

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-90

RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD TO UNDERTAKE AN INVESTIGATION TO DETERMINE WHETHER THE DELINEATED AREA OF BLOCK 30, LOT 10.01 (55 WEST FRONT STREET) SATISFIES THE CRITERIA FOR DESIGNATION AS A NON-CONDEMNATION REDEVELOPMENT AREA TO BE INCLUDED AS PART OF THE INVESTIGATION OF THE WHITE STREET PARKING LOT AUTHORIZED BY RESOLUTION NO. 16-32

Councilman Whelan offered the following resolution and moved its adoption:

WHEREAS, on January 27, 2016, pursuant to Resolution No. 16-32 the Borough authorized a redevelopment investigation for the Borough-owned White Street parking lot; and

WHEREAS, the owners of the now-vacant property located at 55 West Front Street (Block 30, Lot 10.01) have requested that their property, which is adjacent by way of White Street to the Borough's parking lot be included as part of the delineated area to be part same redevelopment investigation; and

WHEREAS, N.J.S.A. 40A:12A-1, et seq., the Local Redevelopment and Housing Law ("LRHL"), sets forth the criteria for a determination of whether a delineated area may be designated as an area in need of redevelopment; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the Borough to adopt a resolution directing its Planning Board to conduct a preliminary investigation to determine whether a delineated area is an area in need of redevelopment ("Redevelopment Area") according to the criteria set forth under N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to P.L. 2013, c. 159, the LRHL was amended to provide for Redevelopment Areas to be delineated as Non-Condemnation Redevelopment Areas where the use of eminent domain is not to be authorized by the municipality; and

WHEREAS, the Borough's governing body desires to authorize its planning consultant, CME Associates ("CME"), to assist the Planning Board in its preliminary investigation of Block 30, Lot 10.01 (55 West Front Street) to help guide its determination whether the delineated area is qualified as a Non-Condemnation Redevelopment Area in need of redevelopment pursuant to the criteria set forth under N.J.S.A. 40A:12A-5 and 40A:12A-3.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Red Bank in the County of Monmouth, State of New Jersey, as follows:

1. The Planning Board is hereby authorized and requested to undertake a preliminary investigation of Block 30, Lot 10.01 (55 West Front Street) to determine whether the delineated area of investigation constitutes an "area in need of redevelopment" for non-condemnation purposes according to the criteria set forth in N.J.S.A. 40A:12A-5 and 40A:12A-3.

2. CME is hereby authorized to assist the Planning Board in its preliminary investigation of the delineated area of investigation, and to begin preparation of a Redevelopment Plan in the event the Planning Board recommends that all or some of the delineated area of investigation constitutes an "area in need of redevelopment."

3. The Borough Administrator, CME Associates, the Borough Attorney, and Special Redevelopment Counsel are each hereby authorized and directed to take any necessary and appropriate actions in connection with the investigation of the delineated area of investigation,

and are hereby authorized and directed to take such actions, including but not limited to, the negotiation of any and all documents necessary to undertake the investigation as being hereby ratified and confirmed.

4. This Resolution shall become effective immediately upon adoption.

Seconded by Councilman Taylor and adopted on roll call by the following vote:

| | Yes | No | Abstain | Absent |
|----------------------------|-------|-------|---------|--------|
| Councilwoman Burnham | () | (X) | () | () |
| Councilman Ziprich | () | (X) | () | () |
| Councilwoman Horgan | (X) | () | () | () |
| Councilwoman Schwabenbauer | (X) | () | () | () |
| Councilman Taylor | (X) | () | () | () |
| Councilman Whelan | (X) | () | () | () |

Dated: March 23, 2016