

**Ordinance #2018- 1204**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN  
FOR BLOCK 315, LOTS 1-8 ( VALERIE DRIVE REDEVELOPMENT SITE)**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Manville, in the County of Somerset and State of New Jersey, as follows:

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Borough of Manville is the owner of real property located in the Borough of Manville, Somerset County, New Jersey, known and designated as Lot 315, Lots 1 through 8 on the Tax Map of the Borough of Manville (the "Property" or the "Valerie Drive Redevelopment Site"); and

**WHEREAS**, said Property was previously found and declared by the Borough to be an Area In Need of Redevelopment; and

**WHEREAS**, the Borough Planning Board (Joint Land Use Board), after referral and review of the proposed Valerie Drive Redevelopment Plan, has made a positive recommendation to this Mayor & Council on the adoption of same; and

**WHEREAS**, N.J.S.A. 40A:12A-7 authorizes a municipal governing body to adopt a redevelopment plan by Ordinance; and

**WHEREAS**, the Mayor & Council of the Borough of Manville have determined that adopting the attached Valerie Drive Redevelopment Site redevelopment plan is in the best interests of the Borough of Manville;

**NOW, THEREFORE BE IT ORDAINED that:**

1. The attached Valerie Drive Redevelopment Site redevelopment plan is adopted.

2. The municipality, by and through the Mayor & Council as the Borough governing body, shall serve as the redevelopment agency for the site, without designation of any separate redevelopment agency.

3. The Mayor and Borough Administrator, in consultation with the Borough Attorney, the Borough Redevelopment Attorney and the Borough Engineer as needed, are hereby authorized to take steps to initiate review and such preliminary steps are needed to take action under N.J.S.A. 40A:12A-8 "Effectuation of Redevelopment Plan" and with N.J.S.A. 40A:12A-9 "Agreements with Redeveloper", including but not limited to initiating preliminary review of proposed actions in accord with N.J.S.A. 40A:12A-8(g) which provides that the municipality may: "g. 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".

4. Provided, however, that no final agreements or action to lease or convey property or improvements in accord with N.J.S.A. 40A:12A-8(g), and no final agreements or action to enter into an agreement with a Redeveloper in accord with N.J.S.A. 40A:12A-9 shall be taken or entered into until the Mayor & Borough Administrator, in consultation with in consultation with the Borough Attorney, the Borough Redevelopment Attorney and the Borough Engineer, make written recommendation to the governing body for review and approval by the governing body at future meetings of the Mayor & Council in accord with applicable Law.

5. Severability: In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

6. Inconsistency with other Ordinances: Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, the inconsistent provisions of such other prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

7. Effective Date: This ordinance shall be effective after final approval and publication in accordance with law.

Borough of Manville,



Richard M. Onderko, Mayor

**FIRST READING:**

**ROLL CALL**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		SZABO	X			
	X	LUKAC	X			
		MAGNANI	X			
		PETROCK	X			
		PETRONE	X			
X		SKIRKANISH	X			
		MAYOR ONDERKO				

**INTRODUCED** this 14th day of May, 2018



Attest: Pamela Borek, Borough Clerk

**SECOND READING:**

**ROLL CALL**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		SZABO	X			

		<b>LUKAC</b>	X			
		<b>MAGNANI</b>	X			
	X	<b>PETROCK</b>	X			
		<b>PETRONE</b>				X
X		<b>SKIRKANISH</b>	X			
		<b>MAYOR ONDERKO</b>				

**[ADOPTED]** [DEFEATED] this 29<sup>th</sup> day of May , 2018

Attest: 

Pamela Borek, Borough Clerk