

RESOLUTION NO. 2023-004

RESOLUTION OF THE MUNICIPAL LAND USE BOARD OF THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, NEW JERSEY, MAKING FINDINGS AND RECOMMENDATIONS CONCERNING WHETHER CERTAIN PROPERTY IDENTIFIED AS BLOCK 606, Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01 and 38 ON BOROUGH'S TAX MAP CONSTITUTES AN AREA IN NEED OF REDEVELOPMENT UNDER THE NEW JERSEY 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 constitute an area in need of redevelopment; and

WHEREAS, on April 20, 2023, by Resolution No. 119-23, and in accordance with the provisions of the Redevelopment Law, the Borough Council (the "**Borough Council**") of the Borough of Roselle Park, in the County of Union, New Jersey (the "**Borough**") authorized and directed the Land Use Board of the Borough (the "**Land Use Board**") to conduct a preliminary investigation to determine whether the area consisting of certain properties identified on the tax maps of the Borough as Block 606, Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01 and 38 (together, the "**Study Area**") meet the criteria set forth in the Redevelopment Law for designation as an area in need of redevelopment and to make a recommendation as to whether such Study Area should be designated as an area in need of redevelopment within which the Borough may use all of the powers provided under the Redevelopment Law for use in a redevelopment area, except the power of eminent domain; and

WHEREAS, the Land Use Board caused CME Associates (the "**Planning Consultant**") to conduct a preliminary investigation to determine whether the Study Area should be designated a non-condemnation area in need of redevelopment; and

WHEREAS, the Land Use Board received a report setting forth the basis for the investigation and a map depicting the Study Area prepared by the Planning Consultant, entitled, "Non-Condensation Area in Need of Redevelopment Study Block 606, Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01 and 38, Borough of Roselle Park, Union County, NJ" dated June 2023 (the "**Report**"), concerning the determination of the Study Area as a non-condemnation area in need of redevelopment; and

WHEREAS, the Redevelopment Law requires the Land Use Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as a non-condemnation area in need of redevelopment, at which hearing the Land Use Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a non-condemnation area in need of redevelopment; and

WHEREAS, the Redevelopment Law further requires the Land Use Board, prior to conducting such public hearing, to publish notice of the hearing in a newspaper of general circulation in the municipality once each week for two consecutive weeks, with the last publication made not less than ten days prior to such public hearing; and

WHEREAS, the Redevelopment Law further requires such notice to be mailed at least ten days prior to such public hearing to the last owner(s) of the relevant property(ies) within the Study Area according to the Borough's tax assessment records; and

WHEREAS, the Land Use Board caused the aforementioned notices of a public hearing on the preliminary investigation of the Study Area to be: (i) published on June 29, 2023 and July 6, 2023 in the Star Ledger, and (ii) mailed to the last owner(s) of the relevant properties according to the Borough's tax assessment records on June 23, 2023, which notices conform to the requirements set forth in the Redevelopment Law; and

WHEREAS, the Land Use Board held a hearing on July 17, 2023, during which the Land Use Board reviewed the Report, heard testimony from representatives of the Planning Consultant, conducted a public hearing during which members of the general public were given an opportunity to present their own evidence and/or to cross-examine the Planning Consultant, and to address questions to the Land Use Board and its representatives, concerning the potential designation of the Study Area as a non-condemnation area in need of redevelopment; and

WHEREAS, the Land Use Board accepted the Report into the record; and

WHEREAS, the Planning Consultant concluded in the Report and representatives of the Planning Consultant testified to the Land Use Board on July 17, 2023 that the Study Area satisfies the criterion for a non-condemnation redevelopment area designation as set forth in the Redevelopment Law; and

WHEREAS, the Land Use Board desires to set forth its findings and conclusions, and its recommendations to the Mayor and Borough Council, concerning the designation of the Study Area as a non-condemnation area in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Roselle Park, New Jersey as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Based on the information and testimony presented to the Land Use Board on July 17, 2023, as well as the Report itself, it is the opinion of the Land Use Board that the Study Area satisfies the criterion for a non-condemnation redevelopment area designation set forth in the Redevelopment Law.


Section 3. It is the recommendation of the Land Use Board that the Borough Council designate the Study Area as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law, within which the Borough may use all of the powers provided under the Redevelopment Law for use in a redevelopment area, except the power of eminent domain.

Section 4. The Secretary of the Land Use Board shall forward a copy of this resolution to the Borough Clerk immediately.

Section 5. This resolution shall take effect immediately.

Board Members	YES	NO	ABS	N.V.	AB	Board Members	YES	NO	ABS	N.V.	AB
Jorge Casalins	✓					Susan Grosso	✓				
Loren Harms			✓			Kevin Kolbeck	✓				
Joseph Signorello III			✓			Michael Quiroga	✓				
Jay Robaina	✓					Paul Baiamonte			✓		
John Curia	✓										
X – Indicate Vote ABS – Abstain N.V. – Not Voting AB - Absent											

I HEREBY CERTIFY the foregoing to be a true copy of a resolution adopted by the Municipal Land Use Board of the Borough of Roselle Park, in the County of Union, at its meeting held on August 21, 2023.


 Talia Smith
 Land Use Board Clerk