

RESOLUTION NO. 47-2020

**Resolution of the Borough Council of the Borough of Sea Bright
Designating THE BREAK AT SEA BRIGHT, LLC as the Redeveloper of the
"Downtown Properties", Block 15, Lots 2, 3 and 4, Ocean Avenue
and River Street, Sea Bright, New Jersey**

Councilmember Leckstein introduced and offered for adoption the following resolution; seconded by Councilmember Rooney:

WHEREAS, the Mayor and Council of the Borough of Sea Bright adopted Resolution 79-2016 authorizing the study by the Planning Board of certain properties known and designated as Block 15, Lots 2, 3 and 4 as shown on the tax map of the Borough of Sea Bright ("Downtown Properties") to determine if they qualified as areas in need of redevelopment with the power of eminent domain as provided for under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the Planning Board proceeded to prepare such a redevelopment study and retained the services of Christine Cofone of Cofone Consulting Group, LLC to assist with the investigation and preparation of a report; and

WHEREAS, Cofone Consulting Group prepared a report entitled "Condemnation Redevelopment Investigation for Downtown Properties; and

WHEREAS, the Planning Board, upon giving due notice to the owners of the aforesaid properties, conducted a public hearing on this study on June 14, 2016, at which time Ms. Cofone provided detailed testimony and persons having an interest in said application were given an opportunity to be heard; and

WHEREAS, rebuttal testimony was then heard by the Planning Board from Andrew Janiw, licensed professional planner; and

WHEREAS, following the conclusion of that portion of the hearing, the Planning Board voted to find that the properties in question as set forth in the aforesaid study met one or more of the statutory criteria in order to be designated as a condemnation area in need of redevelopment; and

WHEREAS, the Borough Council has had the opportunity to review the aforesaid Report, a transcript of the Planning Board hearing of June 14, 2016, and the subsequent Resolution adopted by the Planning Board memorializing its findings; and

WHEREAS, the Borough Council adopted Resolution No. 135-2016 on November 14, 2016 adopting the aforesaid Report;

WHEREAS, the Borough Council adopted Resolution No. 112-2018 on June 19, 2018, authorizing the publication of a request for proposals ("RFP") for the redevelopment of the Downtown Properties; and

WHEREAS, on October 17, 2018 the Borough issued an RFP for the Downtown Properties; and

WHEREAS, on November 30, 2018 the Borough received a response to the RFP from the Break at Sea Bright, LLC; and

WHEREAS, the Borough did not receive a compliant response from any other person or entity to the RFP; and

WHEREAS, River Street Realty, LLC applied to the Planning Board for an eight (8) lot subdivision for Block 15, Lot 4; and

WHEREAS, On June 11, 2019, the Planning Board adopted a resolution approving the eight (8) lot subdivision; and

WHEREAS, River Street Realty, LLC has never perfected the subdivision. As a result, Block 15, Lot 4 has not been subdivided and continues to exist as Block 15, Lot 4; and

WHEREAS, the Mayor and Council have concluded that it is now appropriate to designate the Break at Sea Bright, LLC as the redeveloper of the Downtown Properties.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, designated the Break at Sea Bright, LLC as the redeveloper ("Redeveloper") of Block 15, Lots 2, 3 and 4; and

BE IT FURTHER RESOLVED that if it is necessary to assist the Redeveloper in the acquisition of the Downtown Properties that the Borough shall exercise its power of eminent domain; and

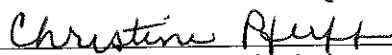
BE IT FURTHER RESOLVED that all Borough officials including, but not limited to, the Mayor, the Municipal Clerk, the Borough Administrator, Planner, Attorney and Special Counsel are hereby authorized and directed to take such action as necessary to effectuate the provisions of this Resolution.

Roll Call:	Birdsall,	Catalano,	Keeler,	Leckstein,	Rooney,	Schwartz
	Yes	Yes	No	Yes	Yes	Yes

February 4, 2020

CERTIFICATION

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on February 4, 2020.



Christine Pfeiffer, Borough Clerk