

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-189

RESOLUTION DESIGNATING A STUDY AREA CONSISTING OF 75-79 WHITE STREET (BLOCK 31, LOT 2.01) AND 55 WEST FRONT STREET (BLOCK 30, LOT 10.01) AS A “NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT” PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW

Councilman Whelan offered the following resolution and moved its adoption:

WHEREAS, on January 27, 2016, the Borough Council adopted Resolution 16-32 directing the Planning Board to undertake a preliminary investigation to determine whether a study area consisting of the real property commonly known as the White Street parking lot located at 75-79 White Street, Red Bank, New Jersey and identified on the Borough's tax map as Block 31, Lot 2.01 (the “White Street Property”) meets the statutory criteria to be designated as a “Non-Condemnation Area In Need Of Redevelopment” under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”); and

WHEREAS, on March 23, 2016, the Borough Council adopted Resolution 16-90 directing the Planning Board to include the real property located at 55 West Front Street, Red Bank, New Jersey and identified on the Borough's tax map as Block 30, Lot 10.01 (the “Front Street Property”) within the study area (the White Street Property and the Front Street Property are collectively referred to herein as the “Study Area”); and

WHEREAS, the Borough authorized its planning consultant, CME Associates (“CME”) to assist the Planning Board in its preliminary investigation of the Study Area; and

WHEREAS, CME issued a Redevelopment Study and Preliminary Investigation Report of the Study Area dated May 20, 2016 (the “CME Report”); and

WHEREAS, the Planning Board held a public hearing regarding the preliminary investigation of the Study Area on July 6, 2016; and

WHEREAS, at the public hearing, testimony was provided by CME regarding the conditions in the Study Area and whether such conditions warranted a finding that the Study Area qualifies as a “Non-Condemnation Area In Need Of Redevelopment” under the LRHL, and members of the public were provided with the opportunity to submit written or oral testimony supporting, objecting to, or providing comments about the potential designation of the Study Area as a “Non-Condemnation Area In Need Of Redevelopment” under the LRHL; and

WHEREAS, once the public hearing was completed, the Planning Board adopted a resolution recommending that the Borough Council designate the Study Area as a “Non-Condemnation Area In Need Of Redevelopment” under the LRHL; and

WHEREAS, the Borough Council has reviewed the Planning Board's recommendations and has determined that it is appropriate to accept these recommendations and to designate the Study Area as a “Non-Condemnation Area In Need Of Redevelopment” under the LRHL.

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 Borough Council hereby finds and determines that for the reasons set forth more fully by the Planning Board within the resolution that it issued regarding its preliminary investigation of the Study Area (which is attached hereto as **Exhibit A**), the properties located within the Study Area (i.e. the White Street Property located at 75-79 White Street, Block 31, Lot 2.01 and the Front Street Property located at 55 West Front Street, Block 30, Lot 10.01) qualify and are hereby determined to be a “Non-Condemnation Area In Need Of Redevelopment” under the LRHL.
2. The Borough Council hereby authorizes and directs CME to assist the Borough's planning department in the preparation of a proposed redevelopment plan for the Study Area in accordance with Resolution 16-90 and after submission of a satisfactory proposal to the Borough for these services. Once the proposed redevelopment plan is prepared, the Borough Council hereby authorizes and directs the Borough Clerk to refer the proposed

redevelopment plan to the Planning Board for its review and recommendations pursuant to N.J.S.A. 40A:12A-7e prior to its ultimate consideration for adoption by the Borough Council.

3. The Borough Clerk is hereby directed to transmit a certified copy of this resolution to the Commissioner of the New Jersey Department of Community Affairs for review in accordance with N.J.S.A. 40A:12A-6b(5)(c).
4. The Borough Clerk is also directed to transmit a certified copy of this resolution to all record owners of property within the Study Area, all persons or entities whose names are listed on the tax assessor's records as having an interest in the property within the Study Area, and upon each person or entity who filed a written objection to the preliminary investigation of the Study Area and stated in such written submission an address to which notice of determination may be sent.
5. This resolution shall take effect as provided within N.J.S.A. 40A:12A-6b(5)(c).

Seconded by Councilwoman Schwabenbauer and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	()	(x)	()	()
Councilman Zipprich	()	()	()	(x)
Councilwoman Horgan	()	(x)	()	()
Councilwoman Schwabenbauer	(x)	()	()	()
Councilman Taylor	(x)	()	()	()
Councilman Whelan	(x)	()	()	()

Dated: July 13, 2016