

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, NJ

No. **UEZ 15-0915-13**

Date of Adoption **SEPTEMBER 15, 2015**

APPROVED AS TO FORM AND LEGALITY ON THE BASIS OF FACTS SET FORTH BY

[Signature]
Legislative Research Officer

PRESENTED BY COUNCIL MEMBER **JONES**

SECONDED BY **COX**

AUTHORIZING THE PLANNING BOARD OF THE TOWNSHIP OF IRVINGTON TO INVESTIGATE WHETHER CERTAIN PROPERTY IN THE TOWNSHIP SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT

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 in the municipality constitute areas in need of redevelopment; and

WHEREAS, pursuant to *N.J.S.A. 40:12A-6* of the Redevelopment Law, the Municipal Council of the Township of Irvington (the "**Township Council**") must authorize the Planning Board of the Township of Irvington (the "**Planning Board**") to conduct a preliminary investigation of the area and make recommendations to the Township Council; and

WHEREAS, the Township Council desires the Planning Board to conduct an investigation to determine whether the property commonly known as 62-70 Howard Street, Irvington, NJ and identified as Block 200, Lot 15.01 on the tax map of the Township of Irvington, New Jersey (the "**Study Area**") meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

WHEREAS, the Township Council has determined that if the Study Area is determined to meet the criteria for designation as an area in need of redevelopment, the Township Council shall be authorized to use all of those powers provided under the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain pursuant to *N.J.S.A. 40A:12A-8(c)* (as designated, a "**Non-Condemnation Redevelopment Area**").

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Irvington as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Planning Board is hereby authorized to conduct an investigation pursuant to and in accordance with the procedural requirements of *N.J.S.A. 40A:12-6*, to determine whether the above referenced property satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment.
3. As part of its investigation, and before proceeding to public hearing on the matter, the Planning Board shall prepare a map showing the boundaries of the proposed Non-Condemnation Redevelopment Area and the location of the parcel contained therein, and shall append thereto a statement setting forth the basis for the investigation.
4. The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the proposed area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a Non-Condemnation Redevelopment Area.
5. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the area delineated in the notice is a Non-Condemnation Redevelopment Area. All objections to a determination that an area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.
6. After conducting its investigation, preparing a map of the proposed Non-Condemnation Redevelopment Area, and completing a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Council as to whether the Township Council should designate the above property as an area in need of redevelopment.
7. This Resolution shall take effect immediately.

RECORD OF COUNCIL VOTE

X = Indicates Vote N.V. = No Vote A.B. = Absent

COUNCIL MEMBER	YES	NO	N.V.	A.B.	COUNCIL MEMBER	YES	NO	N.V.	A.B.
BURGESS, 1ST VICE PRESIDENT	X				JONES, 2ND VICEPRESIDENT	X			
COX	X				LYONS	X			
HUDLEY	X				FREDERIC, PRESIDENT	X			
INMAN	X								

PRESIDENT OF COUNCIL *[Signature]* MUNICIPAL CLERK *[Signature]* DATE **SEPTEMBER 15, 2015**

I hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Municipal Council. In witness whereof I have hereunto set my hand and the Corporate Seal of the Township of Irvington.

MUNICIPAL CLERK *[Signature]* DATE **SEP 15 2015**

BAT ☒ BLDG ☐ CFO ☐ COURT ☐ DHS ☐ DHW ☐ DPW ☐ ENG ☐ FIRE ☐ INIC ☐ JUDGE ☐ LIBR ☐ LICEN ☐ LEGAL ☐ MAYOR ☐ OCDP~DIR ☒
 OCDP~AD ☐ P&R ☐ PAYROLL ☐ POL~DIR ☐ POL~CF ☐ PURCH ☐ SEC~PB/BA ☒ TAX ☒ TAX~AS ☐ TAX~COL ☐ TRAFFIC ☐ UEZ ☐
 ZONING~OFF ☐ DLGS ☐ GNCD ☐ OTHER(S): Redevelopment Counsel



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Harold E. Wiener, R.M.C., C.M.C., M.M.C.
Municipal Clerk

September 16, 2015

Dorinda Francis McKenzie, Secretary
Irvington Planning Board
Township of Irvington

Dear Mrs. McKenzie:

Enclosed please find a resolution authorizing the Planning Board to conduct an investigation to determine whether Block 200, Lot 15.01 should be designated as area in need of non-condemnation redevelopment pursuant to 40A:12A-5.

Very truly yours,

Harold E. Wiener, RMC, MMC
Municipal Clerk