

RESOLUTION 2020 – 109

RESOLUTION OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, NEW JERSEY, DESIGNATING ALL OR A PORTION OF CERTAIN PROPERTIES IDENTIFIED ON THE TAX MAPS OF THE BOROUGH AS BLOCK 10, LOTS 77 & 78; BLOCK 17, LOT 18; BLOCK 20, LOT 5; BLOCK 28, LOTS 1, 3 & 4; BLOCK 30, LOTS 7, 15 & 16; BLOCK 33, LOTS 1 & 4; AND BLOCK 61.02, LOTS 23.02 & 23.08 BE DESIGNATED AS A NON-CONDEMNATION AREAS IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land located therein constitutes an area in need of redevelopment; and

WHEREAS, on November 6, 2019, the Borough Council (the “**Borough Council**”) of the Borough of Mount Arlington, in the County of Morris, New Jersey (the “**Borough**”), adopted Resolution No. 2019-170, directing the Borough Land Use Board (the “**Land Use Board**”) to conduct an investigation of the following properties:

Study Area #1 Village Center

Block	Lot	Address
10	77	Edgemere Avenue
10	78	419 Howard Boulevard
17	18	Prospect St.
20	5	Howard Boulevard
28	1	393 Howard Boulevard
28	3	18 Park Ave
28	4	389 Howard Boulevard
30	7	390 Howard Boulevard
30	15	Howard Boulevard
30	16	Mountainview Ave
33	1	18 North Glen Avenue
33	4	526 Altenbrand Avenue

Study Area #2 Howard Boulevard

Block	Lot	Address
61.02	23.02	111 Howard Boulevard
61.02	23.08	181 Howard Boulevard

along with all streets and rights of way appurtenant thereto (collectively, the “**Study Area**”), to determine whether all or a portion of the Study Area meets the criteria set forth in the Redevelopment Law for redevelopment area designation and to make a recommendation as to whether such Study Area should be designated as 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 J. Caldwell & Associates, LLC (the “**Planning Consultant**”) in accordance with the Redevelopment Law dated May 1, 2020 (the “**Study**”); 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 property is an area in need of redevelopment; and

WHEREAS, on May 27, 2020, the Land Use Board reviewed the Study, 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 an area in need of redevelopment; and

WHEREAS, the Planning Consultant concluded in the Study and testified to the Land Use Board on May 27, 2020 that the Study Area satisfies the criteria for a redevelopment area designation as set forth in the Redevelopment Law; and

WHEREAS, on June 24, 2020, the Land Use Board adopted a memorializing resolution of the action taken at the Land Use Board's May 27, 2020 meeting accepting and adopting the recommendation contained in the Study, and recommending that the Study Area be declared a non-condemnation area in need of redevelopment, in accordance with the Redevelopment Law, and for the reasons set forth in the Study; and

WHEREAS, the Borough Council agrees with the conclusion of the Land Use Board and finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Borough Council now desires to declare the Study Area as a non-condemnation area in need of redevelopment, pursuant to *N.J.S.A. 40A:12A-6*, and.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, as follows:

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

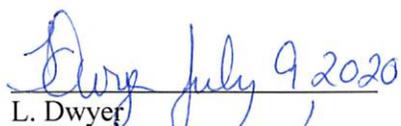
Section 2. Based on the Study and the recommendation of the Land Use Board, the Study Area satisfies the criteria for redevelopment area designation as set forth in the Redevelopment Law.

Section 3. The Study Area is hereby designated as a "Non-Condensation Redevelopment Area" as referenced in the Redevelopment Law.

Section 4. The Borough Council hereby directs the Municipal Clerk to transmit a certified copy of this resolution forthwith to the Commissioner of the Department of Community Affairs for review.

Section 5. This resolution shall take effect in accordance with applicable law.

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, and adopted on July 9, 2020.


L. Dwyer
Acting Borough Clerk