

RESOLUTION

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

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Local Redevelopment and Housing Law, the Township Council (the “Council”) of the Township of West Windsor (the “Township”) must authorize the Planning Board of the Township (the “Planning Board”) to conduct a preliminary investigation of the area and make recommendations to the Council; and

WHEREAS, the Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the property identified as Block 38, Lots 1, 2, 3, 25 and 45, and Block 39, Lots 4, 5, 7, 16 and 27 on the Official Tax Map of the Township (collectively, the “Study Area”), to determine whether the Study Area meets the criteria set forth in the Local Redevelopment and Housing Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

WHEREAS, if the Study Area is determined to meet the criteria for designation as an area in need of redevelopment and the Township so designates the Study Area, then the Township shall be authorized to use all the powers provided under the Local Redevelopment and Housing Law for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “Condemnation Redevelopment Area”).

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of West Windsor, County of Mercer, State of New Jersey, that the Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment under the Local Redevelopment and Housing Law.

BE IT FURTHER RESOLVED that as part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

BE IT FURTHER RESOLVED that the Planning Board shall conduct a public hearing in accordance with the Local Redevelopment and Housing Law, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Township to exercise the power of eminent domain to acquire any property in the delineated area, as the Study Area is being investigated as a possible Condemnation Redevelopment Area.

BE IT FURTHER RESOLVED that the Planning Board, following said preliminary investigation and hearing, is further authorized and directed to make a recommendation to the governing body of the Township, pursuant to N.J.S.A. 40A:12A-6, as to whether the Study Area should or should not be determined by the governing body to be a Condemnation Redevelopment Area.

BE IT FURTHER RESOLVED that in the event the governing body shall designate the Study Area as a Condemnation Redevelopment Area, the Township shall be authorized to use all the powers provided under the Local Redevelopment and Housing Law for use in a redevelopment area, including the power of eminent domain.

Adopted: April 15, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 15th day of April 2019.

Gay M. Huber
Township Clerk
West Windsor Township