

COMMISSIONERS REGULAR MEETING AGENDA  
RIDGEFIELD PARK  
September 27, 2022  
7:30 PM

Mayor Anlian announces that this meeting is being held in accordance with the “Open Public Meeting Act, N.J.S.A. 10 4-6 et seq.” notice of which was sent to the Record and the Star Ledger on December 27, 2021 and was posted on the Municipal Bulletin Board and the Village Website.

**ROLL CALL**

**FLAG SALUTE**

**COMMISSIONER REPORTS**

**HEARING OF CITIZENS**

**NEW BUSINESS**

Mayor Anlian announces that the following business is considered to be routine in nature and will be enacted in one motion. Any item may be removed for separate consideration.

**RESOLUTIONS:**

- 2022-114 Designate 30 Cross RP Urban Renewal, LLC as Redeveloper for Block 152.01, Lots 1, 1.01, and 2 on the Village of Ridgefield Park Tax Map  
2022-115 Appoint Zoning Board Member

**ORDINANCE PUBLIC HEARING & ADOPTION**

- 2022-08 AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK ADOPTING A NON-CONDEMNATION REDEVELOPMENT PLAN FOR BLOCK 1.03, LOTS 8 AND 9 IN THE VILLAGE OF RIDGEFIELD PARK

**CLOSED SESSION (if necessary)**

- 2022-116 Authorize Closed Session Meeting

**ADJOURNMENT**

## VILLAGE OF RIDGEFIELD PARK

### Resolution No. 2022-114

#### **A Resolution Designating 30 Cross RP Urban Renewal, LLC as the Redeveloper for Block 152.01, Lots 1, 1.01, and 2 on the Village of Ridgefield Park Tax Map Pursuant to the Local Redevelopment and Housing Law In Order To Implement the Village's Redevelopment Plan and Authorizing the Execution of a Redevelopment Agreement Concerning Same**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

**WHEREAS**, by resolution duly adopted by the Village Board of Commissioners (the "Village Commissioners"), the Village designated the properties known as Block 152.01, Lots 1 (which includes riparian Lot 1.01) and 2 on the Village's official Tax Map (the "Redevelopment Area" or the "Project Site"), as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, by resolution duly adopted by the Borough Council of the Borough of Bogota (the "Bogota Council"), the Borough of Bogota (the "Borough") designated the properties known as Block 113, Lots 7 and 8 (which includes riparian lots 7.01, 7.02, 7.03, 8.01 and 8.02) on the Borough's tax map (the "Bogota Redevelopment Area" or the "Bogota Project Site"), as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, on August 19, 2021, the Village Commissioners adopted a redevelopment plan for the Redevelopment Area (the "Redevelopment Plan"); and

**WHEREAS**, on December 3, 2020, the Bogota Council adopted a redevelopment plan for the Bogota Redevelopment Area; and

**WHEREAS**, an affiliate of 30 Cross RP Urban Renewal, LLC (the "Redeveloper") is the contract purchaser of the Redevelopment Area and Bogota Redevelopment Area (collectively, the "Redevelopment Tract"), the affiliate intends to assign such interest in the Redevelopment Area to Redeveloper, and Redeveloper intends to redevelop the Redevelopment Area; and

**WHEREAS**, the Village of Ridgefield Park Planning Board and the Borough of Bogota Planning and Zoning Board have both granted preliminary and final major site plan approval to redevelop the Redevelopment Tract with the construction of two buildings (one building located in each municipality) with shared access, drive aisles, walkways, utilities and other site improvements, which may contain: (1) warehouse and distribution use, and/or manufacturing and research use, along with accessory office space on the Redevelopment Area (the "Project"); and (2) warehouse and distribution use, and/or light manufacturing and assembly use, along with accessory office space, on the Bogota Redevelopment Area; and

**WHEREAS**, the Village Planning Board’s preliminary and final major site plan approval, memorialized by resolution adopted on May 2, 2022 (the “Planning Board Approval”), includes a condition (Condition “(o)”) that requires Redeveloper to enter into a Redevelopment Agreement with the Village with respect to the redevelopment of the Redevelopment Area; and

**WHEREAS**, the Mayor and the Village Commissioners have determined that the Redeveloper has the financial capability and experience to undertake the Project on the Project Site; and

**WHEREAS**, the Village Commissioners are desirous of adopting a resolution formally designating Redeveloper as the redeveloper of the Project Site; and

**WHEREAS**, in connection therewith, the Village Commissioners are further desirous of approving the terms of a Redevelopment Agreement negotiated with the Redeveloper in order to implement the provisions of the Redevelopment Plan for the Project Site.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Board of Commissioners of the Village of Ridgefield Park, as follows:

