

**A RESOLUTION OF THE SAYREVILLE ECONOMIC AND REDEVELOPMENT  
AGENCY RECOMMENDING DEVELOPMENT AGREEMENT FOR OFF-SITE  
WATER UTILITY IMPROVMENTS TO THE BOROUGH OF SAYREVILLE  
IN CONNECTION WITH WATERFRONT REDEVELOPMENT PROJECT**

**WHEREAS**, Sayreville Seaport Associates Urban Renewal, L.P. is the designated redeveloper ("Redeveloper") of property known on the current tax maps as Block 257, Lots 3.04 & 3.052; Block 257.01, Lots 1, 1.01, 4, 5, 6, 20, 1.10 & 30.12; Block 257.02, Lots 1, 1.01 & 22, Borough of Sayreville, County of Middlesex, New Jersey ("Property"); and

**WHEREAS**, the Redeveloper and the Sayreville Economic and Redevelopment Agency ("SERA") entered into a Master Redevelopment Agreement, amended and restated as of June 10, 2021 (the "Redevelopment Agreement"), for the construction of a mixed-use development as defined in the Redevelopment Plan as amended (the "Redevelopment Project") on the Property; and

**WHEREAS**, the Borough required the expansion of the capacity of the municipal water system to accommodate the anticipated increase in demand for water services resulting from the Redevelopment Project, along with other planned development projects, as indicated by SERA Resolutions #2010 -191 and #2010 -192; and

**WHEREAS**, the Redevelopment Agreement addresses the Redeveloper's obligations to make capital improvements and repairs to the municipal water system off-site from the Property to offset the impact that the Redevelopment Project is expected to have on the Borough, as part of its fair share allocation of the capital costs associated with such an increase in demand; and

**WHEREAS**, the Redeveloper, in concert with the Borough, has identified certain necessary improvements that will require the construction of certain water utility improvements within the Borough that will be ultimately dedicated to the Borough ("Water Utility Improvements"); and

**WHEREAS**, on January 8, 2020, the Planning Board granted preliminary and final major site plan approval for the first phase of the Redevelopment Project, and which approval requires the construction of the Water Utility Improvements as a compliance condition by way of the Planning Board Engineer's review comments; and

**WHEREAS**, in order to develop the Water Utility Improvements, the Redeveloper and the Borough wish to enter into an agreement memorializing the scope and obligations between the Parties regarding the construction, as well as the timing and construction detailing regarding such construction.; and

**WHEREAS**, the Redeveloper submitted to SERA a proposed Development Agreement for Off-Site Water Utility Improvements, attached hereto as Exhibit A; and

**WHEREAS**, the SERA professionals recommend the attached Agreement to the Borough of Sayreville for review and execution; and

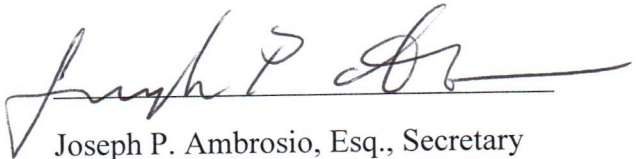
**NOW, THEREFORE, BE IT RESOLVED**, by the Sayreville Economic and Redevelopment Agency that it hereby recommends the aforementioned Agreement to the Borough of Sayreville for review and execution; and

**IT IS FURTHER RESOLVED** that the Chairperson and Agency Professionals are hereby authorized and directed to take any action and to execute any documents as may be necessary to effectuate this Resolution.

**OFFERED BY:** *Ken Smith*

**SECONDED BY:** *Donna Roberts*  
*yca 8-0*

I, Joseph P. Ambrosio, Esq., Secretary and certifying agent of the Sayreville Economic and Redevelopment Agency, hereby certify that the foregoing Resolution was adopted at a regular meeting of the Agency held on February 23, 2023.

  
Joseph P. Ambrosio, Esq., Secretary

**EXHIBIT A**