

TOWNSHIP OF MONTCLAIR

ORDINANCE AMENDING THE ELM/NEW & MISSION AREA REDEVELOPMENT PLAN PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW

February 19, 2008

WHEREAS, on January 30, 2001, the Township Council authorized the Planning Board to conduct a preliminary investigation pursuant to N.J.S.A. 40A:12A-6 of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Act”) to determine whether certain parcels of land in the Township constituted areas in need of redevelopment; and

WHEREAS, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with N.J.S.A. 40A:12A-6; and

WHEREAS, on March 19, 2002, after reviewing the Planning Board’s findings and recommendations, the Township adopted a Resolution designating various properties as “areas in need of redevelopment,” including certain properties located on and near Elm Street and New and Mission Streets; and

WHEREAS, the Township Council subsequently authorized the Planning Board to prepare, in accordance with the Act, a redevelopment plan for those properties designated as areas in need of redevelopment; and

WHEREAS, the Planning Board retained The Louis Berger Group, Inc. to prepare redevelopment plans for the designated properties, including a redevelopment plan for the Elm/New & Mission Area; and

WHEREAS, on August 7, 2006, after reviewing a draft redevelopment plan and hearing a presentation The Louis Berger Group, the Planning Board recommended the adoption of the “Redevelopment Plan for the Elm/New & Mission Area,” as prepared by The Louis Berger Group; and

WHEREAS, at its conference meeting on February 13, 2007, the Township Council reviewed the proposed Redevelopment Plan and heard a presentation by The Louis Berger Group; and

WHEREAS, by Ordinance dated September 11, 2007, the Township Council adopted the “Redevelopment Plan for the Elm/New & Mission Area” prepared by The Louis Berger Group, Inc., dated September, 2006 (the “Redevelopment Plan”) ; and

WHEREAS, the Township wishes to amend the Redevelopment Plan in order to identify certain property within the redevelopment area which may be acquired in accordance with the Redevelopment Plan; now therefore

BE IT ORDAINED by the Council of the Township of Montclair that the aforesaid “Redevelopment Plan for the Elm/New & Mission Area” adopted by Ordinance 07-43, dated September 11, 2007, be and it is hereby amended and supplemented to include the following:

Property To Be Acquired

The Redevelopment Plan for the New and Mission Street site may require the acquisition of the those properties commonly known as 130-134 Bloomfield Avenue (Block 3111 Lot 1) and 3 New Street (Block 3111 Lot 2) through the use of eminent domain in accordance with the Local Redevelopment and Housing Law and the eminent domain laws of the State of New Jersey. The Township will use eminent domain only as a last resort and only if the property owner is unwilling to redevelop these properties and the Township is unable to negotiate an agreement to voluntarily acquire the properties.

This Ordinance shall take effect twenty (20) days after final adoption.

RECORD OF COUNCIL VOTE											
COUNCILORS	YES	NO	ABS	N.V.	AB	COUNCILORS	YES	NO	ABS	N.V.	AB
Freier						Mayor Remsen					
Lang						Schlager					
Mattox						Tobin					
Deputy Mayor Michaelson											
X - Indicate Vote ABS - Abstain N.V. - Not Voting AB - Absent											

I HEREBY CERTIFY the foregoing to be a true copy of an ordinance adopted as introduced by the Council of the Township of Montclair, in the County of Essex, at its meeting held on _____, 2008.

Linda S. Wanat
Clerk of the Township of Montclair, N.J.