1. 30 Cross RP Urban Renewal, LLC is hereby designated as the Redeveloper for the property identified as Block 152.01, Lots 1, 1.01, and 2 on the Village’s Tax Map, for the purpose of constructing those uses set forth in the Redevelopment Agreement, consistent with the Redevelopment Plan and the approval from the Planning Board.
2. The Redevelopment Agreement with 30 Cross RP Urban Renewal, LLC, a copy of which is on file with the Village Clerk, is hereby approved substantially as proposed, subject to any minor amendments as to form approved by the Village Attorney.
3. The Mayor and Village Clerk are hereby directed, authorized and empowered to execute the Redevelopment Agreement and all other documents necessary to effectuate the provisions and purposes of this Resolution or the Redevelopment Agreement, subject to approval as to form by the Village Attorney.
4. All other appropriate Village officials, officers, employees and agents are hereby directed, authorized and empowered to take all steps reasonably necessary to effectuate the provisions and purposes of this Resolution or the Redevelopment Agreement, subject to approval as to form by the Village Attorney.
5. This Resolution shall take effect immediately.

Resolution 2022-115

**BE IT RESOLVED** that the Board of Commissioners hereby appoints Janet Malool as the 2<sup>nd</sup> Alternate Member of the Village of Ridgefield Park Zoning Board. This appointment is effective immediately through December 31, 2023 to fill the unexpired term of Carol Velez.

**VILLAGE OF RIDGEFIELD PARK**

**ORDINANCE NO. 2022-08**

**AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK ADOPTING A NON-CONDEMNATION REDEVELOPMENT PLAN FOR BLOCK 1.03, LOTS 8 AND 9 IN THE VILLAGE OF RIDGEFIELD PARK**

**WHEREAS**, the Board of Commissioners of the Village of Ridgefield Park on or about April 21, 2022, by Resolution No. 2022-47, authorized and directed the Planning Board of the Village of Ridgefield Park to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether certain parcels of land, as identified herein, satisfied the criteria set forth in the Local Redevelopment and Housing Law, and specifically N.J.S.A. 40A:12A-3 or -5, to be designated as an "Area in Need of Redevelopment" without the powers of condemnation; and

**WHEREAS**, the parcels of land that were investigated to determine whether they were an Area in Need of Redevelopment are as follows:

Block 1.03, Lot 8  
Block 1.03, Lot 9

(the parcels are collectively referred to as the "Redevelopment Area"); and

**WHEREAS**, in 2019, the Borough of Bogota declared the properties nearby and adjacent to the Redevelopment Area to the north and west as an area in need of redevelopment for non-condemnation purposes. These properties included the northern portion of a golf driving range facility and the northern portion of the industrial uses between the railroads; and

**WHEREAS**, in 2021, the Village previously designated 3 properties adjacent to the Redevelopment Area as being in need of redevelopment for non-condemnation purposes, identified as Block 152.01, Lots 1, 1.01, and 2; and

**WHEREAS**, as part of its own investigation of the Redevelopment Area, the Board of Commissioners directed the Planning Board to prepare a map showing the boundaries of the Redevelopment Area and the location of the parcels contained therein, and directed that appended thereto should be a statement setting forth the basis of the investigation; and

**WHEREAS**, the Board of Commissioners further directed that the Planning Board conduct a public hearing in accordance with the Local Redevelopment and Housing Law, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Redevelopment Area and the date of the hearing to any persons who are interested in or would be affected by a determination affecting the Redevelopment Area; and

**WHEREAS**, the notice of the hearing specifically stated that the redevelopment area determination did not authorize the Village to exercise the power of eminent domain to acquire

any property in the Redevelopment Area, for the Redevelopment Area was being investigated for possible non-condemnation redevelopment; and

**WHEREAS**, the Board of Commissioners directed that at the public hearing, the Planning Board should hear from all persons who are interested in or would be affected by a determination that the Redevelopment Area qualifies as a non-condemnation area in need of redevelopment; and all objections to the aforesaid determination and evidence in support of those objections should be received and considered by the Planning Board and made part of the public record; and

**WHEREAS**, the Board of Commissioners directed that after conducting its investigation, preparing a map of the Redevelopment Area, and conducting a public hearing at which all objections to this determination were received and considered, the Planning Board should make recommendations to the Board of Commissioners as to whether the Board of Commissioners should determine that certain properties within the Village of Ridgefield Park qualify for non-condemnation redevelopment within An Area in Need of Redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-3 or -5; and

