**RESOLUTION #2016 –**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

***RESOLUTION DESIGNATING THE ENTIRE BOROUGH AN “AREA IN NEED OF REHABILITATION” PURSUANT TO N.J.S.A. § 40A:12A-1 et seq.***

**WHEREAS,** the Local Redevelopment and Housing Law, N.J.S.A. § 40A:12A-1, as amended and supplemented (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land within the municipality, or all of the parcels of land within the municipality, can constitute an “area in need of rehabilitation;” or a “rehabilitation area;” and

**WHEREAS**, on June 28, 2016, the Borough Council passed Resolution #2016-6.11, which authorized the Borough Planning Board to conduct an investigation to determine whether portions of the Borough can be designated as “areas in need of rehabilitation” pursuant to N.J.S.A. § 40A:12A-1 et seq.; and

**WHEREAS**, Resolution #2016-6.11 directed the Planning Board to conduct an investigation pursuant to N.J.S.A. § 40A:12A-1 et seq. to determine whether all or a portion of the parcels within the Borough satisfy the criteria set forth in N.J.S.A. § 40A:12A-1 et seq., to be designated as an “area in need of rehabilitation;” and

**WHEREAS,** by letter dated September 29, 2016, the Borough Planning Board indicated that it had no objection to the Mayor and Council undertaking the process under the Local Housing Law to delineate an area of the Borough, or the entire Borough, as an “area in need of rehabilitation;” and

**WHEREAS,** pursuant toN.J.S.A. § 40A:12A-14, the governing body has determined that a program of rehabilitation, as defined in N.J.S.A. §40A:12A-3, is expected to prevent further deterioration and to promote the overall development of the community; and

**WHEREAS,** the entire municipality qualifies as an “area in need of rehabilitation” under N.J.S.A. § 40A:12A-14 as the Tax Assessor has confirmed that more than half of the housing stock in the municipality is at least fifty (50) years old;

**NOW,THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Bloomindale that the entire Borough is hereby determined to constitute an “area in need of rehabilitation,” pursuant to N.J.S.A. § 40A:12A-1 et seq.; and

**BE IT FURTHER RESOLVED** the Borough Clerk shall forthwith transmit a copy of this Resolution to the Commissioner of Community Affairs for review; and

**BE IT FURTHER RESOLVED** that if the Commissioner of Community Affairs does not issue an approval or disapproval within thirty (30) calendar days of transmittal by the Clerk, the determination shall be deemed to be approved; and

**BE IT FURTHER RESOLVED** that upon approval by the Commissioner of Community Affairs, the Borough may consider adopting an ordinance pursuant to N.J.S.A. §40A:21-5 providing for the exemption from taxation of improvements to dwellings in the method prescribed by said Statute; and

**BE IT FURTHER RESOLVED,** that this Resolution authorizes the municipality to use all those powers provided by the State Legislature for use in a redevelopment area other than the use of eminent domain; and

**BE IT FURTHER RESOLVED,** that a copy of this Resolution shall be sent to the Borough Planning Board for review and recommendations; and

**BE IT FURTHER RESOLVED,** that if any portion of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining portions of this Resolution; and

**BE IT FURTHER RESOLVED,** that a copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

## Record of Council Vote on Passage

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Councilman | aye | nay | Abstain | Absent | Councilman | aye | nay | Abstain | Absent |
| Sondermeyer |  |  |  |  | Dellaripa |  |  |  |  |
| D’Amato |  |  |  |  | Costa |  |  |  |  |
| Hudson |  |  |  |  | Yazdi |  |  |  |  |

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body of the

Borough of Bloomingdale at an Official Meeting held on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2016

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Jane McCarthy, R.M.C.

Municipal Clerk, Borough of Bloomingdale