

RESOLUTION #15-133

RESOLUTION AUTHORIZING THE CITY OF WOODBURY PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE IF THE STUDY AREA KNOWN AS THE INSPIRA STUDY AREA DELINEATED HEREIN QUALIFIES AS AN AREA IN NEED OF REDEVELOPMENT AS A “NON-CONDEMNATION REDEVELOPMENT AREA” IN ACCORDANCE WITH LOCAL REDEVELOPMENT AND HOUSING LAW AND TO PROVIDE RECOMMENDATIONS TO CITY COUNCIL

WHEREAS, on April 28, 2015 the Mayor and Council of the City of Woodbury passed Resolution #15-96 directing the Woodbury City Planning Board to undertake a Preliminary Investigation of the “Inspira Study Area” as defined therein to determine whether it qualifies as an area in need of redevelopment and as a “Condemnation Redevelopment Area”; and

WHEREAS, the City of Woodbury Planning Board on June 17, 2015 recommended to Mayor and Council that the request be modified to pursue a “Non-Condemnation” investigation; and

WHEREAS, the Mayor and Council concur in the Planning Board recommendation to pursue a preliminary investigation to determine if the Study Area is an area in need of redevelopment as a “Non-Condemnation Redevelopment Area”; and

WHEREAS, the Mayor and Council hereby rescind Resolution 15-96 and direct that the City of Woodbury Planning Board proceed in accordance with the within resolution as a “Non-Condemnation Redevelopment Area”; and

WHEREAS, in accordance with the procedures set forth in the Local Redevelopment and Housing Law (“LRHL”), *N.J.S.A.*, 40A:12A-1, *et seq.*, the City of Woodbury (the “City”) seeks to identify an area in need of redevelopment, potentially develop a plan for the redevelopment of such an area, and to undertake or oversee the redevelopment of such area; and

WHEREAS, pursuant to *N.J.S.A.*, 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality, by resolution, authorizes the Planning Board to undertake a preliminary investigation to determine whether the proposed area is an area in need of redevelopment according to the criteria set forth in *N.J.S.A.*, 40A:12A-5 and in accordance with the procedures set forth in *N.J.S.A.*, 40A:12A-6 (the “Preliminary Investigation”); and

WHEREAS, pursuant to *N.J.S.A.*, 40A:12A-6, a Preliminary Investigation is to be undertaken upon public notice and public hearing as provided in the LRHL; and

WHEREAS, the City hereby designates property known as Block 84, Lots 1, 2, 4, 4.01, 6; Block 85, Lots 1, 2, 3, 4, 5, 24, 24.01, 24.02, 24.03; Block 86, Lots 1, 1.01, 2, 3.01, 6, 7, 13, 14, 16 on the Tax Map of the City of Woodbury, as the “Inspira Study Area” for purposes of a Preliminary Investigation; and

WHEREAS, the City hereby authorizes and directs the Planning Board to undertake a Preliminary Investigation and conduct a public hearing to determine whether the “Inspira Study Area” qualifies as an area in need of redevelopment pursuant to the criteria set forth in *N.J.S.A.*, 40A:12A-5 and to prepare a Preliminary Investigation Report and to include any and all recommendations respecting designation of the “Inspira Study Area” as an area in need of redevelopment therein; and

WHEREAS, a determination that the “Inspira Study Area” qualifies as an area in need of redevelopment shall authorize the City to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, excluding only the power of eminent domain (a “Non-Condensation Redevelopment Area”), as provided under *N.J.S.A.*, 40A:12A-6; and

WHEREAS, the City hereby further directs that the Planning Board shall provide that the notice of public hearing specifically state that a redevelopment area determination shall not authorize the City to exercise the power of eminent domain to acquire any property in the delineated area; and

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the City of Woodbury that

1. The City of Woodbury Planning Board is hereby directed to undertake a Preliminary Investigation and conduct a public hearing to determine whether the Inspira Study Area, known as Block 84, Lots 1, 2, 4, 4.01, 6; Block 85, Lots 1, 2, 3, 4, 5, 24, 24.01, 24.02, 24.03; Block 86, Lots 1, 1.01, 2, 3.01, 6, 7, 13, 14, 16 on the Tax Map of the City of Woodbury, qualifies as an area in need of redevelopment as a “Non-Condensation Redevelopment Area,” such that the municipality may use all the powers provided by the Legislature for the use in the designated area in need of redevelopment, excluding only the use of eminent domain, pursuant to *N.J.S.A.*, 40A:12A-1, *et seq.*; and

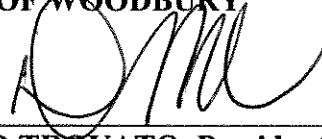
2. The Planning Board shall submit its recommendations to City Council, in accordance with *N.J.S.A.*, 40A:12A-6, once the Preliminary Investigation and public hearing process are completed.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED at a regular meeting of the Mayor and City Council of the City of Woodbury on June 23, 2015.

CITY OF WOODBURY

By:



DAVID TROVATO, President of Council

ATTEST:



ROY A. DUFFIELD, Clerk