPM to pay an annual service charge of 6.28% of its Project revenues to Princeton for a period of 30 years;

WHEREAS, RPM has provided an estimate of Project revenues and payments in lieu of taxation to Princeton, it being acknowledged that the actual Project revenues and corresponding

payments in lieu of taxation cannot be determined until the Project has been implemented and, further are subject to HMFA Law; and

WHEREAS, the Council deems it appropriate to authorize and enter into a PILOT Agreement with RPM;

NOW, THEREFORE, BE IT RESOLVED by the Princeton Council as follows:

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.
2. The Mayor and Clerk are hereby authorized to execute an Agreement for Payments in Lieu of Taxes with RPM Development, LLC/900 Herrontown Princeton LP, in such form as shall be consistent with the terms set forth herein and subject to the review and approval of the Princeton Attorney as to form and substance.
3. This Resolution is hereby adopted with the intent and purpose that from the date of execution of a mortgage from the HMFA, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in the manner set forth in the Agreement for Payments in Lieu of Taxes.
4. The Mayor and Council do hereby adopt the within Resolution and make the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Law with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to RPM, which shall construct, own and operate the Project.
5. This Resolution shall take effect immediately.

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X	X		X			
Ms. Crumiller		X			X			
Ms. Fraga		X			X			
Ms. Niedergang		X			X			
Mr. Quinn		X		X	X			
Mr. Williamson		X			X			
Mayor Lempert		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held on July 8, 2019.


 Delores A. Williams, RMC, Municipal Clerk