

**BOROUGH OF HILLSDALE**  
**RESOLUTION 19225**

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**RESOLUTION DESIGNATING AREAS IN NEED OF  
REDEVELOPMENT**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (“LRHL”) provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment and sets forth a specific procedure for establishing whether or not various properties constitute an “area in need of redevelopment”; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, prior to the Borough Council making a determination as to whether the Study Area, as hereafter defined, qualifies as an area in need of redevelopment, the Borough Council authorized and directed the Planning Board to undertake an investigation, to prepare reports and hold appropriate hearings to determine whether some of all of the properties in the Study Area meet the criteria of an area in need of redevelopment set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Borough contracted with DMR Architects to prepare a Redevelopment Area Designation Analysis (without condemnation) and all necessary studies and reports to incident thereto, determine if the Study Area constitutes an “Area in Need of Redevelopment” and to otherwise guide the Mayor and Council and the Planning Board in the redevelopment process, deliberations, and public hearing(s); and

**WHEREAS**, said Redevelopment Area Designation Analysis determined that the following real property:

<u>Block</u>	<u>Lot</u>	<u>Location</u>
1207	8	49 Prospect Place
1207	9	55 Prospect Place
1207	10	67 Prospect Place
1208	1	560 Piermont Ave
1208	2	74 Prospect Place
1208	3	539 Piermont Ave
1208	4	115 Patterson Street
1208	5	123 Patterson Street
1209	2	93 Prospect Place
1209	3	93 Prospect Place
1209	4	95 Prospect Place
1209	5	107 Prospect Place
1209	6	109 Prospect Place
1210	6	100 Prospect Place
1210	7	560 Piermont Ave
1210	8	540 Piermont Ave (554 Piermont)
1210	9	550 Piermont Ave
1210	10	538 Piermont Ave
1210	11	77 Brookside Place
1211	1	145 Patterson Street
1211	2	60 Brookside Place

inclusive of any and all streets, “paper” streets, private drives and right of ways (the “Study Area”) are an appropriate area for the program of redevelopment and for designation as an area in need of redevelopment; and

**WHEREAS**, the owners of the below-listed properties (the “Excluded Properties”) appeared and offered testimony at the hearing conducted before the Planning Board and objected to the inclusion of such properties within the Redevelopment Plan;

<u>Block</u>	<u>Lot</u>	<u>Location</u>
1209	5	107 Prospect Place
1209	6	109 Prospect Place
1210	6	100 Prospect Place
1210	7	560 Piermont Ave

**WHEREAS**, the Planning Board after hearing testimony from DMR Architects and the objectors, adopted a Resolution No. 2019-11 on July 17, 2019, accepting and approving the Redevelopment Area Designation Analysis (without condemnation) as proposed by DMR Architects; and

**WHEREAS**, having duly considered, among other things, (i) the record in this matter; (ii) the best interests of the community in allowing the proposed redevelopment to move forward on a timely and expeditious basis; and (iii) the avoidance of unnecessary costs and expenses associated with litigation, the Borough Council has determined to partially accept the recommendation of DMR Architects, as approved by the Planning Board, and the Borough Council having determined that those properties constituting the Study Area, with the exception of the Excluded Properties, (those properties within the Study Area, minus the Excluded Properties, being herein referred to as the “Redevelopment Area”), is an appropriate area for the program of redevelopment and for designation of an area in need of redevelopment; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Redevelopment Area shall be and hereby is designated as an area in need of redevelopment; and

**BE IT FURTHER RESOLVED** that the foregoing redevelopment area determination shall further authorize the municipality to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, except for the power of eminent domain, and the Redevelopment Area shall in no way be considered to be a “Condemnation Redevelopment Area”;

**BE IT FURTHER RESOLVED**, that all appropriate Borough professionals, employees, elected, and appointed officials are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to the Borough Clerk, Chief Financial Officer and Borough Planning Board Chairman and Secretary; and

**BE IT FURTHER RESOLVED** that the Borough Clerk shall, pursuant to N.J.S.A. 40A:12-6(b)(5)(c), forthwith transmit a copy of this resolution to the Commissioner of Community Affairs for review; and

**BE IT FURTHER RESOLVED** that, pursuant to N.J.S.A. 40A:12-6(b)(5)(d), the Borough Clerk shall serve, within ten (10) days of the date of the adoption of this resolution, notice of the foregoing determination upon (i) all record owners of property located with the Redevelopment Area; (ii) those whose names are listed on the tax assessor’s records; and (iii) upon each person who filed a written objection to

the determination and stated, in or upon such written submission, an address to which notice of determination may be sent.

This Resolution shall take effect immediately.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
DeRosa, Anthony		X	X				
Escobar, John			X				
Horvath, Zoltan			X				
Lundy, Abby							X
Pizzella, Frank	X		X				
Segalas, Steven					X		
Ruocco, John							

Adopted: September 10, 2019

Attest: Denise Kohan  
Denise Kohan  
Municipal Clerk

John Ruocco  
John Ruocco  
Mayor