

**AN ORDINANCE AMENDING THE CODE OF THE
TOWNSHIP OF NORTH BRUNSWICK TO CREATE A NEW CHAPTER 73
ENTITLED "REDEVELOPMENT AGENCY" ESTABLISHING THE
NORTH BRUNSWICK REDEVELOPMENT AGENCY**

WHEREAS, there exist within the Township of North Brunswick certain conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and other locations having improper or lack of proper development which result from forces that are amenable to correction and amelioration by the Township or a responsible municipal entity, and which without such public effort are not likely to be corrected or ameliorated by private effort; and

WHEREAS, N.J.S.A. §40A: 12A-1, et seq. empowers local governments to arrest and reverse these conditions and to promote the advancement of community interests through programs of redevelopment, rehabilitation and incentives to the expansion and improvement of commercial, industrial, residential and civic facilities and permits a municipality to establish a redevelopment agency as a means of help accomplish these goals;

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey, that the Code of the Township of North Brunswick is hereby amended to create a new Chapter 73 entitled Redevelopment Agency as follows:

Chapter 73 Redevelopment Agency

§ 73-1 Redevelopment Agency established.

In accordance with the Local Redevelopment and Housing Law, P.L. 1992, c. 79, (N.J.S.A. 40A:12A-1 et seq.) there is hereby created a body corporate and politic to be known as the "Township of North Brunswick Redevelopment Agency" (hereinafter referred to as the "Agency"), which is an instrumentality of the Township of North Brunswick. The Agency shall act pursuant to the procedures of the Local Authorities Fiscal Control Law, P.L. 1983, c. 313 (N.J.S.A. 40A:5A-1 et seq.), as amended and supplemented.

§ 73-2 Membership; appointment; terms; removal.

- A. The Agency shall consist of seven Commissioners. The commissioners shall be appointed by the Mayor with the advice and consent of the governing body. Commissioners shall each serve for a term of five years; except that the first of these appointees shall be designated to serve for the following terms: one for a term of one year, one for a term of two years, two for terms of three years, one for a term of four years, and two for terms of five years. No more than two Commissioners shall be officers or employees of the municipality. Each Commissioner shall hold office for the term of his or her appointment and until his or her successor shall have been appointed and qualified. Any vacancy occurring in the office of Commissioner, from any cause, shall be

filled in the same manner as the original appointment, but for the unexpired term. A Commissioner who is a member of the governing body shall serve for a term of one year.

- B.** A certificate of the appointment or reappointment of each Commissioner shall be filed with the Township Clerk, and that certificate shall be conclusive evidence of the due and proper appointment of that Commissioner. A Commissioner shall receive no compensation for his services but shall be entitled to reimbursement for actual expenses necessarily incurred in the discharge of the duties of a Commissioner, including travel expenses.
- C.** All Commissioners shall within eighteen (18) months of appointment complete the two (2) mandatory courses for redevelopment agency commissioners: Ethics and Principles of Redevelopment, both offered on a regular basis from Rutgers University Center for Government Services.
- D.** The powers of the Agency shall be vested in the Commissioners thereon in office from time to time. Four Commissioners shall constitute a quorum for the purpose of conducting business and exercising powers and all other purposes. Action may be taken by the Agency upon the affirmative vote of the majority, but not fewer than four of the Commissioners present, unless in any case by bylaws of the Agency shall require a larger number. The Agency shall select a Chairperson and a Vice Chairperson from among the Commissioners, and it shall employ an Executive Director, who shall be its secretary.
- E.** No Commissioner or employee of the Agency shall acquire any interest, direct or indirect, in a redevelopment project or in any property included or planned to be included in a project, nor shall he or she have any interest, direct or indirect, in any contract or proposed contract for materials and services to be furnished or used in connection with a project. If any Commissioner or employee of the Agency owns or controls an interest, direct or indirect, in any property included or planned to be included in a project, he or she shall immediately disclose the same in writing to the Agency, and the disclosure shall be entered upon the minutes of the Agency. Failure so to disclose such an interest shall constitute misconduct in office. A Commissioner or employee required by this section to make a disclosure shall not participate in any action by the Agency affecting the property with respect to which disclosure is required. For inefficiency or neglect of duty or misconduct in office, a Commissioner may be removed by the Council of the Township of North Brunswick. A Commissioner may be removed only after he or she has been given a copy of the charges at least 10 days prior to the hearing thereon and has had an opportunity to be heard in person or by counsel. In the event of a removal of a Commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the Township Clerk.

