

RESOLUTION NO. 2026-135

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY EXTENDING BRANDYWINE ACQUISITION & DEVELOPMENT, LLC'S REDEVELOPER DESIGNATION OF THE "BLOCK 1105, LOT 2 441 HECKMAN STREET REDEVELOPMENT ZONE," CONSISTING OF BLOCK 1105, LOT 2 AS IDENTIFIED ON THE TAX MAP OF THE TOWN

WHEREAS, the Town previously identified and designated the property referred to as the **BLOCK 1105, LOT 2 REDEVELOPMENT ZONE**, commonly known as Block 1105, Lot 2 as identified on the tax map of the Town as an "area in need of redevelopment" (the "**Redevelopment Area**"); and

WHEREAS, the Town Council adopted a redevelopment plan (the "**Plan**") for the Redevelopment Area, establishing permissible development uses within the Redevelopment Area and establishing bulk, design and other standards for said uses approved within the Redevelopment Area; and

WHEREAS, in accordance with the provisions of the Local Redevelopment and Housing Law ("LRHL") the Town Council has opted to serve as the Redevelopment Entity for redevelopment projects occurring within the limits of the Town; and

WHEREAS, the Redevelopment Area is owned by the Town and the Mayor and the Town Council wish to develop the Redevelopment Area, for at a minimum, a municipal complex for all municipal departments; and

WHEREAS, by way of Resolution No. 2026-54, the Town Council designated Brandywine Acquisition & Development, LLC as Redeveloper of the Redevelopment Area for an initial term of three (3) months commencing April 14, 2026, with one (1) thirty (30) day extension upon notice to the Town from the Redeveloper ("Initial Term") during which time Brandywine and the Town were to negotiate in good faith the terms and conditions of a Redevelopment Agreement to govern the rights and obligations of Brandywine and the Town as it related to the redevelopment of the Redevelopment Area; and

WHEREAS, by way of Resolution No. 2026-54, upon conclusion of the Initial Term, if the parties were unable to agree upon the terms and conditions of a Redevelopment Agreement, the Town Council may terminate Brandywine's designation as Redeveloper of the Redevelopment Area or extend such designation beyond the Initial Term for a period to be determined in order to finalize terms of the Redevelopment Agreement; and

WHEREAS, the Initial Term of Brandywine's designation as Redeveloper was subsequently extended to August 14, 2026; and

WHEREAS, by way of Resolution No. 2026-121, Brandywine's designation as Redeveloper was further extended through September 13, 2026; and

WHEREAS, the Town Council and Brandywine desire to further extend Brandywine's designation as Redeveloper of the Redevelopment Area for an additional thirty (30) days, through

October 13, 2026, to allow the parties additional time to continue negotiating in good faith and finalize the terms and conditions of the Redevelopment Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

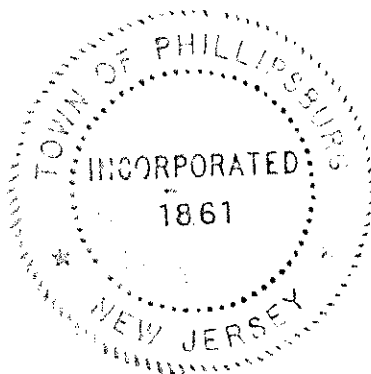
Section 2. The Town Council hereby extends Brandywine Acquisition & Development, LLC's designation as Redeveloper of the Redevelopment Area for an additional thirty (30) days until October 13, 2026 ("Continued Term") during which time Brandywine and the Town shall continue to negotiate in good faith the terms and conditions of a Redevelopment Agreement to govern the rights and obligations of Brandywine and the Town as it relates to the redevelopment of the Redevelopment Area.

Section 3. If upon the conclusion of the Continued Term the parties are unable to agree on the terms and conditions of a Redevelopment Agreement, the Town Council may terminate Brandywine's designation as the Redeveloper of the Redevelopment Area or extend said designation beyond the Continued Term for a period to be determined in order to finalize terms of the Redevelopment Agreement.

Section 4. Upon the formal approval of a Redevelopment Agreement by the Town Council and full execution of same by the Mayor and Brandywine, Brandywine shall serve as the Redeveloper of the Redevelopment Area until the issuance of a Certificate of Completion for the Redevelopment Area or the termination of the Redevelopment Agreement as may be set forth in said Agreement.

CERTIFICATION

I, Susan Turner, Acting Municipal Clerk of the Town of Phillipsburg, County of Warren, and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on September 8, 2026.



A handwritten signature in cursive script that reads "Susan Turner". The signature is written in dark ink and is positioned above a horizontal line.

Susan Turner, Acting Municipal Clerk