

## **RESOLUTION R:118-2024**

### **RESOLUTION OF THE TOWNSHIP OF MONROE DESIGNATING AN AREA WITHIN THE TOWNSHIP OF MONROE COMMONLY KNOWN AS BLOCK 8401, LOTS 8, 9, AND 10 AS AN “AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT” UNDER THE LRHL, N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, NJ.SA. 40A:12A-1, et seq., as amended (the "LRHL" or “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, pursuant to N.J.S.A. 40:12A-6 of the Redevelopment Law, the Township Council of Monroe Township, in the County of Gloucester, New Jersey (the "Township") must authorize the Planning Board of the Township (the "Planning Board") to conduct an investigation of the area and make recommendations to the Township; and

**WHEREAS**, the Township by Resolution R:265-2023, adopted October 23, 2023, pursuant to the Redevelopment Law, authorized and directed the Planning Board to undertake a preliminary investigation to determine if a specific area located in the Township, commonly known as the South Black Horse Pike Study Area and consisting of Block 8401, Lots 8, 9 and 10 (the "South Black Horse Pike Study Area") constituted an area in need of redevelopment according to the criteria set forth in the Redevelopment Law; and

**WHEREAS**, the LRHL requires that the Board, prior to conducting such public hearing, publish notice in a newspaper of general circulation in the Township once each week for two consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

**WHEREAS**, the LRHL further requires that such notice be mailed at least ten (10) days prior to such public hearing to the last owner(s) of the relevant properties in accordance with the Township’s assessment records; and

**WHEREAS**, on March 7, 2024, the Planning Board, conducted a public hearing (the "Hearing") in accordance with the Redevelopment Law in order to determine if the South Black Horse Pike Redevelopment Area was in need of redevelopment; and

**WHEREAS**, notice of the Public Hearing was provided in the official newspaper of the Township on two consecutive weeks, the last being not less than ten (10) days before the Public Hearing; and

**WHEREAS**, the Board also provided notice to property owners in the Study Area, as well as property owners within 200 feet of the Study Area; and

**WHEREAS**, at the Hearing, Timothy Kernan, PE, PP, CME of Colliers Engineering ("Mr. Kernan"), was accepted by the Planning Board as an expert in the area of planning and redevelopment and provided sworn testimony; and

**WHEREAS**, Mr. Kernan testified that, prior to the hearing, at the direction of and for the Planning Board, he prepared the 3043 South Black Horse Pike Determination of Need Study (the “Report”), which was admitted into the record and reviewed by the Planning Board; and

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**WHEREAS**, the Report contained a map showing the boundaries of the South Black Horse Pike Redevelopment Area and the location of the various parcels of property included therein and further that the Report contained a statement setting forth the basis of his investigation; and

**WHEREAS**, Mr. Kernan provided detailed testimony about the Report, including the methods used to conduct the study and its conclusions; and

**WHEREAS**, the Planning Board afforded all persons interested in or who would be affected by a determination that the South Black Horse Pike Redevelopment Area is a redevelopment area, an opportunity to be heard, to question Mr. Kernan about the South Black Horse Pike Report, to raise objections to the Report and to offer evidence and testimony about the Report and the Study Area; and

**WHEREAS**, after the conclusion of the Public Hearing, and in consideration of the Report and the substantial and credible testimony presented, the Board, on March 7, 2024, adopted Resolution PB-14-24 (the “Board Resolution”), determining that the Study Area should be designated as an “area in need of non-condemnation redevelopment”; and

**WHEREAS**, the Board Resolution recommended to the Monroe Township Council that the Study Area be designated as an “area in need of redevelopment”; and

**WHEREAS**, the Township Council agrees with the recommendation of the Board that the Study Area be designated as an “area in need of redevelopment” pursuant to the LRHL; and

**WHEREAS**, the Township Council further agrees with the recommendation of the Board that the Study Area be designated for non-condemnation redevelopment rather than condemnation redevelopment; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Monroe, County of Gloucester as follows:

1. The Township Council hereby designates the Study Area identified as Block 8401, Lots 8, 9, and 10 on the Tax Map of the Township of Monroe as an “area in need of redevelopment” (the “Determination”) pursuant to the LRHL.
2. The Determination shall authorize the Township Council to use all of the powers provided by the Legislature for use in a redevelopment area except the use of eminent domain, thus designating it a “Non-Condensation Redevelopment Area”.
3. The Township Clerk is hereby directed to transmit a certified copy of this Resolution by regular and certified mail to the Commissioner of Community Affairs (the “Commissioner”) for review. The Determination of the Study Area as an “area in need of redevelopment” shall not take effect without first receiving

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the review and approval of the Commissioner. If the Commissioner does not issue an approval or disapproval within thirty (30) calendar days of transmittal, the Determination shall be deemed to be approved.

4. Notice of the Determination (the “Notice”) shall be served, within ten (10) days of the Determination, 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 thereto and stated, in or upon the written submission, an address to which the notice of Determination may be sent.
5. A property owner who received notice of the Determination as set forth above who does not file a legal challenge to the Determination affecting his or her property within 45 days of receipt of such notice shall thereafter be barred from filing such a challenge.
6. If any portion of this Resolution is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Resolution as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part there of directly involved in the controversy in which such judgment shall have been rendered.

**ADOPTED** at a meeting of the Township Council of the Township of Monroe on March 27, 2024.

**TOWNSHIP OF MONROE**

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**CNCL. PRES. CHELSEA VALCOURT**

**ATTEST:**

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**Twp. Clerk, Aileen Chiselko, RMC  
or Deputy Clerk, Jennifer Harbison, RMC**

**CERTIFICATION OF CLERK**

The foregoing Resolution was duly adopted at a meeting of the Township Council of the Township of Monroe, County of Gloucester, State of New Jersey, held on the 27<sup>th</sup> day of March 2024 in the Municipal Complex located at 125 Virginia Avenue, Williamstown, New Jersey.

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**Twp. Clerk, Aileen Chiselko, RMC  
or Deputy Clerk, Jennifer Harbison, RMC**

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**ROLL CALL VOTE**

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Cncl. Adams</b>				
<b>Cncl. Fox</b>				
<b>Cncl. Garbowski</b>				
<b>Cncl. Heverly</b>				
<b>Cncl. McKinney</b>				
<b>Cncl. O'Reilly</b>				
<b>Cncl. Pres. Valcourt</b>				
<b>Tally:</b>				