

**Resolution No. 2023-007**

**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 608, Lots 1.01, 17, 18, 19, 20, 21, 22, 23, and 24.01 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 July 20, 2023, by Resolution No. 210-23, 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 608, Lots 1.01, 17, 18, 19, 20, 21, 22, 23, and 24.01 (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, including 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 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, "Condemnation Area in Need of Redevelopment Study Block 608, Lots 1.01, 17, 18, 19, 20, 21, 22, 23, and 24.01, Borough of Roselle Park, Union County, NJ" dated November 2023 (the "**Report**"), concerning the determination of the Study Area as a 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 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 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 November 30, 2023 and December 7, 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 December 5, 2023, which notices conform to the requirements set forth in the Redevelopment Law; and

**WHEREAS**, the Land Use Board held a hearing on December 18, 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 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 December 18, 2023 that the Study Area satisfies the criterion for a 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 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 December 18, 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 condemnation redevelopment area designation set forth in the Redevelopment Law.

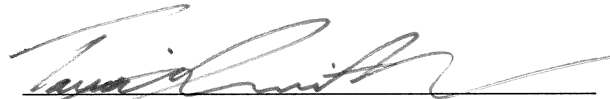
**Section 3.** However, it is the recommendation of the Land Use Board that the Borough Council designate the Study Area as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law within which the Borough may use all of the powers provided under the Redevelopment Law for use 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	X					Susan Grosso	X				
Loren Harms	X					Kevin Kolbeck	X				
Joseph Signorello III					X	Michael Quiroga	X				
Jay Robaina	X					Paul Baiamonte	X				
John Curia	X										
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 December 18, 2023.

  
\_\_\_\_\_  
Talia Smith  
Land Use Board Clerk