

**RESOLUTION OF THE BOROUGH OF WHARTON, COUNTY OF MORRIS, NEW JERSEY, DESIGNATING BLOCK 1317, LOTS 1 THROUGH 22 WITHIN THE BOROUGH AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT UNDER THE LOCAL REDEVELOPMENT AND HOUSING LAW AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN**

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 property in the municipality constitutes an area in need of redevelopment; and

WHEREAS, on March 12, 2018, the Borough adopted Resolution No. R 54-18 directing the Planning Board to examine whether Block 1317, Lots 1 through 22 (which Lot 22 includes Lot 23 as Lot 23 is shown on the Borough Tax Maps as a distinct lot but the Borough Tax records have incorporated Lot 23 into adjacent Lot 22), along with all streets and rights of way appurtenant thereto (the “Study Area”), should be determined a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, J. Caldwell and Associates, LLC (the “Planning Consultant”) prepared a preliminary investigation report of the above-referenced Study Area in accordance with the Redevelopment Law, entitled “Area in Need of Redevelopment Study for Block 1317, Lots 1 – 23” (the “Study”); and

WHEREAS, the Study concluded that the Study Area qualifies as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law, for the reasons set forth in the Study; and

WHEREAS, pursuant to the Redevelopment Law, the Planning Board caused a duly noticed public hearing to be held concerning the Study on June 28, 2018, giving all persons who are interested in or would be affected by a determination that the Study Area is a non-condemnation area in need of redevelopment the opportunity to be heard; and

WHEREAS, at said public hearing, the Planning Board considered the Study, heard the comments of the Planning Consultant, opened the meeting for public comment, and deliberated on the matter using the criteria set forth in the Redevelopment Law; and

WHEREAS, on July 10, 2018, the Planning Board adopted a resolution accepting and adopting the recommendation contained in the Study and recommending that the Study Area be declared a non-condemnation area in need of redevelopment in accordance with the Redevelopment Law; and

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

**WHEREAS, the Borough Council desires to designate the Study Area as a non-condemnation redevelopment area, pursuant to N.J.S.A. 40A:12A-6; and**

**WHEREAS, the Borough Council desires to direct the Planning Board to prepare a redevelopment plan for the Study Area.**

**NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WHARTON, NEW JERSEY AS FOLLOWS:**

**Section 1      The foregoing recitals are incorporated herein as if set forth in full.**

**Section 2      Based upon the Study and the recommendation of the Planning Board, the Study Area satisfies the criterion for redevelopment area designation as set forth in the Redevelopment Law, and such Study Area is hereby designated as a non-condemnation area in need of redevelopment.**

**Section 3      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 for review.**

**Section 4      The Borough Council hereby directs the Borough Clerk to transmit a certified copy of this resolution within 10 days of the adoption of this Resolution to the property owners of the Study Area.**

**Section 5      The Borough Council hereby directs the Planning Board to prepare a redevelopment plan for the Study Area.**

**Section 6      This Resolution shall take effect immediately.**

**Adopted: July 16, 2018**

**BOROUGH OF WHARTON**

**ATTEST:**

\_\_\_\_\_  
**WILLIAM J. CHEGWIDDEN,  
MAYOR**

\_\_\_\_\_  
**Gabrielle Evangelista,  
Borough Clerk**