

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 120 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY DESIGNATING ALL PROPERTY THROUGHOUT THE TOWNSHIP AS AN AREA IN NEED OF REHABILITATION PURSUANT TO N.J.S.A. 40A:12A-14

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (“Redevelopment Law”), authorizes municipalities to determine whether certain parcels, or all parcels, of land in the municipality constitute areas in need of rehabilitation; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of rehabilitation; and

WHEREAS, pursuant to the Redevelopment Law, the Township of West Milford (the “Township”) has determined that all property within the boundaries of the Township should be considered for designation as an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14(a), inclusive of any and all streets, “paper” streets, private drives and right of ways (the “Study Area”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-14(a), the Governing Body must make a determination that a delineated area is in need of rehabilitation because any of the following conditions exist therein: (1) a significant portion of structures therein are in a deteriorated or substandard condition; (2) more than half of the housing stock in the delineated area is at least 50 years old; (3) there is a pattern of vacancy, abandonment or underutilization of properties in the area; (4) there is a persistent arrearage of property tax payments on properties in the area; (5) environmental contamination is discouraging improvements and investment in properties in the area; or (6) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and

WHEREAS, Brian Townsend, the Township Tax Assessor, conducted a study of the Township and determined that 65.75% of the housing stock throughout the Township are at least 50 years old, therefore the Study Area meets the criteria set forth in subsection (2) of Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a), as more than half the housing stock in the delineated Study Area is at least 50 years old and that a program of rehabilitation is expected to prevent further deterioration and to promote the overall development of the Township in accordance with the requirements of Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a); and

WHEREAS, N.J.S.A. 40A:12A-14(a) provides that prior to the adoption of a resolution designating the Study Area as an area in need of rehabilitation, the Township must first submit a copy of the proposed resolution designating the Study Area to the Township Planning Board for its review and recommendations; and

WHEREAS, on February 3, 2021, the Township Council adopted Resolution 2021-073 referring this Resolution to the Planning Board for review and comment pursuant to Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a); and

WHEREAS, based on the findings of the Township Tax Assessor, the Planning Board found that the Study Area satisfied the statutory criteria to be designated as an area in need of rehabilitation under Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a); and

WHEREAS, on February 25, 2021, the Planning Board, acting by resolution, reviewed this Resolution and recommends its adoption and designation of the Study Area as an area in need of rehabilitation in accordance with Section 14 of the Redevelopment Law N.J.S.A. 40A:12A-14(a).

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey, as follows:

- 1) The aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) The Township Council hereby designates the Study Area as an area in need of rehabilitation pursuant to Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a).
- 3) A copy of this Resolution shall be provided to the Commissioner of the Department of Community Affairs for approval.
- 4) A copy of this Resolution shall be available for public inspection at the office of the Township Clerk.
- 5) This Resolution shall take effect immediately upon approval of the Commissioner of the Department of Community Affairs.

Adopted: March 24, 2021

Adopted this 24th day of March, 2021
and certified as a true copy of an original.

William Senande, Township Clerk