



IS 12/19/07

P.L. 2005, CHAPTER 275, *approved January 6, 2006*  
Assembly, No. 2361 (*First Reprint*)

1 AN ACT concerning <sup>1</sup>[the composition of]<sup>1</sup> certain municipal  
2 redevelopment agencies and supplementing P.L.1992, c.79.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. The Legislature finds and declares that:

8 (1) The redevelopment agencies of municipalities across this State  
9 renew the vitality and fabric of their neighborhoods and business  
10 districts, improve their image, visibility and stature, construct new  
11 housing, generate employment opportunities for the local work force  
12 and draw consumers and tourists to the municipality; and

13 (2) These agencies achieve these goals by planning and  
14 implementing projects that provide housing, jobs, parks and office  
15 buildings; and

16 (3) Municipalities with a large area and population are faced with  
17 a greater burden of responsibility in order to achieve their goals than  
18 their smaller, less populated counterparts; and

19 (4) Increasing the number of commissioners on the redevelopment  
20 agencies of larger municipalities in this State will expedite the  
21 redevelopment of these municipalities and contribute to a Statewide  
22 renaissance that stands to benefit all State residents.

23 b. Notwithstanding other provisions of this law to the contrary, <sup>1</sup>[a  
24 redevelopment agency created by]<sup>1</sup> a municipality with an area of  
25 more than 15 square miles and having a population of more than  
26 40,000, according to the most recent federal decennial census, may  
27 <sup>1</sup>[include] create a redevelopment agency with nine commissioners or  
28 increase the membership of a redevelopment agency already created  
29 from seven to<sup>1</sup> nine commissioners <sup>1</sup>[on its redevelopment agency]<sup>1</sup>.  
30 <sup>1</sup>[The] Except as otherwise provided in this subsection, the<sup>1</sup>  
31 commissioners shall be appointed by the governing body in the manner  
32 generally required for appointments by the form of government under  
33 which the municipality is governed. <sup>1</sup>[Commissioners] Except as  
34 otherwise provided in this subsection, commissioners<sup>1</sup> shall each serve  
35 for a term of five years; except that the first of these appointees shall  
36 be designated to serve for the following terms: one for a term of one  
37 year, two for a term of two years, two for terms of three years, two  
38 for a term of four years, and two for terms of five years. <sup>1</sup>[In any  
39 case] Except as otherwise provided in this subsection,<sup>1</sup> where a

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Senate SCU committee amendments adopted September 27, 2004.

1 redevelopment agency of seven <sup>1</sup>[members] commissioners<sup>1</sup> already  
2 exists, the additional two <sup>1</sup>[members] commissioners <sup>1</sup>shall be  
3 appointed to initial terms of two and four years, as determined by lot.

4 <sup>1</sup>Notwithstanding any provision of law to the contrary, whenever  
5 a municipality governed by the borough form of government pursuant  
6 to N.J.S.40A:60-1 et seq. creates a redevelopment agency with nine  
7 commissioners, or increases the membership of a redevelopment  
8 agency from seven to nine commissioners, two commissioners shall be  
9 members of the borough council to be appointed by the council. A  
10 member of council so appointed may designate another resident of the  
11 borough to serve on the redevelopment agency for any particular  
12 meeting in the event the member of council is unavailable. The term  
13 of a commissioner who is a member of a borough council shall be one  
14 year or terminate upon completion of the council-member's term of  
15 office, whichever occurs first.<sup>1</sup>

16 No more than three commissioners shall be officers or employees  
17 of the municipality. Each commissioner shall <sup>1</sup>continue to<sup>1</sup> hold office  
18 <sup>1</sup>[for the] at the expiration of a<sup>1</sup> term <sup>1</sup>[of his appointment and]<sup>1</sup> until  
19 <sup>1</sup>[his] a<sup>1</sup> successor shall have been appointed and qualified. Any  
20 vacancy occurring in the office of commissioner, from any cause, shall  
21 be filled in the same manner as the original appointment, but for the  
22 unexpired term.

23

24 2. This act shall take effect immediately.

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29 \_\_\_\_\_  
30 Permits additional redevelopment agency commissioners in certain  
municipalities.

# ASSEMBLY, No. 2361

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## STATE OF NEW JERSEY

### 211th LEGISLATURE

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INTRODUCED FEBRUARY 19, 2004

**Sponsored by:**

**Assemblyman JOHN S. WISNIEWSKI**

**District 19 (Middlesex)**

**SYNOPSIS**

Permits additional redevelopment agency commissioners in certain municipalities.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the composition of certain municipal  
2 redevelopment agencies and supplementing P.L.1992, c.79.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. a. The Legislature finds and declares that:

8 (1) The redevelopment agencies of municipalities across this State  
9 renew the vitality and fabric of their neighborhoods and business  
10 districts, improve their image, visibility and stature, construct new  
11 housing, generate employment opportunities for the local work force  
12 and draw consumers and tourists to the municipality; and

13 (2) These agencies achieve these goals by planning and  
14 implementing projects that provide housing, jobs, parks and office  
15 buildings; and

16 (3) Municipalities with a large area and population are faced with  
17 a greater burden of responsibility in order to achieve their goals than  
18 their smaller, less populated counterparts; and

19 (4) Increasing the number of commissioners on the redevelopment  
20 agencies of larger municipalities in this State will expedite the  
21 redevelopment of these municipalities and contribute to a Statewide  
22 renaissance that stands to benefit all State residents.

