



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-070

RESOLUTION ACCEPTING RECOMMENDATION OF BOROUGH OF HIGHLANDS MUNICIPAL LAND USE BOARD AND DESIGNATING BLOCK 84, LOT 2.01, COMMONLY REFERRED TO AS CAPTAINS COVE MARINA, AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.

WHEREAS, by way of Resolution 16-228, lawfully adopted on December 7, 2016, the governing body directed and authorized the Borough of Highlands Land Use Board (the "Board") to conduct a preliminary investigation to determine whether Block 84, Lot 2.01 (the "Study Area"), commonly referred to as Captains Cove Marina, qualifies as an "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1, et. seq.; and

WHEREAS, by way of Resolution 16-228, the governing body resolved that this redevelopment area determination shall authorize the municipality to use all of those powers provided by the New Jersey Legislature for use in a redevelopment area, other than the use of eminent domain ("Non-Condensation Redevelopment Area"); and

WHEREAS, as part of its preliminary investigation, the Board caused Heyer, Gruel & Associates, Licensed Professional Planners to prepare an Area in Need of Redevelopment Investigation Report (the "Investigation Report") for the Board for its consideration in determining whether the Study Area should be designated a Non-Condensation Redevelopment Area; and

WHEREAS, the Investigation Report prepared by Heyer, Gruel & Associates, dated November 2017, determined that the Study Area met the statutory criteria in accordance with the Local Redevelopment and Housing Law, to be designated as "an area in need of redevelopment", which is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the area recommended for determination as "an area in need of redevelopment" is specifically described in the Investigation Report and the boundaries of same are shown on the maps and exhibits included within the said Investigation Report, which is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the Borough of Highlands Land Use Board, pursuant to all notices required by law, conducted a public hearing on January 31, 2018 to determine whether the Study Area meets the statutory criteria of an area in need of redevelopment and considered any public comments and objections thereto; and

WHEREAS, as a result of the hearing, the Board made recommendations to the Mayor and Council of the Borough of Highlands that the Study Area as described in the Investigation Report, which is annexed hereto as Exhibit A, be designated as a Non-Condensation Area in Need of Redevelopment pursuant to N.J.S.A. 40A:12A-5, which recommendations were memorialized in a Resolution of the Borough of Highlands Land Use Board duly adopted on February 14, 2018; and

WHEREAS, the Mayor and Borough Council reviewed the aforesaid Resolution of the Borough of Highlands Land Use Board, as well as the Investigation Report dated November 2017, which is annexed hereto as Exhibit A; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Highlands accepts the Board's recommendations set forth in the Borough of Highlands Municipal Land Use Board Resolution dated February 14, 2018, and that it hereby adopts the recitals and findings of the Borough of Highlands Land Use Board and the Investigation Report attached hereto as Exhibit A, as if fully set forth herein, and therefore determines and declares that the area of investigation, as contained in the Investigation Report of Block 84, Lot 2.01, be and is hereby determined to be a Non-Condensation Area in Need of Redevelopment, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq.

BE IT FURTHER RESOLVED, that the designation of Block 84, Lot 2.01 as a Non-Condensation Area in Need of Redevelopment shall not authorize the Borough to exercise the power of eminent domain to acquire any property in the study area.

BE IT FURTHER RESOLVED, that the Borough hereby reserves all other authority and powers granted to it in the Local Redevelopment Law.

BE IT FURTHER RESOLVED, that the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. provides for procedures to establish a Redevelopment Plan for the municipality, and the Mayor and Council of the Borough of Highlands have determined that it will embark upon the preparation of such a Redevelopment Plan.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:12-6(b)(5)(c), the Borough Clerk is hereby authorized and directed to transmit a certified copy of this Resolution to the Commissioner of the Department of Community Affairs for review.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:12A-6(b)(5)(d), the Borough Clerk is hereby authorized and directed to transmit a certified copy of this Resolution upon all record owners of the properties located within the delineated area of the Investigation Report as those names are listed within the official Tax Assessor's records within ten (10) days of the adoption hereof.

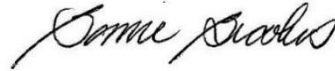
BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:12A-6(b)(5)(d), the Borough Clerk is hereby authorized and directed to transmit a certified copy of this Resolution upon each person, if any, who filed a written objection and stated in such submission an address to which notice of this determination may be sent.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution and underlying documents shall be available for public inspection during regular business hours at the office of the Borough Clerk.

MOTION to approve R-18-070:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
D'ARRIGO			X			
RYAN	X		X			
O'NEIL			X			

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held March 21st 2018. WITNESS my hand this 22nd day of March 2018.



Bonnie Brookes, RMC
Municipal Clerk