

RESOLUTION

A Resolution Determining that a Portion of Block 68, Lots 1 Be Designated as An Area In Need of Redevelopment in Accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitutes an area in need of redevelopment; and

WHEREAS, on November 27, 2018, the Township Council for the Township of West Orange (the “Council”) adopted Resolution 266-18 authorizing the Planning Board for the Township of West Orange (the “Planning Board”) to conduct a preliminary investigation to determine whether the property, identified as Block 68, Lots 1 on the Township of West Orange Tax Map, inclusive of any and all streets, “paper” streets, private drives and right of ways (the “Property”) meet the criteria set forth as an appropriate area for consideration for the program of redevelopment; and

WHEREAS, on January 8, 2019, the Council adopted Resolution 12-19 to clarify that only the portion of the Property containing the West Orange Public Library (the “Study Area”) was to be examined in the preliminary investigation to determine whether the Study Area meets the criteria for redevelopment; and

WHEREAS, the Planning Board conducted a preliminary investigation of the Study Area to determine whether it should be designated as an Area In Need of Redevelopment in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, as part of the preliminary investigation, Heyer Gruel & Associates (“HGA”) 236 Broad Street, Red Bank, New Jersey prepared an Area in Need of Redevelopment Study (the “Redevelopment Study”) and presented the Redevelopment Study to the Planning Board for its consideration in determining whether the Study Area should be designated as an Area in Need of Redevelopment; and

WHEREAS, in addition to the foregoing, HGA prepared a map showing the boundaries of the Study Area and locations of the portion of Property included therein, along with a statement setting forth the basis for its investigation in accordance with N.J.S.A. 40A:12A-6(b)(1); and

WHEREAS, a public hearing was conducted by the Planning Board on March 6, 2019, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, after completing its investigation and public hearing on this matter, the Planning Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 et seq., for designating the Study Area as an Area in Need of Redevelopment and said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

WHEREAS, in accordance with the Redevelopment Law and as memorialized by resolution, dated March 12, 2019, annexed hereto as Exhibit “A,” the Planning Board recommended to the Council that the Study Area portion of Block 68, Lots 1 be designated as an Area in Need of Redevelopment; and

WHEREAS, in order to effectuate the Counsel’s designation of the Study Area as an Area in Need of Redevelopment, the preparation of a Redevelopment Plan and presentation to the Planning Board and Counsel is required; and

WHEREAS, HGA has provided to the Township a proposal to prepare a Redevelopment Plan for the Study Area portion of the Property, annexed hereto as Exhibit “**B.**”

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby accepts the recommendation from the Planning Board of the Township of West Orange and finds that the Study Area portion of Block 68, Lots 1 as shown on the official tax map of the Township of West Orange be and is hereby deemed to be a Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

BE IT FURTHER RESOLVED, that the Township hereby reserves all other authority and powers granted to it under the Redevelopment Law; and

BE IT FURTHER RESOLVED, that the Clerk of the Township of West Orange shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review; and

BE IT FURTHER RESOLVED, that within ten (10) days of the Township Council's adoption of the within Resolution, the Clerk of the Township of West Orange shall serve notice of the Township Council's determination and the within Resolution upon all record owners of property within the Redevelopment Area, those whose names are listed on the Tax Assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commissioner of the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED, that HGA, is authorized and directed to prepare a Redevelopment Plan for the Study Area, including an outline for the planning, development and redevelopment of the Study Area pursuant to N.J.S.A. 40A:12A-7 and present same to the Planning Board and Township Council; and

BE IT FURTHER RESOLVED that the Township be and hereby is authorized to retain HGA to prepare a Redevelopment Plan for the Study Area portion of the Property consistent with the Proposal annexed hereto as Exhibit “B;” and

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute all necessary agreements or documents, if any, to retain HGA consistent with the Proposal annexed hereto as Exhibit “B;” and

BE IT FURTHER RESOLVED, that the Municipal Clerk be and is hereby authorized to attest to the Mayor’s signature; and

BE IT FURTHER RESOLVED, that the Planning Board shall transmit a report containing its recommendation concerning the Redevelopment Plan to the Township Council. The Planning Board Report shall include an identification of any provisions in the proposed Redevelopment Plan which are inconsistent with the Master Plan and recommendations concerning these inconsistencies and any other matters as the Planning Board deems appropriate; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Township Clerk, Chief Financial Officer and Township Planning Board and Planning Board Secretary; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be made available in the Clerk’s office in accordance with applicable law.

Karen Carnevale
Township Clerk

Jerry Guarino
Council President

Adopted: March 19, 2019