

**CITY OF SALEM
RESOLUTION 2016-81**

A RESOLUTION DETERMINING THE WATERFRONT REDEVELOPMENT ZONE TO BE A CONDEMNATION REDEVELOPMENT AREA IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW OF THE STATE OF NEW JERSEY

WHEREAS, the City Council passed Resolution 2015-168 pursuant to N.J.S.A. 40A:12A- 6 authorizing and directing the Salem City Planning Board (“the Planning Board”) to undertake a preliminary investigation to determine whether a certain area described therein (and hereinafter referred to as “the Waterfront Redevelopment Zone”) meets the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“the State Redevelopment Law”), for a redevelopment area; and

WHEREAS, Resolution 2015-168 specifically stated that the redevelopment area determination shall authorize the use of all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter a “Condemnation Redevelopment Area”); and

WHEREAS, after due notice having been published and mailed in accordance with the State Redevelopment Law, the Planning Board conducted a Public Hearing on February 18, 2016, which was adjourned and continued on March 17, 2016, which included review of the Preliminary Investigation Report and testimony from Louis Joyce, PP, AICP regarding the same; and

WHEREAS, upon the conclusion of the Public Hearing on March 17, 2016 the Planning Board duly deliberated including consultation of the Board’s Planner and Solicitor, and concluded that the subject area does meet the statutory criteria; and

WHEREAS, the City Council is in receipt of Resolution 2016-009 adopted by the Planning Board, pursuant to N.J.S.A. 40A:12A-6, recommending that the subject area, more particularly delineated on the map attached hereto as Exhibit “A”, be determined by the City Council to be a redevelopment area; and

WHEREAS, the City Council has reviewed the matter, including a presentation from the City Solicitor regarding the same, and has concluded that good and sufficient cause exists to determine and declare the subject area to be a Condemnation Redevelopment Zone;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Common Council of the City of Salem in the County of Salem and State of New Jersey that subject area, more particularly delineated on the map attached hereto as Exhibit “A”, is hereby determined by the City Council to be a Condemnation Redevelopment Area in accordance with the State Redevelopment Law; and

R2016-81 WATERFRONT REDEVELOPMENT ZONE

BE IT FURTHER RESOLVED that in accordance with N.J.S.A. 40A:12A-6(c) the City Clerk shall forthwith transmit a certified copy of this Resolution to the Commissioner of Community Affairs; in accordance with N.J.S.A. 40A:12A-6(d) a notice of this determination shall be served within 10 days of the date hereof, upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection and stated, in or upon the written submission, an address to which notice of the determination may be sent, which notice of determination shall, pursuant to N.J.S.A. 40A:12A 6(e), shall indicate that: (i) this determination operates as a finding of public purpose and authorizes the municipality to exercise the power of eminent domain to acquire property in the redevelopment area, and (ii) legal action to challenge this determination must be commenced within 45 days of receipt of notice and that failure to do so shall preclude an owner from later raising such challenge; and

BE IT FURTHER RESOLVED that, pursuant to N.J.S.A. 40A:12A- 7(f), the Planning Board is hereby authorized and directed to prepare a redevelopment plan for the subject area, and to transmit the proposed plan to the City Council for consideration.

ATTEST:

CITY OF SALEM

Kathleen L. Keen, RMC City Clerk

Karen Roots, Council President

Adopted: April 18, 2016

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
E. Gage		X	X			
V. Groce			X			
C. Hassler	X		X			
H. Johnson			X			
S. Kellum						X
L. Thompson			X			
K. Roots			X			

I, Kathleen L. Keen, Municipal Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Common Council of the City of Salem on April 18, 2016.

April 25, 2016
Date


Kathleen L. Keen, RMC City Clerk

Salem City Study Area

