

ORDINANCE # 410-18

**AN ORDINANCE OF THE BOROUGH OF SAYREVILLE IN THE COUNTY OF
MIDDLESEX, STATE OF NEW JERSEY, ADOPTING THE HERCULES
REDEVELOPMENT PLAN AND AMENDING THE ZONING MAP**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12-1 et seq.* (the “Redevelopment Law”) provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, Hercules owns property in the Borough of Sayreville located at 50 South Minnisink Avenue, Block 14, Lot 3; Block 25.01, Lot 1; Block 40, Lot 1; Block 43, Lots 1 and 1.01; Block 44, Lot 1; Block 45, Lot 1; Block 46, Lot 1; Block 47, Lot 1; Block 48.01, Lots 1 and 2; Block 50, Lot 1; Block 51, Lot 2; Block 51.01, Lot 1; Block 51.02, Lot 1; Block 53, Lot 1; Block 53.01, Lot 1; Block 53.02, Lot 1; Block 57.01, Lot 1.01; and Block 83.04, Lot 1 (the “Property”); and

WHEREAS, on September 11, 2017, the Borough of Sayreville Council adopted a resolution pursuant to the Redevelopment Law designating the property as a Non-Condemnation Area in Need of Redevelopment (“Hercules Redevelopment Area”); and

WHEREAS, by that same resolution, the Council appointed the Sayreville Economic and Redevelopment Agency (“SERA”) as the redevelopment entity for the Hercules Redevelopment Area; and

WHEREAS, SERA engaged CME Associates to prepare a draft Redevelopment Plan for the Hercules Redevelopment Area; and

WHEREAS, CME presented the “Hercules Redevelopment Plan,” dated December 13, 2017 (“Redevelopment Plan”), to SERA on January 25, 2018, which is annexed hereto as **Exhibit A**; and

WHEREAS, SERA adopted a resolution on February 22, 2018, recommending that the Council and Planning Board review the Redevelopment Plan; and

WHEREAS, at the invitation of the Mayor and Council, CME Associates presented the Redevelopment Plan at a special meeting on March 26, 2018; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7(f)*, the Council adopted a resolution on April 9, 2018, directing the Planning Board of the Borough of Sayreville (“Planning Board”) to consider the Redevelopment Plan and, upon completion of its review, transmit the proposed plan to the Council for adoption; and

WHEREAS, on April 18, 2018, the Planning Board reviewed the Redevelopment Plan and voted to transmit the Redevelopment Plan to Council for the Council's consideration and adoption; and

WHEREAS, the Planning Board previously adopted a Master Plan providing for the appropriate use and development of lands in the Borough in a manner that will promote the public health, safety, morals, and general welfare, and the Redevelopment Plan, for the reasons detailed therein, is consistent with that Master Plan; and

WHEREAS, the Redevelopment Plan meets all of the criteria set forth in *N.J.S.A. 40A:12A-7* and will facilitate the clearance, re-planning, development, and redevelopment of the Hercules Redevelopment Area in a manner that will promote the general welfare and advance the community's interests.

THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Governing Body of the Borough of Sayreville, County of Middlesex and State of New Jersey directs as follows:

1. The Council does hereby adopt the Redevelopment Plan in accordance with *N.J.S.A. 40A:12A-7*, as the redevelopment plan for the Hercules Redevelopment Area.
2. In accordance with *N.J.S.A. 40A:12A-7(c)*, the Zoning Map, as included in the Land Development Ordinance of the Borough of Sayreville is hereby amended to designate the Hercules Redevelopment Area as the "HR – Hercules Redevelopment Area."
3. In accordance with *N.J.S.A. 40:55D-16*, the Clerk is hereby authorized and directed to file a copy of this ordinance, the Redevelopment Plan, and the updated Zoning Map with the Middlesex County Planning Board.
4. The Sayreville Economic and Redevelopment Agency remains designated as the Redevelopment Entity under the Redevelopment Plan and may proceed with clearance, re-planning, development, and redevelopment of the Hercules Redevelopment Area to effectuate the purposes of the Redevelopment Law.
5. All ordinances and provisions thereof inconsistent with the provisions of this ordinance shall be and are hereby repealed to the extent of such inconsistency.

6. If any section, subsection or part, clause or phrase of this ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.
7. This Ordinance shall take effect immediately after final passage and publication as required by law.

/s/Pasquale Lembo, Councilman
(Planning & Zoning Committee)

ATTEST:

APPROVED:

/s/ Theresa A. Farbaniec, RMC
Municipal Clerk

/s/ Kennedy O'Brien
Mayor

APPROVED AS TO FORM:

/s/Michael DuPont, Esq.
Borough Attorney

I, Theresa A. Farbaniec, Municipal Clerk of the Borough of Sayreville, do hereby certify that the foregoing is a true copy of an ordinance that was introduced at a Regular Meeting of the Mayor and Borough Council held on the 14th day of May, 2018 and scheduled for public hearing on May 29, 2018.

Municipal Clerk