**WHEREAS**, the Planning Board authorized Kenneth Ochab, PE, PP of Kenneth Ochab Associates, LLC to prepare a map of the proposed Redevelopment Area and undertake an investigative study to determine whether the parcels within the Redevelopment Area qualify as a non-condemnation area in need of redevelopment; and

**WHEREAS**, the Planning Board of the Village of Ridgefield Park considered the redevelopment area designation analysis with reference to the objectives set forth in the applicable zoning ordinances of the Village of Ridgefield Park and Master Plan of the Village of Ridgefield Park; and

**WHEREAS**, such redevelopment area designation analysis was reviewed with reference to sound and prudent zoning and planning principles and reviewed in conjunction with the aforementioned ordinance objectives; and

**WHEREAS**, the Planning Board reviewed the investigative report prepared and submitted by Kenneth Ochab PE, PP of Kenneth Ochab Associates, LLC, 12-16 Fair Lawn Avenue, Fair Lawn, New Jersey 07410, entitled "In Need Of Redevelopment Investigation For Block 1.03, Lots 8 and 9, dated May 5, 2022" (Ochab Report), and the map of the parcels that make up the Redevelopment Area, which would be affected by a determination that the Redevelopment Area qualifies An Area in Need of Redevelopment without the power of condemnation; and

**WHEREAS**, a public hearing was held on June 20, 2022, and notice of the hearing was given in accordance with the Local Redevelopment and Housing Law; and

**WHEREAS**, at the June 20, 2022 public hearing, Kenneth Ochab provided testimony as a professional planning consultant for the Planning Board of the Village of Ridgefield Park as to

whether or not the parcels within the Redevelopment Area qualify for a non-condemnation area in need of redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-3 or -5; and

**WHEREAS**, after the public hearing, the Planning Board adopted a Resolution on June 20, 2022, incorporating the findings of fact that conclusions resulting therefrom and directed that same be provided to the Board of Commissioners in response to Resolution No. 2022-47; and

**WHEREAS**, said resolution specifically determined that Kenneth Ochab correctly applied N.J.S.A. 40A:12A-5(c) & (d), and that the Redevelopment Area should be appropriately designated as a non-condemnation area in need of redevelopment; and

**WHEREAS**, the Board of Commissioners received said Resolution from the Planning Board and considered the findings, conclusions and recommendations therein; and

**WHEREAS**, the Board of Commissioners of the Village of Ridgefield Park did thereafter adopt Resolution No. 2022-81 on July 12, 2022, designating Block 1.03, Lots 8 and 9 as an Area In Need of Redevelopment without the power of condemnation; and

**WHEREAS**, the Board of Commissioners did thereafter request that the Planning Board prepare a Redevelopment Plan for the Redevelopment Area; and

**WHEREAS**, at the August 15, 2022 meeting of the Planning Board, an informal hearing took place regarding a Redevelopment Plan prepared by Kenneth Ochab, dated July 18, 2022, for Block 1.03, Lots 8 and 9; and

**WHEREAS**, the Planning Board approved the Redevelopment Plan and instructed the Board Secretary to forward same to the Board of Commissioners for consideration and adoption; and

**WHEREAS**, the Board of Commissioners of the Village of Ridgefield Park has considered the Redevelopment Plan presented by the Planning Board and is desirous of formally adopting same pursuant to the Local Redevelopment and Housing Law.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Village of Ridgefield Park, as follows:

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

**Section 2.** The Redevelopment Plan dated July 18, 2022, prepared by Kenneth Ochab, P.P., AICP, entitled "INDUSTRIAL AVENUE NORTH NON-CONDEMNATION REDEVELOPMENT PLAN, BLOCK 1.03, LOTS 8 AND 9," a copy of which is on file with the Village Clerk and which is incorporated herein by reference, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Local Redevelopment and Housing Law.

**Section 3.** The zoning map in the zoning ordinance of the Village is hereby amended to include the Redevelopment Area per the boundaries described in the Redevelopment Plan and all of the provisions therein shall supersede the applicable development regulations set forth in the Village Code.

**Section 4. Planning Board review.**

Upon approval of this Ordinance upon First Reading by the Board of Commissioners, this Ordinance shall be transmitted to the Planning Board for its review and recommendation pursuant to N.J.S.A. 40:55D-26.

**Section 5. Severability.**

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

**Section 6. Inspection.**

A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Village Clerk during regular business hours.

**Section 7. Effective date.**

This Ordinance shall take effect 20 days after final publication as required by law.

**Section 8. Repeal of inconsistent ordinances.**

All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**Section 9. Notice to County Planning Board.**

Within 30 days of the adoption of this Ordinance, a copy of same shall be transmitted to the Bergen County Planning Board in accordance with N.J.S.A. 40:27-4.