

The Township of Jefferson

Ordinance #8-09

AN ORDINANCE ESTABLISHING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES LOCATED AT CHAMBERLAIN ROAD IN THE TOWNSHIP OF JEFFERSON, DESIGNATING THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JEFFERSON AS THE REDEVELOPMENT ENTITY FOR THE CHAMBERLAIN ROAD REDEVELOPMENT AREA AND ESTABLISHING THE REDEVELOPMENT AREA-1 ZONING DISTRICT (RA-1). CHAPTER 490 OF THE LAND DEVELOPMENT CODE OF THE TOWNSHIP OF JEFFERSON IS AMENDED TO INCLUDE THE RA-1 ZONE, AS THE ZONING DISTRICT FOR REDEVELOPMENT AREA 1

WHEREAS, on January 2, 2008 the Township Council of the Township of Jefferson adopted a Resolution (#08-05) authorizing and directing the Jefferson Planning Board to undertake a preliminary investigation to determine whether the properties in a proposed redevelopment area, which is located in the Chamberlain Road area in the Township of Jefferson, is a redevelopment area in accordance with the criteria set forth in the New Jersey Local Redevelopment and Housing Law (N.J.S.A 40A:12A-1 et seq.); and

WHEREAS, the Local Redevelopment and Housing Law (LRHL) allows for the substantial improvement to properties included in an area in need of redevelopment resulting in capital investment and the turnaround or rearrangement of properties that are either unused, underutilized, fragmented, or deteriorated and foster beneficial economic development; and

WHEREAS, the Jefferson Planning Board, thoroughly investigated and discussed the issue of redevelopment and the process of investigating an area in need of redevelopment. This investigation included a review of the criteria set forth in the LRHL (N.J.S.A. 40A:12A-5) to determine if said area of Jefferson qualifies as an area in need of redevelopment; and

WHEREAS, on June 10, July 8, August 12, and September 9, 2008 the Jefferson Planning Board conducted public hearings pursuant to the LRHL and following publication and wide distribution of a notice of hearing and following the preparation of a map of the potential area in need of redevelopment; and

WHEREAS, on October 14, 2008 the Jefferson Planning Board adopted a Resolution memorializing and confirming their September 9, 2008 action on this matter.

NOW, THEREFORE BE IT ORDAINED by the Township Council of the Township of Jefferson, in accordance with the provisions of the LRHL, that the 2009 Jefferson Redevelopment Plan for the Chamberlain Road Redevelopment Area, dated January 26, 2009 and prepared by Benecke Economics, is hereby established and adopted in its entirety with the following additional provisions.

Section 1. Declaration of Redevelopment Area.

Based upon the recommendation of the Jefferson Planning Board and recognizing the diligent work of the Board, the properties at Block 473.12, Lot 16.01 and Block 513 Lots 11.01 and 11.02, located on Chamberlain Road are hereby declared an area in need of redevelopment pursuant to the provisions of N.J.S.A. 40A:12A-1 et seq.

Section 2. Implementation of the 2009 Jefferson Redevelopment Plan.

The 2009 Jefferson Redevelopment Plan provides for the implementation of the RA-1 Redevelopment zone at the Chamberlain Road. A part of the new RA-1 zone is the provision for affordable housing, consistent with State of New Jersey Law and policy. Any redevelopment project, and accompanying site plan approval, shall be carried out in full compliance with the LRHL and any other applicable Statutes and Ordinances.

Section 3. Designation of Redevelopment Entity.

Pursuant to the authority granted by N.J.S.A. 40A:12A-4(c) of the LRHL, the Jefferson Township Council is hereby designated as the redevelopment entity for Redevelopment Area 1 as heretofore described. The Redevelopment Entity will exercise its powers thereof in accordance with the LRHL.

Section 4. Powers of Redevelopment Entity.

Pursuant to LRHL, the Council may, pursuant to N.J.S.A. 40A:12A-8 of the LRHL, proceed with the clearance, replanning, development and redevelopment of Redevelopment Area 2, in cooperation with the property owner(s) and, so as to carry out and effectuate said purposes, the Council may:

- A. Undertake redevelopment projects, and for this purpose issue bonds in accordance with the provisions of N.J.S.A. 40A:12A-29.
- B. Acquire or purchase property for public purposes and clear any area owned or

acquired by the Township of Jefferson. Install, construct or reconstruct streets, facilities, utilities, and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan.

C. Prepare or arrange by contract for the provision of professional services and the preparation of plans by registered architects, licensed professional engineers or planners, or other consultants for the carrying out of redevelopment projects.

D. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof; negotiate and collect revenue from a redeveloper to defray the costs of the redevelopment entity, including where applicable the costs incurred in conjunction with bonds, notes or other obligations issued by the redevelopment entity, and to secure payment of such revenue; as part of any such arrangement or contract, provide for extension of credit, or making of loans, to redevelopers to finance any project or redevelopment work, or upon a finding that the project or redevelopment work would not be undertaken but for the provision of financial assistance, or would not be undertaken in its intended scope without the provision of financial assistance, provide as part of an arrangement or contract for capital grants to redevelopers; and arrange or contract with public agencies or redevelopers for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area.

E. Lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.

F. Make, consistent with the redevelopment plan: (1) plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and (2) plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

G. Request that the Planning Board recommend and Council designate particular areas as being in need of redevelopment or rehabilitation in accordance with the provisions of this act and make recommendations for the redevelopment or rehabilitation of such areas.

H. Study the recommendations of the Planning Board or Township Administration for redevelopment of the area.

I. Publish and disseminate information concerning any redevelopment area, plan or project.

J. Do all things necessary or convenient to carry out its powers.

Section 5. Financial Agreement.

The Township of Jefferson, may take advantage of financial incentives provided by the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., the Redevelopment Area Bond Financing Act, N.J.S.A. 40A:12A-64 et seq., and/or any other applicable incentive program.

BE IT FURTHER ORDAINED as follows:

Section 6. Execution of Documents.

The Mayor of the Township of Jefferson is hereby designated to execute, and the Township Clerk of the Township of Jefferson (“Township Clerk”) is hereby designated to attest to, any and all documents necessary to carry out any of the purposes set forth in this Ordinance.

Section 7. Notice.

The Township Clerk is hereby directed to give notice at least ten (10) days prior to the adoption of this Ordinance to the Morris County Planning Board and to all other persons, including the property owners of record, entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63, if required. Upon the adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Morris County Planning Board, as required by N.J.S.A. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor, as required by N.J.S.A. 40:49-2.1.

Section 8. Conflict.

All Ordinances or resolutions, or parts of Ordinances or resolutions, that are in

conflict with the provisions of this Ordinance are hereby repealed to the extent necessary.

Section 9. Illegal Provisions.

If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain full force and effect.

Section 10. Judgment

If any sentence, section, clause or other portion of this Ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this Ordinance.

Section 11. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as required by law and upon filing with the Morris County Planning Board.

**COUNCIL OF THE
TOWNSHIP OF JEFFERSON**

ATTEST:

LYDIA MAGNOTTI, CLERK

RICHARD W. YOCUM, President

INTRODUCED: February 4, 2009

ADOPTED: April 15, 2009

RUSSELL W. FELTER, MAYOR

DATE AND TIME PRESENTED TO MAYOR FOR SIGNATURE:
