

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

**DATE** November 7, 2018

**NUMBER** 311-2018

**TITLE:** **A RESOLUTION AUTHORIZING THE CITY OF ORANGE TOWNSHIP AND MUNICIPAL COUNCIL TO ACCEPT THE PLANNING BOARD'S RESOLUTION TO REVIEW AND CONSIDER THE PROPERTIES KNOWN AS BLOCK 5202, LOTS 5, 6, 7 AND 8 BLOCK 4902, LOT 17 AS AREAS IN NEED OF REDEVELOPMENT**

**WHEREAS**, the Orange Planning Board, having been authorized on June 7, 2017, by way of a Resolution passed by the Orange City Council, to recommend designation of Block 5202, Lots 5, 6, 7 and 8, within the City of Orange Township to be in need of redevelopment or rehabilitation; and

**WHEREAS**, by resolution number 102-2018 dated April 3, 2018, resolution 195-2017 was amended to include all parcels within Block 4902 and Block 5202 for consideration as an area in need of redevelopment and/or rehabilitation; and

**WHEREAS**, Block 5202, Lots 5, 6, 7 and 8, and Block 4902, Lot 17 were deemed to be such an area in need of investigation for redevelopment and/or rehabilitation; and

**WHEREAS**, Block 5202, Lots 1-3, 9-47 and Block 4902, Lots 1-16 were deemed to be such an area in need of rehabilitation; and

**WHEREAS**, a quorum was established with at least five (5) Council members present; and

**WHEREAS**, Nishuane Group made the Presentation to the Council members; and

**WHEREAS**, members of the public were given an opportunity to comment for or against the designation; and

**WHEREAS**, the Planning Board provided the City Council with a Resolution that incorporated, by reference, all discussion, presentation and testimony taken at the hearing on August 22, 2018, as if set forth fully at length herein; and

**WHEREAS**, on April 3, 2018, the Orange Planning Board passed a resolution approving Block 5202, Lots 5, 6, 7 and 8, and Block 4902, Lot 17 to be areas in need of redevelopment; and

**WHEREAS**, on September 26, 2018 at the regular Planning Board Meeting, the Planning Board memorialized its 18-09 resolution; and

**WHEREAS**, the Planning Board has recommended that the City Council of the City of Orange Township accept the Planning Board's resolution for review and consideration.

**NOW, THEREFORE, BE IT RESOLVED** as reflected in the Highland Avenue Area in Need of Redevelopment Study that the Block 5202, Lots 5, 6, 7 and 8, and Block 4902, Lot 17 be and is hereby approved as areas in need of redevelopment and that a redevelopment plan shall be developed for review and consideration by the Planning Board.

Adopted:

\_\_\_\_\_  
Joyce L. Lanier  
City Clerk

\_\_\_\_\_  
Kerry J. Coley  
Council President

**CITY OF ORANGE TOWNSHIP PLANNING BOARD**  
**MEMORIALIZATION RESOLUTION NO: 18-09**  
**FOR LINCOLN-HIGHLAND AVENUE STUDY CONCERNING BLOCK 5202, LOTS 1-47**  
**AND BLOCK 4902, LOTS 1-17, CITY OF ORANGE TOWNSHIP, NEW JERSEY**

**WHEREAS**, by Resolution 195-2017 dated June 7, 2017 and Resolution 102-2018 dated April 3, 2018, the City of Orange Township Municipal Council (the "Council") authorized the City of Orange Township Planning Board (the "Planning Board") to conduct a preliminary investigation of the Lincoln Avenue area of the City which area is bounded by Lincoln Avenue (west), Clarendon Place (north), Berkley Avenue (east) and Fairview Avenue (south), the subject area specifically being identified as Block 5202, Lots 1-47 and Block 4902, Lots 1-17 according to the City's tax records (the "Study Area"); and

**WHEREAS**, at its duly scheduled meeting dated August 22, 2018, the Planning Board reviewed and considered the study entitled "Preliminary Investigation for a Determination of Area in Need of Redevelopment and/or Rehabilitation", dated August 22, 2018 prepared by the Nishuane Group, LLC (the "Study"); and

**WHEREAS**, the Planning Board further considered the testimony of Shawna Ebanks, A.I.C.P., of the Nishuane Group provided in support of the Study; and

**WHEREAS**, members of the public were given the opportunity to testify for or against the proposed area designation; and

**WHEREAS**, the Planning Board incorporates herein by reference all testimony, written submissions and discussions set forth in and made a part of the record of the Planning Board's August 22, 2018 hearing; and

**WHEREAS**, based on the evidence presented, the Planning Board accepted that the Study Area, specifically Block 5202, Lots 1-47 and Block 4902, Lots 1-17, is an area in need of redevelopment and/or rehabilitation in accordance with and in satisfactions of the statutory requirements as set in the New Jersey Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*;

Date of motion to approve resolution: September 26, 2018

Motion By: *Mobley*

Seconded By: *Onyuke*

Vote to approve resolution:

Members	Aye	Nay	N.V.	A.B.	E.X.	Members	Aye	Nay	N.V.	A.B.	E.X.
Dwight Holmes				✓		Tency Eason					✓
Callistus Onyuki	✓					Chris Mobley	✓				
Enock Faustin	✓					Hans Taus					
Jarteau Israel					✓	Gesner Constant (ALT)					
Antoinette Jones		✓				Eulamphia Nevais (Alt)					
Dwayne D. Warren											

Presented: *8/22/2018*

Adopted: *9/26/2018*

Prepared and Approved as to Form and Legality By:

