

Mayor Nolan offered the following Resolution and moved on its adoption:

**R-12-203**  
**RESOLUTION**

**Resolution determining the entire Borough of Highlands to be  
an area in need of rehabilitation in accordance with the  
conditions set forth in N.J.S.A. 40A:21-3 and N.J.S.A.  
40A:12A-14**

WHEREAS, N.J.S.A. 40A:21-3 and N.J.S.A. 40A:12A-14 provide that the governing body of a municipality may determine a delineated area within a municipality, or the entire municipality, may be determined an area in need of rehabilitation; and

WHEREAS, finding the Borough as an area in need of rehabilitation will enable it to enact legislation to encourage property owners with improve their property for residential, commercial and industrial use; and

WHEREAS, in order to make such a determination, the following conditions must exist: (1) a significant portion of structures therein are in a deteriorated or substandard condition and there is a continuing pattern of vacancy, abandonment or underutilization of properties in the area, with a persistent arrearage of property tax payments thereon or (2) more than half of the housing stock in the delineated area is at least 50 years old, or a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and (3) a program of rehabilitation, as defined in section 3 of P.L.1992, c. 79 (C.40A:12A-3), may be expected to prevent further deterioration and promote the overall development of the community; and

WHEREAS, the Highlands Planning Board previously considered this matter and, by letter dated October 31, 1995 informed the governing body of its support determining the entire Borough as an area in need of rehabilitation; and

WHEREAS, Ordinances O-95-33, amended by O-97-06 and O-04-08, determined that the entire Borough of Highlands to be an area in need of rehabilitation pursuant to the provisions of N.J.S.A. 40A:21-1 et seq., referencing N.J.S.A. 40A:12A-14; and

WHEREAS, the Housing Plan Element of the current Master Plan identifies one of its goals as the rehabilitation of the existing housing stock within the Borough including the rehabilitation of substandard units;

WHEREAS, additional goals contained within Housing Plan Element include: (a) reestablishing a housing rehabilitation program within the Borough; (b) identifying commercial and industrial properties that are suitable for adaptive re-use and encourage their redevelopment for mixed use with housing on upper floors; and (c) recognize the potential of vacant, underutilized and deteriorated properties for in-fill residential development; and

WHEREAS, the Housing Plan Element recognizes the lack of maintenance and deteriorating condition of many units within the Borough and encourages increasing staffing for code enforcement; and

WHEREAS, according to the 2010 General Housing Characteristics provided by the United States Census Bureau, the Borough has an housing vacancy rate of 16.6%, which is an increase from the vacancy rate established by the 2000 Census; and

WHEREAS, the Borough Engineer has confirmed that a majority of the water and sewer infrastructure in the Borough is at least 50 years old and is in need of repair or substantial maintenance; and

WHEREAS, based on these factors, the Borough finds that a program of rehabilitation is expected to prevent further deterioration and promote the overall development of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highlands that the entire Borough is an area in need of rehabilitation as defined by N.J.S.A. 40A:21-3(b) and N.J.S.A. 40A:12A-14

Seconded by Mr. Francy and adopted on the following roll call vote:

**ROL CALL:**

**AYES:** Mr. Redmond, Mr. O'Neil, Mr. Francy, Mayor Nolan

**NAYES:** None

**ABSENT:** Ms. Kane

**ABSTAIN:**

**DATE:** September 19, 2012

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**Carolyn Cummins, Borough Clerk**

I hereby certify this to be a true copy of Resolution R-12-203 adopted by the Governing Body of the Borough of Highlands at a meeting held on September 19, 2012.

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BOROUGH CLERK/DEPUTY CLERK