

THE TOWNSHIP OF EWING
Municipal Complex
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A RESOLUTION AUTHORIZING AND DIRECTING THE TOWNSHIP OF EWING PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION OF CERTAIN PROPERTIES LOCATED IN THE TOWNSHIP TO DETERMINE WHETHER SUCH PROPERTIES QUALIFY AS AN "AREA IN NEED OF REDEVELOPMENT" OR "AREA IN NEED OF REHABILITATION" UNDER THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1 ET SEQ.)

Resolution #22R-130 WHEREAS, the Local Redevelopment and Housing Law, NJ S.A. 40A:1 2A-1 *et seq.* ("Redevelopment Law") provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, prior to the governing body making a determination as to whether a particular area qualifies as an area in need of redevelopment, the governing body must authorize the Township Planning Board, by Resolution, to undertake a preliminary investigation to determine whether the subject area meets the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Legislature amended the Redevelopment Law on September 6, 2013 (P.L. 2013, Ch. 159) to expand and clarify various provisions of same; and

WHEREAS, pursuant to N.J.S.A. 40A:12-6, the Legislature has directed that the resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain ("Non-Condensation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain ("Condensation Redevelopment Area"); and

WHEREAS, the Township Council is interested in determining whether certain properties located within the Township are in need of redevelopment, and/or rehabilitation under the Redevelopment Law,

N.J.S.A. 40A: 12A-1 et seq.; and

WHEREAS, the Township Committee does not intend, at this time, to use eminent domain specifically, and

WHEREAS, the Township Council finds it to be in the best interest of the Township and its residents to authorize and direct the Township Planning Board and Redevelopment Agency pursuant to N.J.S.A. 40A:12A 4 and -6 to undertake an investigation to determine whether the properties located at Block 344, Lot(s) 1.01, 31, 32, 33, 35, 37; Block 345, Lot(s) 1.01, 142, Block 351 Lot(s) 1- 15; Block 352, Lot(s) 1-12; Block 364, Lot(s) 1, 73, 77; Block 365, Lot(s) 10.01, 12, 13, 14, 15, 19.01, 23; Block 375, Lot(s) 1, 2, 4-12, 14, 18, 19, 20, 24 (collectively the "Study Area ") constitute and area in need of redevelopment or area in need of rehabilitation.

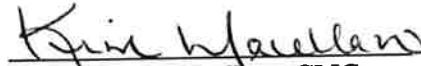
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Ewing, County of Mercer, State of New Jersey, as follow:

- 1) That the Planning Board is hereby authorized to undertake a preliminary investigation, conduct public hearing(s), and otherwise comply with all requirements of the Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.) to determine whether the Study Area is in need of redevelopment pursuant to the Redevelopment Law.
- 2) That the Planning Board, following said preliminary investigation and hearing(s), make a recommendation to the Township Council, pursuant to N.J.S.A. 40A:12A 6, and 40A:12A-14, as to whether the Study Area, or any portion thereof, should or should not be determined by the governing body to be an area in need of redevelopment or area in need of rehabilitation respectively.
- 3) That this Resolution shall take effect immediately.
- 4) That a copy of this Resolution be forwarded to the Planning Board for action consistent therewith.

IT IS SO RESOLVED.

Certification:

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 12th day of July 2022.


Kim J. Macellaro, CMC
Municipal Clerk