*Connie Bentley McGhee 10-12-18*

Connie Bentley McGhee, Esq.  
Planning Board Legal Counsel

*Dwight Holmes*

Dwight Holmes  
Planning Board Chairperson

*Lawrence Samuels*

Lawrence Samuels  
Planning Board Secretary

**CITY COUNCIL****The City of Orange Township, New Jersey**DATE April 3, 2018NUMBER 102-2018**TITLE:**

**RESOLUTION AMENDING RESOLUTION 195-2017 AUTHORIZING AND REQUESTING THE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER BLOCK 5202 SATISFY THE CRITERIA FOR DESIGNATION AS AN AREA IN NEED OF REDEVELOPMENT AND/OR REHABILITATION TO INCLUDE AN ADDITIONAL PARCEL BLOCK 4902 IN THE PRELIMINARY INVESTIGATION**

**WHEREAS**, N.J.S.A 40A:12A-1, et seq., the Local Redevelopment and Housing Law ("LRHL"), sets forth the criteria for a determination of whether a delineated area may be designated as an area in need of redevelopment and/or rehabilitation; and

**WHEREAS**, N.J.S.A. 40A:12A-6 authorizes the City of Orange Township to adopt a resolution directing its Planning Board to conduct a preliminary investigation to determine whether the delineated areas qualify as an area in need of redevelopment and/or rehabilitation according to the criteria set forth under N.J.S.A 40A:12-5; and

**WHEREAS**, the City of Orange Township adopted Resolution 195-2017 on the 7<sup>th</sup> day of June 2017, authorizing the Planning Board to conduct a preliminary investigation in order to determine if the area encompassed by Block 5202 (the "Study Area"), meet the criteria established by law as an area in need of redevelopment and/or rehabilitation; and

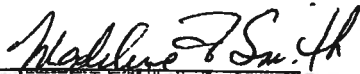
**WHEREAS**, by amending Resolution 195-2017, it would include an additional parcel identified as Block 4902 to be added to the area identified above meets the criteria established by law as an Area in Need of Redevelopment and/or Rehabilitation; and

**WHEREAS**, authorizing the proposed amendment shall not allow for the use of eminent domain and that the said area shall be a Non-Condensation Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP that:**

1. The Planning Board be and is hereby authorized and directed to undertake an preliminary redevelopment investigation of the Study Area to determine whether all or any portion thereof meets the criteria set forth in the N.J.S.A. 40A:12A-1 et seq., as an area in need of redevelopment and/or rehabilitation as defined by the LRHL.

Adopted: **April 3, 2018**



**Madeline F. Smith**  
Deputy Municipal Clerk



**Kerry J. Coley**  
Council President

**RESOLUTION NO. 102-2018**

**REGULAR MEETING— APRIL 3, 2018**

**ON CONSENT AGENDA**

**MOTION TO ADOPT: Williams**

**SECOND: Johnson, Jr.**

**YEAS: Eason, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten and Council President Coley**

**NAYS: None**

**ABSTENTIONS: None**

**ABSENCES: None**





**CITY COUNCIL****The City of Orange Township, New Jersey**DATE June 7, 2017NUMBER 195-2017**TITLE:**

**RESOLUTION AUTHORIZING THE PLANNING BOARD TO CONDUCT AN INVESTIGATION TO DETERMINE IF PARCELS DESIGNATED AS BLOCK 5202 LOTS 5, 6, 7 & 8 WITHIN THE CITY OF ORANGE TOWNSHIP SHOULD BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT AND/OR REHABILITATION.**

**WHEREAS**, the Municipal Council has previously authorized the Planning Board to undertake investigations of certain areas within the City of Orange Township to determine whether any or all portion thereof meets the criteria set forth by the New Jersey Local Redevelopment and Housing Law ("LRHL") pursuant to N.J.S.A. 40A:12A-1 et seq. for designation as an area in need of redevelopment and/or rehabilitation, as such terms are defined within the LRHL; and

**WHEREAS**, the City of Orange Township believes that certain conditions exist within the portion of the Township bound by Highland Avenue; Block 5202, Lots 5, 6 7 & 8; (the "Study Area"), which are sufficient to support a determination that all of the Study Area is eligible for designation as an area in need of redevelopment and/or rehabilitation as such terms are defined in the LRHL; and

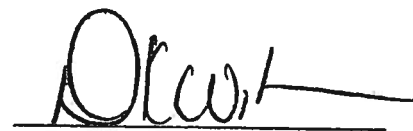
**WHEREAS**, the LRHL requires that, prior to the determination that any area is to be designated as an area in need of redevelopment and/or rehabilitation, the Planning Board shall undertake an investigation to determine whether the proposed area meets the criteria for such designation, as set forth in the LRHL.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP that:**

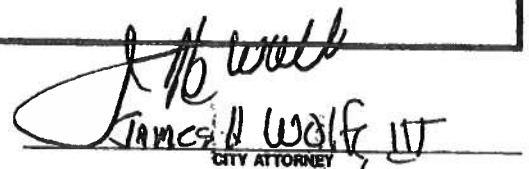
1. The Planning Board is hereby authorized and directed to undertake an investigation of the Study Area to determine whether all or any portion thereof meets the criteria set forth in the N.J.S.A. 40A:12A-1 et seq. as an area in need of redevelopment and/or rehabilitation, as defined by the LRHL.

Adopted: June 7, 2017

  
Joyce L. Lanier  
City Clerk

  
Hon. Donna K. Williams  
Council President

APPROVED AS TO FORM, SUFFICIENCY AND LEGALITY

  
James H. Wolf III  
CITY ATTORNEY



**RESOLUTION NO. 195-2017**

**CONSENT AGENDA**

**REGULAR MEETING— June 7, 2017**

**MOTION TO ADOPT: Summers-Johnson**

**Second: Wooten**

**YEAS: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten and Council President Williams**

**NAYS: None**

**ABSTENTIONS: None**

**ABSENCES: None**





