

**TOWNSHIP OF PENNSAUKEN  
RESOLUTION CANCELLING CERTAIN TAXES ON REAL PROPERTY  
LOCATED AT 6725 RIVER ROAD (BLOCK 1101, LOT 1)**

**WHEREAS**, the Camden County Improvement Authority ("Authority") owns certain real property in the Township of Pennsauken, County of Camden, New Jersey ("Township") located at 6725 River Road, identified as Block 1101, Lot 1 (the "Property") on the official tax maps of the Township; and

**WHEREAS**, the Authority previously developed constructed on the Property an indoor ice skating and recreational facility commonly known as the "Pennsauken Skate Zone" ("Facility"); and

**WHEREAS**, upon initial construction, the Facility was leased to Comcast-Spectator, by and through its affiliate, Flyers Skate Zone, L.P. ("Comcast"), pursuant to a Lease Agreement, dated as of September 15, 1999 ("Lease Agreement"), pursuant to which Comcast agreed and was obligated to make lease payments to the Authority and other amounts payable in connection therewith; and

**WHEREAS**, N.J.S.A. 40:37A-85 provides that all properties of the Authority, including the Facility, are declared to be public property of a political subdivision of the state and those properties, and all public facilities, devoted to an essential public and governmental function and purpose shall be exempt from all taxes and special assessments of the state of any subdivision thereof; and

**WHEREAS**, pursuant to N.J.S.A. 40:37A-83, the Authority is authorized and empowered with municipalities to enter into agreements with respect to the payment and collection of such annual sums of money in lieu of taxes on such properties in such amounts as may be agreed upon; and

**WHEREAS**, in accordance with the foregoing, on September 22, 1999, the Authority and the Township entered into that certain Agreement for Payment in Lieu of Taxes ("Exemption Agreement"), pursuant to which the Authority agreed to collect from Comcast certain amounts in lieu of taxes in order to compensate the Township for the loss of tax revenues resulting from the otherwise applicable tax-exemption for the Facility and to enable the Township to provide for services to its citizens; and

**WHEREAS**, subsequent to the execution of the Tax Exemption Agreement, and in accordance with the Lease Agreement, Comcast assigned all of its rights, duties and obligations in and to the Lease Agreement to Pennsauken Skate Zone, LLC, an affiliate of Black Bear Sports Group, Inc. ("Black Bear"); and

**WHEREAS**, in accordance with the terms of the Lease Agreement, upon its assignment from Comcast to Black Bear, the Authority was required to provide notice of such assignment to the Township to ensure that the Township was properly advised of any subsequent lessee such that the Township could appropriately remit invoices for the payment in lieu of taxes due by such subsequent lessee; and

**WHEREAS**, pursuant to the Lease Agreement, the failure to provide appropriate notice of the assignment of the Lease Agreement by the Authority permitted the Township to terminate the Exemption Agreement and to, thereafter, levy regularly applicable taxes to the Property and the improvements thereon; and

**WHEREAS**, in accordance with such authority, in 2021, the Township determined to suspend the terms of the Exemption Agreement and to levy full taxes upon the Property and the improvements thereon; and

**WHEREAS**, subsequent to such suspension of the Exemption Agreement, the Township and the Authority determined to amend the Exemption Agreement to ensure

the amounts payable thereunder were more similar operative agreements for the provision of payments in lieu of taxes in and for the Township and, in furtherance thereof, in 2023, the Township and the Authority executed and delivered a First Amendment to Exemption Agreement; and

**WHEREAS**, during the intervening period (i.e., for tax years 2021 and 2022), the Township levied certain taxes upon the Property that were in excess of the amounts that otherwise would have been payable as payments in lieu of taxes under the Exemption Agreement during the same period (and payable by the lessee pursuant to the Lease Agreement); and

**WHEREAS**, in recognition of the amendment of the Exemption Agreement (and the amounts payable thereunder), the Township has determined to cancel certain of the taxes that were levied against the Property for tax years 2021 and 2022 in the aggregate amount of \$249,849.71; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Pennsauken, County of Camden, New Jersey (the "Township Committee"), on this 16th day of May, 2024, that, the Tax Collector is authorized and directed to cancel property taxes in the aggregate amount of \$249,849.71 that were previously levied upon Block 1101, Lot 1.

**BE IT FURTHER RESOLVED**, that the Township Committee hereby authorizes the Tax Collector and the Chief Financial Officer of the Township to take any and all action necessary to fulfill the intent of this Resolution.

This resolution was adopted at a meeting of the Township Committee held on May 16, 2024 and shall take effect immediately.

TOWNSHIP OF PENNSAUKEN

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PAMELA SCOTT-FORMAN  
TOWNSHIP CLERK

ADOPTED: