



**BOROUGH OF RUTHERFORD
County of Bergen**

RESOLUTION NO. 55-2021

Dated: 2/8/2021

**A RESOLUTION OF THE MAYOR AND COUNCIL DESIGNATING THE AREA
KNOWN AS BLOCK 110, LOTS 3.01, 3.02, 4, 5, 6, 7 & 7.01 AS A NON-
CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND
AUTHORIZING AND DIRECTING THE PREPARATION OF A
REDEVELOPMENT PLAN THEREFORE**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "LRHL") authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, by Resolution 140-2019, dated September 19, 2019, the Rutherford Mayor and Council directed the Borough's Planning Board (the "Planning Board") to undertake a preliminary investigation to determine if the area consisting of Block 110, Lots 3.01 (153 Park Avenue), 3.02 (155 Park Avenue), 4 (151 Park Avenue), 5 (8 Highland Cross Avenue), 6 (Lincoln Avenue), 7 (50 Lincoln Avenue) & 7.01 (153 Park Avenue - Rear) on the Official Tax Map of the Borough (collectively, the "Study Area") satisfies the criteria for designation as an area in need of redevelopment pursuant to the LRHL; and

WHEREAS, the Planning Board caused Neglia Engineering Associates (the "Planning Consultant") to conduct a preliminary investigation to determine whether the Study Area should be designated an area in need of redevelopment; and

WHEREAS, the Planning Board prepared a map of the Study Area and undertook a preliminary investigation in accordance with the requirements of the LRHL to determine whether the Study Area qualifies as an area in need of redevelopment as provided under the LRHL; and

WHEREAS, the LRHL requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an 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 Study Area is a redevelopment area; and

WHEREAS, the Planning Board conducted a public hearing on February 20, 2020, where the Planning Board, among other things, provided an opportunity to hear all persons who were interested in or would be affected by the determination that the delineated area is a redevelopment area; and

WHEREAS, at the public hearing the Planning Board reviewed the findings of the Planning Consultant set forth in its Area in Need of Redevelopment Study for the Study Area ("the Study"), dated January 2020, accepted the Study into evidence, heard expert testimony from Anthony Kuris, P.P., and conducted a public hearing regarding 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 Planning Board at the public hearing that there is evidence to support the conclusion that the properties in the Study Area satisfy the criteria for redevelopment area designation set forth in LRHL, specifically N.J.S.A. 40A:12A-5a, 5b and 5d; and

WHEREAS, on February 20, 2020, at the conclusion of the public hearing, the Planning Board unanimously determined that, for the reasons set forth in the Study, the properties in the Study Area meet criteria set forth in the LRHL and should be designated as an area in need of redevelopment; and

WHEREAS, on July 16, 2020, the Planning Board adopted a resolution memorializing its February 20, 2020 findings and recommendations, and said resolution has been forwarded to the Borough.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rutherford as follows:

1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.
2. The properties in the Study Area satisfy the criteria for redevelopment area designation set forth in N.J.S.A. 40A:12A-5a, 5b and 5d as set forth in the Study, and all such properties are hereby designated as an area in need of redevelopment.
3. In connection with the redevelopment of the properties in the Study Area, the Borough shall be authorized to use all the powers provided under the LRHL for use in a redevelopment area, other than the power of eminent domain.
4. The Planning Consultant is hereby authorized and directed to prepare a redevelopment plan for the Study Area.
5. This resolution shall take effect in accordance with applicable law.

I hereby certify that this is a true and exact copy
of the resolution adopted by the Mayor and Council of the
Borough of Rutherford on the 8th day of February 2021


Margaret M. Scanlon, Borough Clerk