

**BOROUGH OF HIGHLAND PARK
RESOLUTION NO. 12-22-289**

**RESOLUTION OF THE BOROUGH OF HIGHLAND PARK, IN THE
COUNTY OF MIDDLESEX, NEW JERSEY DESIGNATING THE
PROPERTY IDENTIFIED ON THE BOROUGH'S TAX RECORDS AS
BLOCK 3002, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, 36, AND 37 AS A NON-
CONDEMNATION AREA 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 constitute an area in need of redevelopment; and

WHEREAS, on September 6, 2022, by Resolution No. 9-22-221, and in accordance with the provisions of the Redevelopment Law, the Borough Council of the Borough of Highland Park (the “**Borough Council**”) authorized and directed the Planning Board of the Borough of Highland Park (the “**Planning Board**”) to conduct an investigation of certain property identified on the tax maps of the Borough as Block 3002, Lots 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, and 37 (the “**Study Area**”) and to determine whether all or a portion of the Study Area meets criteria set forth in the Redevelopment Law, *N.J.S.A. 40A:12A-5*, to be designated as a non-condemnation redevelopment area in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-6*; and

WHEREAS, on September 6, 2022, by Resolution No. 9-22-222, and in accordance with the provisions of the Redevelopment Law, the Borough Council authorized LRK, Inc. (“**LRK**”) to conduct a preliminary investigation to determine whether all or a portion of the Study Area should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, the Planning Board received a report setting forth the basis for the investigation prepared by the Planning Consultant, entitled, “Preliminary Investigation of a Non- Condemnation Area in Need of Redevelopment Stop & Shop Site” dated November 2022, concerning the determination of the Study Area, and Block 3002, Lot 36, as an area in need of redevelopment (the “**Report**”); and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to a determination whether the Study Area should be designated as a non-condemnation area in need of redevelopment, at which hearing the Planning 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, in addition to the Study Area, the Planning Board additionally studied Block 3002, Lot 36, which is owned by the same property owner as Block 3002, Lots 1, 34, and 35, within the Study Area, who received notice of the Planning Board’s public hearing in accordance with the Redevelopment Law; and

WHEREAS, on December 8, 2022, the Planning Board reviewed the Report, heard testimony, 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 representatives from LRK, and

to address questions to the Planning Board and its representatives, concerning the potential designation of the Study Area and Block 3002, Lot 36 as an area in need of redevelopment; and

WHEREAS, after the conclusion of the public hearing described above, the Planning Board voted to adopt and accept the recommendation contained in the Report, and to recommend that the Study Area, and Block 3002, Lot 36, be declared a non-condemnation area in need of redevelopment, in accordance with the Redevelopment Law, and for the reasons set forth in the Report; and

WHEREAS, the Borough Council agrees with the conclusion of the Planning Board that the Study Area, and Block 3002, Lot 36 satisfies the criterion for redevelopment area designation set forth in the Redevelopment Law and finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Borough Council now desires to designate the Study Area, including Block 3002, Lot 36, as a non-condemnation area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-6*, such designation authorizing the Borough and Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, New Jersey:

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

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Borough Council.

Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area, including Block 3002, Lot 36 is hereby designated as a “Non-Condensation Redevelopment Area” as referenced in the Redevelopment Law. The designation of the Study Area and Block 3002, Lot 36 as a “Non-Condensation Redevelopment Area” shall authorize the Borough to exercise all powers under the Redevelopment Law except the power of eminent domain.

Section 4. In accordance with the Redevelopment Law, the Borough Council hereby directs the Borough Clerk to transmit a certified copy of this resolution forthwith to the Commissioner of the Department of Community Affairs and to all record owners and person(s) who filed a written objection with respect to the herein designation.

Section 5. If any part of this resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this resolution.

Section 6. A copy of this resolution shall be available for public inspection at the offices of the Borough Clerk.

Section 7. This resolution shall take effect immediately.

ADOPTED: December 20, 2022

ATTEST:

Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 20th day of December, 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera				
Foster				
George				
Hale				
Hersh				
Kim-Chohan				