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100 Washington Street
Boonton, NJ 07005

RESOLUTION 21-80

RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF BOONTON, NEW JERSEY AUTHORIZING THE TOWN PLANNING BOARD TO CONSIDER WHETHER THE TOWN OF BOONTON IN ITS ENTIRETY QUALIFIES AS AN "AREA IN NEED OF REHABILITATION" UNDER THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Board of Aldermen of the Town of Boonton has determined that it is in the best interests of the Town to investigate and determine whether the Town of Boonton in its entirety (the "delineated area") meets the criteria of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) as an "Area In Need of Rehabilitation"; and

WHEREAS, the conditions that warrant a determination that an "Area In Need of Rehabilitation" should be evaluated under N.J.S.A. 40A:12A-14 as follows:

A. A delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that a program of rehabilitation, as defined in section 3 of P.L.1992, c.79 (C.40A:12A-3), may be expected to prevent further deterioration and promote the overall development of the community; and there exist in that area conditions such that (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 areas; (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. Where warranted by consideration of the overall conditions and requirements of the community, a finding of need for rehabilitation may extend to the entire area of a municipality. Prior to adoption of the resolution, the governing body shall submit it to the municipal planning board for its review. Within 45 days of its receipt of the proposed resolution, the municipal planning board shall submit its recommendations regarding the proposed resolution, including any modifications which it may recommend, to the governing body for its consideration. Thereafter, or after the expiration of the 45 days if the municipal planning board does not submit recommendations, the governing body may adopt the resolution, with or without modification. The resolution shall not become effective without the approval of the Commissioner of the Department of Community Affairs for the State of New Jersey pursuant to section 6 of P.L.1992, c.79 (C.40A:12A-6), if otherwise required pursuant to that section.

B. A delineated area shall be deemed to have been determined to be an area in need of rehabilitation in accordance with the provisions of this act if it has heretofore been determined to be an area in need of rehabilitation pursuant to P.L.1975, c.104 (C.54:4-3.72 et seq.), P.L.1977, c.12 (C.54:4-3.95 et seq.) or P.L.1979, c.233 (C.54:4-3.121 et seq.).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF BOONTON, NEW JERSEY, THAT:

Section 1. Pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-14), the Town of Boonton Planning Board is directed to review the attached resolution designating the entire Town as an "Area In Need of Rehabilitation" and the attached report, labeled Exhibit A, dated [] and prepared by Topology NJ, LLC, planning consulting firm to the Town, and to provide its recommendation on whether the conditions that warrant designating the Town of Boonton in its entirety as an "Area In Need of Rehabilitation" and said recommendation shall be returned to the Board of Aldermen for consideration of adoption, with or without modification within 45 days.



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Section 2. Upon a determination by the Board of Aldermen of the Town of Boonton that the Town in its entirety is an "Area In Need of Rehabilitation" pursuant to Section 14 of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), that this resolution shall then be forwarded for approval to the Commissioner of the Department of Community Affairs for the State of New Jersey before this resolution shall become effective.

STATEMENT OF PURPOSE

The purpose of this resolution is to direct the Town of Boonton Planning Board to provide a recommendation to the Board of Aldermen to determine if the Town of Boonton in its entirety meets the criteria to be declared an "Area In Need of Rehabilitation" pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-14.

I, Cynthia A. Oravits, Clerk of the Town of Boonton, County of Morris, and State of New Jersey, hereby certifies this to be a true copy of a resolution adopted by the Mayor and Board of Aldermen of the Town of Boonton on February 16, 2021.


Cynthia A. Oravits, RMC
Town Clerk