

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

ORDINANCE NO. 2022-07

**ORDINANCE DISSOLVING THE RED BANK REDEVELOPMENT AGENCY PURSUANT TO
N.J.S.A. 40A:12A-24 AND REPEALING ARTICLE XIII: "REDEVELOPMENT AGENCY" OF
CHAPTER 9: "BOARDS, COMMITTEES, AND COMMISSIONS" OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RED BANK**

WHEREAS, the Red Bank Redevelopment Agency was created by Ordinance under the authority granted to the Governing Body of the Borough of Red Bank (the "Borough") by the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-24, "[a] municipality or county may dissolve its redevelopment agency or housing authority by ordinance . . . and transfer all the agency's or authority's assets, liabilities and responsibilities to itself" in accordance with the provisions of the Local Authorities Fiscal Control Law, at N.J.S.A. 40A:5A-20; and

WHEREAS, under N.J.S.A. 40A:5A-20, the Local Finance Board must approve the dissolution of a redevelopment agency, and shall do so only "if it finds that the ordinance or resolution makes adequate provision in accordance with a bond resolution or otherwise for the payment of all creditors or obligees of the authority and that adequate provision is made for the assumption of those services provided by the authority which are necessary for the health, safety and welfare of the recipients of those services"; and

WHEREAS, the Borough's Chief Financial Officer has examined the finances and funding of the Red Bank Redevelopment Agency, and affirmed by letter, attached hereto as Exhibit A, that adequate provisions have been made for the winding up of all obligations of the Agency, as well as for funding the Agency through its dissolution; and

WHEREAS, the services provided by the Red Bank Redevelopment Agency will be subsumed by the Borough's operations in the ordinary course, and no interruption or disruption of any constituent services is anticipated by the dissolution of the Agency; and

WHEREAS, the Borough seeks to dissolve the Red Bank Redevelopment Agency, and seeks approval from the Local Finance Board for said dissolution, pursuant to the procedures of the New Jersey Local Authorities Fiscal Control Law, N.J.S.A. 40A:5A-1, *et seq.*;

NOW, THEREFORE, BE IT ORDAINED, that the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey hereby dissolves the Red Bank Redevelopment Agency; and

BE IT FURTHER ORDAINED by that Article XII: "Redevelopment Agency" of Chapter 9: "Boards, Committees and Commissions" of the Borough's Revised General Ordinances is hereby repealed as follows (~~stricken~~ text deleted; underlined text added):

CHAPTER 90: BOARDS, COMMITTEES AND COMMISSIONS

* * *

ARTICLE XIII: REDEVELOPMENT AGENCY

~~§ 9-53 Agency Created; legislative authority.~~

~~Pursuant to the provisions of Section 11 of the Redevelopment Law, the Borough hereby creates a body corporate and politic to be known as the "Red Bank Redevelopment Agency." Such Agency is and shall be an agency and instrumentality of the Borough created by ordinance duly adopted by the Borough Council, and is a "redevelopment agency" as contemplated and provided for by the Redevelopment Law and shall have and exercise all of the powers and perform all of the duties provided for by said Redevelopment Law and any other statutes heretofore or hereafter enacted and applicable thereto.~~

~~§ 9-54 Membership; term.~~

- ~~A. Pursuant to the Redevelopment Law, there shall be seven Commissioners of the Agency, to be appointed by the Mayor with the advice and consent of the Borough Council. Commissioners shall each serve for a term of five years, except that the first set of Commissioner appointees shall be designated to serve for the following terms: one Commissioner for a term of one year, one Commissioner for a term of two years, two Commissioners for terms of three years, one Commissioner for a term of four years and two Commissioners for terms of five years. Not more than two of the seven Commissioners shall be members of the Borough Council or employees of the Borough. Any member of the Borough Council so appointed shall serve for a term of one year. A certificate of the appointment or reappointment of a Commissioner shall be filed with the Borough Clerk and shall serve as conclusive evidence of the proper appointment of such Commissioner.~~
- ~~B. Each Commissioner shall hold office for the term of his/her appointment and until his/her successor shall have been appointed and qualified. Any vacancy occurring in the office of a Commissioner, from any cause, shall be filled in the same manner as the original appointment, but for the unexpired term.~~

~~§ 9-55 Powers.~~

~~In addition to all such powers as are specifically granted to the Agency pursuant to the Redevelopment Law, and as may otherwise be generally allowed pursuant to other applicable New Jersey statutes, the Agency shall also have the power to:~~

- ~~A. Execute plans and projects, pursuant to the approval of the Borough Council as provided by applicable law;~~
- ~~B. Inquire into, survey and publicize the extent, advantages and utility of vacant land and other dormant and underutilized properties of the Borough;~~
- ~~C. Classify such land and properties according to its adaptability for the establishment and development thereon of various types of economic activities;~~
- ~~D. Generally engage in marketing activities to promote the Borough and its assets as a community, for the purpose of attracting desirable redevelopment;~~
- ~~E. Study and analyze business trends, requirements and developments to ascertain the opportunities for "smart growth" and economic expansion in the Borough;~~
- ~~F. Advertise the business advantages and opportunities and the availability of suitable sites and facilities in the Borough and otherwise initiate and pursue appropriate efforts to encourage and accomplish economic development within the Borough;~~
- ~~G. Cooperate with other Borough departments, agencies, committees and local civic organizations to promote, encourage and assist economic development within the Borough;~~
- ~~H. Arrange for the sale or lease of the Borough's vacant lands to businesses whose location thereon is best calculated, in the judgment of the Agency, to advance the interests of the Borough and of its citizens, all in accordance with plans as approved by the Borough; and~~
- ~~I. Exercise such other powers as may be reasonably necessary and appropriate to accomplish its purposes and goals in accordance with New Jersey statutes and Borough ordinances.~~

~~§ 9-56 Compensation.~~


~~Commissioners shall receive no compensation. Commissioners shall be entitled to reimbursement for actual expenses necessarily incurred in the discharge of their duties as Commissioners, including reasonable travel expenses.~~

~~§ 9-57 Quorum; selection; adoption of bylaws.~~

- ~~A. Four Commissioners shall constitute a quorum for the purpose of conducting business and exercising powers and all other purposes.~~
- ~~B. Action may be taken by the Agency upon the affirmative vote of the majority, but not less than four of the Commissioners present, unless in any case the bylaws of the Agency shall require a larger number.~~
- ~~C. The Agency shall select a chairman and a vice chairman from among the Commissioners, and it shall employ an executive director, who shall be its secretary.~~
- ~~D. The Agency shall adopt such bylaws as it deems necessary and appropriate for the conduct of business.~~

~~§ 9-58 Disclosure of interests.~~

~~No Commissioner or employee of the Agency shall acquire any interest, direct or indirect, in a redevelopment project or in any property included or planned to be included in a project, nor shall be have any interest, direct or indirect, in any contract or proposed contract for materials and services to be furnished or used in connection with a project. If any Commissioner or employee~~

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				ANGELA MIRANDI			X			
	X	X				JACQUELINE STURDIVANT		X	X			
			X			KATE TRIGGIANO				X		
X		X				MICHAEL BALLARD	X		X			
		X				EDWARD ZIPPRICH			X			
			X			KATHLEEN HORGAN				X		
						MAYOR PASQUALE MENNA						
Introduced: March 23, 2022					I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Red Bank, County of Union, State of New Jersey on the aforementioned date. <div style="text-align: right;">  _____ Laura Reinertsen, Borough Clerk </div>							
Final Adoption: July 13, 2022												