

CITY COUNCIL**The City of Orange Township, New Jersey**DATE June 20, 2023NUMBER 255-2023**TITLE:**

A RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, COUNTY OF ESSEX, STATE OF NEW JERSEY, AUTHORIZING THE PLANNING BOARD OF THE CITY OF ORANGE TOWNSHIP TO INCLUDE AN ADDITIONAL PARCEL IN THE SCATTERED SITES STUDY AREA PREVIOUSLY ESTABLISHED BY THE MUNICIPAL COUNCIL PURSUANT TO N.J.S.A. 40A:12A-6, TO DETERMINE WHETHER ANY PORTION OF SUCH AREA SHOULD BE DESIGNATED AS A AREA IN NEED OF REDEVELOPMENT WITHOUT CONDEMNATION AND/OR AS AN AREA IN NEED OF REHABILITATION, AND FURTHER DIRECTING THE PLANNING BOARD TO HOLD THE PUBLIC HEARING, REPORT TO CITY COUNCIL, AND PREPARE A REDEVELOPMENT PLAN FOR ANY AREAS SO DESIGNATED.

WHEREAS, the Municipal Council ("Municipal Council") of the City of Orange Township ("City") seeks to identify areas in need of redevelopment and areas in need of rehabilitation, as such terms are defined in the Local Redevelopment and Housing Law ("LRHL"), *N.J.S.A. 40A:12A-1 et seq.*, and to develop plans for the redevelopment of such areas and to undertake or oversee the redevelopment of such areas, all as part of an overall comprehensive city-wide redevelopment initiative; and,


WHEREAS, under *N.J.S.A. 40A:12A-6*, no area of a municipality shall be determined to be an area in need of redevelopment unless the governing body of the municipality, by resolution, authorizes the planning board of the municipality to undertake a preliminary investigation to determine whether the proposed area meets the criteria set forth in *N.J.S.A. 40A:12A-5*; and,

WHEREAS, the Municipal Council adopted Resolution No. 372-2022 on September 22, 2022, authorizing the City's Planning Board ("Planning Board") to conduct a preliminary investigation into whether any of the 138 parcels identified therein as the Scattered Sites Study Area satisfy criteria for designation as an area in need of redevelopment without condemnation powers in accordance with the procedures and requirements of *N.J.S.A. 40A:12A-5*, and/or an area in need of rehabilitation in accordance *N.J.S.A. 40A:12A-14*; and,

WHEREAS, the owner of the parcel located at Block 5503, Lot 1, more commonly known as 622 South Center Street, has requested that the Municipal Council include that parcel in the Scattered Sites Study Area for determination whether it satisfies criteria for designation as an area in need of redevelopment without condemnation, and/or an area in need of rehabilitation in accordance *N.J.S.A. 40A:12A-14*; and,

WHEREAS, pursuant to *N.J.S.A. 40A:12A-6*, the Municipal Council has determined that designation of all or part of the Study Area as a noncondemnation area in need of redevelopment authorizes the City to use all redevelopment powers provided by the Legislature other than eminent domain (*i.e.*, condemnation); and,

WHEREAS, pursuant to *N.J.S.A. 40A:12A-6*, designation of an area in need of redevelopment without condemnation shall only be made after public notice has been given and a public hearing has been held by the Planning Board as provided in the LRHL.



H. Mizrahi

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP, COUNTY OF ESSEX, STATE OF NEW JERSEY, as follows:

1. The Scattered Sites Study Area established by the Municipal Council on September 6, 2022, under Resolution 372-2022, is hereby expanded to include the parcel located at Block 5503, Lot 1, more commonly known as 622 South Center Street.

2. The Planning Board is hereby authorized, pursuant to *N.J.S.A. 40A:12A-6(a)*, to undertake a preliminary investigation to determine whether the Scattered Sites Study Area is a noncondemnation area in need of redevelopment under the criteria set forth in *N.J.S.A. 40A:12A-5*, and/or an area in need of rehabilitation under the criteria set forth in *N.J.S.A. 40A:12A-14*, and to report such determination to the Municipal Council after public notice and public hearing as provided in the LHRL. Designation of all or part of the Scattered Sites Study Area as a noncondemnation area in need of redevelopment authorizes the City to use all redevelopment powers provided by the New Jersey Legislature other than eminent domain (*i.e.*, condemnation).

3. In connection with such investigation, the Planning Board is hereby directed to give such notice(s), to hold such public hearing(s) and to make such report(s) as may be required under the LHRL in connection therewith.

4. The Planning Board is hereby directed, pursuant to *N.J.S.A. 40A:12A-7(f)*, to prepare a redevelopment plan for any portion of the Scattered Sites Study Area that may be designated by the Municipal Council as an area in need of redevelopment and/or an area in need of rehabilitation.

5. A copy of this Resolution shall be filed in the Office of the City Clerk.

Adopted: June 20, 2023

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President