

**BOROUGH OF HILLSDALE
RESOLUTION 22165**

**RESOLUTION OF THE BOROUGH OF HILLSDALE, IN THE COUNTY OF
BERGEN, NEW JERSEY, DESIGNATING CP HILLSDALE, LLC AS
REDEVELOPER OF BLOCK 1210, LOTS 10-11 AND BLOCK 1211, LOTS 1-2 ON
THE TAX MAP OF THE BOROUGH AND AUTHORIZING THE EXECUTION
OF A REDEVELOPMENT AGREEMENT WITH RESPECT THERETO**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (as amended and supplemented, the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute “areas in need of redevelopment,” as such term is defined in the Redevelopment Law, and to adopt redevelopment plans for areas so designated; and

WHEREAS, in accordance with the Redevelopment Law, by Resolution #19039 adopted January 15, 2019, the the Borough Council (“Borough Council”) of the Borough of Hillsdale, in the County of Bergen, New Jersey (the “Borough”), authorized and directed the Planning Board of the Borough (the “Planning Board”) to conduct a preliminary investigation of certain property within the Borough identified as Block 1207, Lots 8, 9, 10 and 11; Block 1208, Lots 1, 2, 3, 4 and 5; Block 1209, Lots 2, 3, 4, 5 and 6; Block 1210, Lots 6, 7, 8, 9, 10 and 11; Block 1211, Lots 1 and 2; and Block 1212, Lot 13 on the Borough’s tax maps (the “Study Area”) to determine whether the Study Area met the criteria to be designated as a non-condemnation redevelopment area, pursuant to *N.J.S.A. 40A:12A-5* and *N.J.S.A. 40A:12A-6*, and authorized DMR Architects to prepare a Redevelopment Area Designation Analysis (the “Study”); and

WHEREAS, on July 17, 2019, the Planning Board, after conducting a public hearing in accordance with the Redevelopment Law, at which hearing the Planning Board heard testimony from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area, accepted the findings set forth in the Study, determined that a portion of the Study Area satisfied the criterion for a redevelopment area designation and recommended that the Borough Council designate a portion of the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law, all as memorialized in Planning Board Resolution No. 2019-11; and

WHEREAS, based on the recommendation of the Planning Board and in accordance with the requirements set forth in the Redevelopment Law, the Borough Council duly adopted Resolution #19225 on September 10, 2019 designating the properties identified on the tax maps of the Borough as Block 1207, Lots 8, 9 and 10; Block 1208, Lots 1, 2, 3, 4 and 5; Block 1209, Lots 2, 3 and 4; Block 1210, Lots 8, 9, 10 and 11; and Block 1211, Lots 1 and 2 as a non-condemnation “area in need of redevelopment” (the “Redevelopment Area”); and

WHEREAS, pursuant to the Redevelopment Law, on November 12, 2019 the Borough Council adopted Resolution #19289 authorizing DMR Architects to prepare a redevelopment plan for the Redevelopment Area, entitled the “Hillsdale-Patterson Street Redevelopment Plan” (as may be amended and supplemented from time to time, the “Redevelopment Plan”); and

WHEREAS, pursuant to the Redevelopment Law, by Resolution #20194 adopted on October 6, 2020, the Borough Council referred the Redevelopment Plan to the Planning Board for its review and comment in accordance with *N.J.S.A. 40A:12A-7*; and

WHEREAS, after extensive discussion and testimony, the Planning Board concluded that the Redevelopment Plan is consistent with the Borough’s Master Plan and offered recommendations regarding

the Redevelopment Plan to the Borough Council, which findings and recommendations are memorialized in Planning Board Resolution No. 2020-17; and

WHEREAS, pursuant to *N.J.S.A.* 40A:12A-7(e), on December 8, 2020, after review and consideration of the recommendations transmitted by the Planning Board, by Ordinance No. 20-15 (together with all exhibits thereto, the “Ordinance”), the Borough Council approved and disapproved certain Planning Board recommendations with respect to the Redevelopment Plan and finally adopted the Redevelopment Plan (dated November 18, 2020); and

WHEREAS, in accordance with *N.J.S.A.* 40A:60-5(d), on December 9, 2020, the Clerk of the Borough (the “Borough Clerk”) presented the Ordinance to the Mayor of the Borough (the “Mayor”); and

WHEREAS, on December 18, 2020, the Mayor delivered to the Borough Clerk a statement setting forth the Mayor’s objections to portions of the Ordinance; and

WHEREAS, pursuant to *N.J.S.A.* 40A:60-5(d), by Resolution #20249 adopted on December 30, 2020, with no less than two-thirds of the Borough Council’s membership concurring, the Borough Council voted to override the Mayor’s veto of portions of the Ordinance and the Ordinance became effective in accordance with applicable law; and

WHEREAS, pursuant to *N.J.S.A.* 40A:12-4, the Borough has determined to act as the “redevelopment entity” (as such term is defined at *N.J.S.A.* 40A:12A-3 of the Redevelopment Law) for the Redevelopment Area, with full authority to exercise the powers contained in the Redevelopment Law to facilitate and implement the development of the Redevelopment Area; and

WHEREAS, CP Hillsdale, LLC (and its successors and assigns, including an affiliated urban renewal entity, the “Redeveloper”) is under contract to purchase certain properties within the Redevelopment Area identified on the tax maps of the Borough as Block 1210, Lots 10 and 11; and Block 1211, Lots 1 and 2, commonly known as 131 Patterson Street, 77 Brookside Place, 145 Patterson Street and 60 Brookside Place (collectively, the “Project Site”); and

WHEREAS, the Borough previously entered into that certain Conditional Redeveloper’s Agreement dated October 13, 2021 with Redeveloper, which established such entity as the conditional redeveloper of the Project Site pending the negotiation and execution of a redevelopment agreement with the Borough with respect to Redeveloper’s proposed project; and

WHEREAS, the Redeveloper submitted information consisting of documentation evidencing financial responsibility and capability with respect to its proposed project, project concept descriptions, estimated total project costs, and estimated time schedules for commencement and completion of construction; and

WHEREAS, the Borough has determined that Redeveloper meets all necessary criteria, including financial capabilities, experience, and expertise, and, as a result, has determined to designate Redeveloper as the exclusive “redeveloper” (as such term is defined at *N.J.S.A.* 40A:12A-3 of the Redevelopment Law) of the Project Site; and

WHEREAS, in order to effectuate the redevelopment of the Project Site, the Borough has determined to enter into a redevelopment agreement with the Redeveloper, a copy of which is on file with the Borough Clerk, which shall establish the Redeveloper as the redeveloper of the Project Site and the terms and conditions for the development of the project thereon (the “Redevelopment Agreement”),

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, in the County of Bergen, New Jersey, as follows:

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. CP Hillsdale, LLC is hereby designated as the redeveloper of the Project Site.

Section 3. The Mayor of the Borough is hereby authorized to execute the Redevelopment Agreement, subject to such additions, deletions, modifications or amendments deemed necessary by the Borough in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Redevelopment Agreement.

Section 4. 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				
Trochimiuk, Janetta	X		X				
Ruocco, John							

Adopted: August 9, 2022

Attest: Denise Kohan
Denise Kohan
Municipal Clerk

John J. Ruocco
John J. Ruocco
Mayor