§ 73-3 Executive Director.

- A.** The Executive Director of the Agency shall be qualified in accordance with the Local Redevelopment and Housing Law, P.L. 1992, c. 79 (N.J.S.A. 40A:12A-1 et seq.), as amended and supplemented.

- B. The Redevelopment Agency shall employ an executive director who shall have attained a degree from an accredited four-year college or university in public administration, social science or other appropriate program, and shall have at least five (5) years' experience in public administration, public finance, realty or similar professional employment. A master's degree in an appropriate program may substitute for two (2) years of that experience. The Executive Director shall serve at the pleasure of the Commissioners of the Agency and may be relieved of his/her duties only after being given 120 days' notice.
- C. The Agency may provide that the Executive Director be the appointing authority for all or any portion of the employees of the Agency.
- D. The Executive Director shall assign and supervise employees in the performance of their duties.
- E. The Executive Director shall be in the unclassified service of civil service, and all other employees shall be in the classified service of civil service, except as may be otherwise provided by Title 11A of the New Jersey Statutes.

§ 73-4 Powers and duties.

- A. Upon the adoption of a redevelopment plan, pursuant to N.J.S.A. 40A:12A-7, the Redevelopment Agency may proceed with the clearance, re-planning, development and redevelopment of the area designated in that plan.
- B. The Agency shall have all the powers, rights, duties and obligations as set forth in the Local Redevelopment and Housing Law, P.L. 1992, c. 79 (N.J.S.A. 40A:12A-1 et seq.), and as now are and may be hereafter granted and imposed by law.
- C. The Redevelopment Agency is required to comply with mandates of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and all requirements under Pay to Play Law, N.J.S.A. 19:44A-20.4.
- D. In addition to all such powers as are specifically granted to the Agency pursuant to N.J.S.A. 40A:12A-1 et seq., and as may otherwise be generally allowed pursuant to other applicable statutes, the Agency shall also have the power to:
 - (1) Inquire into, survey and publicize the extent, advantages and utility of vacant land and other dormant and underutilized properties of the Township.
 - (2) Classify such land and properties according to its adaptability for the establishment and development thereon of various types of economic activities.
 - (3) Study and analyze business trends, requirements and developments to ascertain the opportunities for economic expansion in the Township.

- (4) Advertise the business advantages and opportunities and the availability of suitable sites and facilities in the Township and otherwise initiate and pursue appropriate efforts to encourage and accomplish economic development and expansion within the Township.
- (5) Cooperate with other Township departments, agencies, committees and local civic organizations to promote, encourage and assist economic development within the Township.
- (6) Arrange for the sale or lease of the Township's vacant lands to businesses whose location thereon is best calculated, in the judgment of the Agency, to advance the interests of the Township and of its citizens.
- (7) Exercise such other powers as may be reasonably necessary and appropriate to accomplish its purposes and goals in accordance with applicable laws and regulations.

BE IT FURTHER ORDAINED, If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

TITLE

This Ordinance shall be known as may be cited as the Ordinance Establishing the
North Brunswick Redevelopment Agency

Michael C. Hritz
Director of Community Development

Justine Progebin
Business Administrator

Ronald Gordon, Esq.
Township Attorney (Approved legal form)

RECORDED VOTE FIRST READING: MAY XX, 2024

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MEHTA				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
HUTCHINSON				
MAYOR WOMACK				

RECORDED VOTE SECOND READING: MAY XX, 2024

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MEHTA				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
HUTCHINSON				
MAYOR WOMACK				

CERTIFICATION

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on May XX, 2024.

Lisa Russo, Township Clerk

EFFECTIVE DATE

This Ordinance shall take effect July 1, 2024, upon passage and publication in accordance with applicable law.

- APPROVED
- REJECTED

Francis M. Womack III, Mayor
Township of North Brunswick

Date signed: _____, 2024