

ORDINANCE #1024

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED IN THE BOROUGH WITHIN THE FORMER FORT MONMOUTH AND IDENTIFIED AS THE “SQUIER HALL” PARCEL PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1 ET SEQ.

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 rehabilitation or redevelopment; and

WHEREAS, on May 7, 2020, by Resolution #2020-125, and in accordance with the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, as amended and supplemented (the “**Redevelopment Law**”), the Borough Council of the Borough of Oceanport, in the County of Monmouth, New Jersey (the “**Borough Council**”), designated property located in the Borough within the former Fort Monmouth, and identified as the “Squier Hall” parcel, the “McAfee Center” parcel and the “Tech Campus South” parcel, which parcels consist of a portion of the current or former, as applicable, Block 110, Lot 1 and a portion of the current or former, as applicable, Block 110, Lot 4 on the tax maps of the Borough, and, with respect to the Squier Hall parcel, include but are not limited to Block 110.09, Lots 1 and 2 (collectively, the “**Redevelopment Area**”) as currently designated on the tax maps of the Borough, as a non-condemnation area in need of redevelopment; and

WHEREAS, on behalf of the Fort Monmouth Economic Revitalization Authority (“**FMERA**”), Phillips Preiss Grygiel Leheny Hughes LLC (the “**Planning Consultant**”) prepared a redevelopment plan for a portion of the Redevelopment Area, consisting of the “Squier Hall” parcel (the “**Plan Area**”), entitled, “Amendment No. 13 to the Fort Monmouth Reuse and Redevelopment Plan” (the “**Redevelopment Plan**”); and

WHEREAS, the Borough Council desires to have the Planning Board review and comment upon the Redevelopment Plan, pursuant to the Redevelopment Law; and

WHEREAS, subject to receipt of the Planning Board’s recommendations concerning the Redevelopment Plan, the Borough Council believes that the adoption of the Redevelopment Plan is in the best interests of the Borough and the redevelopment of the Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth, New Jersey, as follows (not less than a majority of all members thereof affirmatively concurring):

Section 1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.

Section 2. Pursuant to *N.J.S.A. 40A:12A-7(e)*, upon passage of this ordinance on first reading, the Borough Council hereby refers the Redevelopment Plan to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations and submit same to the Borough Council within 45 days after referral, as required by the Redevelopment Law.

Section 3. The Redevelopment Plan, on file with the Borough Clerk, is incorporated herein by reference and, contingent upon the receipt of the Planning Board’s recommendations and upon the consent of FMERA pursuant to *N.J.A.C. 19:31C-3.25(b)(6)*, is hereby approved and adopted pursuant to *N.J.S.A. 40A:12A-7*.

Section 4. The zoning ordinances and maps of the Borough are hereby amended to be consistent with the Redevelopment Plan and the provisions therein.

Section 5. The Borough Council shall serve as “redevelopment entity” for purposes of implementing the Redevelopment Plan and exercising the powers granted to a redevelopment entity under the Redevelopment Law.

Section 6. In case any one or more of the provisions of this ordinance or the Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance or the Redevelopment Plan and this ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 7. Pursuant to *N.J.A.C. 19:31C-3.25(b)(6)*, this ordinance shall take effect upon the latter of (i) 20 days after final passage and publication as prescribed by applicable law or (ii) FMERA’s consent to the adoption of the Redevelopment Plan for the Plan Area. The Borough Council hereby directs the Mayor, in consultation with counsel to the Borough, to prepare and submit to FMERA the necessary application and/or any other documents in connection therewith in furtherance of such consent by FMERA.

APPROVED ON FIRST READING

DATED: May 7, 2020

JEANNE SMITH

Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: May 21, 2020

JEANNE SMITH

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II

Mayor