23 b. Notwithstanding other provisions of this law to the contrary, a  
24 redevelopment agency created by a municipality with an area of more  
25 than 15 square miles and having a population of more than 40,000,  
26 according to the most recent federal decennial census, may include  
27 nine commissioners on its redevelopment agency. The commissioners  
28 shall be appointed by the governing body in the manner generally  
29 required for appointments by the form of government under which the  
30 municipality is governed. Commissioners shall each serve for a term  
31 of five years; except that the first of these appointees shall be  
32 designated to serve for the following terms: one for a term of one  
33 year, two for a term of two years, two for terms of three years, two  
34 for a term of four years, and two for terms of five years. In any case  
35 where a redevelopment agency of seven members already exists, the  
36 additional two members shall be appointed to initial terms of two and  
37 four years, as determined by lot. No more than three commissioners  
38 shall be officers or employees of the municipality. Each commissioner  
39 shall hold office for the term of his appointment and until his successor  
40 shall have been appointed and qualified. Any vacancy occurring in the  
41 office of commissioner, from any cause, shall be filled in the same  
42 manner as the original appointment, but for the unexpired term.

43  
44 2. This act shall take effect immediately.



ASSEMBLY HOUSING AND LOCAL GOVERNMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2361**

**STATE OF NEW JERSEY**

DATED: MAY 13, 2004

The Assembly Housing and Local Government Committee reports favorably Assembly Bill No. 2361.

This bill would change the composition of the municipal redevelopment agency in all municipalities with an area of more than fifteen square miles and a population of more than 40,000. The bill stipulates that for all such municipalities, there may be nine commissioners of a redevelopment agency. The commissioners shall be appointed by the governing body, in the manner generally required for appointments by the form of government under which the municipality is governed. Commissioners shall each serve for a term of five years, and the first appointments shall be made for reduced terms in order to stagger the appointments. No more than three commissioners shall be officers or employees of the municipality. Each commissioner shall hold office for the term of his appointment and until his successor shall have been appointed and qualified. Any vacancy occurring in the office of commissioner, for any cause, shall be filled in the same manner as the original appointment, but for the unexpired term.



# SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 2361**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: SEPTEMBER 27, 2004

The Senate Community and Urban Affairs Committee reports favorably and with committee amendments Assembly, No. 2361.

Assembly Bill No. 2361, as amended by the committee, would authorize municipalities with an area of more than 15 square miles and a population of more than 40,000 people, according to the most recent federal decennial census, to create a redevelopment agency with nine commissioners or increase the membership of a redevelopment agency already created from seven to nine commissioners.

As amended by the committee, the bill provides that in all municipalities, other than those governed by the borough form of government, the commissioners would be appointed by the governing body in the manner generally required for appointments by the form of government under which the municipality is governed. In municipalities governed by the borough form of government, two commissioners would be members of the borough council to be appointed by the council. A member of council so appointed would be authorized to designate another resident of the borough to serve on the redevelopment agency for any particular meeting in the event the member of council is unavailable.

As amended by the committee, the bill provides that in all municipalities other than those governed by the borough form of government, each commissioner would serve for a term of five years, except that certain initial appointments would be made for reduced terms in order to stagger the terms of appointees. In municipalities governed by the borough form of government, the term of a commissioner who is a member of a borough council would be one year or terminate upon completion of the council-member's term of office, whichever occurs first.

As amended by the committee, the bill provides that no more than three commissioners of a redevelopment agency could be officers or employees of the municipality creating the agency. Each commissioner of a redevelopment agency would "hold-over" until the appointment and qualification of a successor. Vacancies in the office of commissioner would be filled in the same manner as the original

appointment, but for the unexpired term.

There are 24 municipalities that currently satisfy the population and area requirements set forth in the bill. Only 2 of those municipalities, Franklin Township in Somerset County and Sayreville Borough, currently have redevelopment agencies.

The committee amended the bill to ensure that whenever a municipality governed by the borough form of government creates a redevelopment agency with nine commissioners, or increases the membership of a redevelopment agency from seven to nine commissioners, two commissioners would be members of the borough council to be appointed by the council. The committee amendments authorize a member of council so appointed to designate another resident of the borough to serve on the redevelopment agency for any particular meeting in the event the member of council is unavailable. The committee amendments also specify that the term of a commissioner who is a member of a borough council would be one year or terminate upon completion of the council-member's term of office, whichever occurs first. The committee also made some technical amendments to clarify the provisions of the bill.