

**TOWNSHIP OF WEEHAWKEN
HUDSON COUNTY, NEW JERSEY**

RESOLUTION # 35 - 2023

WHEREAS, the Township counts as among its highest priorities the acquisition, creation and preservation of Open Space for both active and passive recreation (Open Space) in its densely populated urban setting and has enjoyed great success in those endeavors both in the older developed neighborhoods and throughout the many years of carefully planned development of the waterfront area since its transition from abandoned industrial and railroad uses to the mixed use commercial and residential developments that are continuing to this day; and

WHEREAS, there is a continuing need to be vigilant in protecting established areas of Open Space and to continue to look for opportunities to add to the Township's Open Space, and for the preservation thereof; and

WHEREAS, the Township Council finds and determines that the acquisition, provision, creation, protection and preservation of Open Space within the Township improves the quality of life for residents of the Township, thereby serving an important public purpose; and

WHEREAS, the Township Council believes that one or more parcels of land in the waterfront area of the Township, near the base of Pershing Road and in that vicinity, more particularly described below and as shown on the drawing(s) attached hereto as "Exhibit A", while certain portions thereof include sections of the Hudson River Waterfront Walkway, they may also be encumbered by Access or other Easements associated with industrial and/or commercial uses, including service and maintenance facilities for the trans-Hudson and other Ferry Services currently provided by New York Waterway, which interfere with, disturb and/or

diminish the intended and desired clean, peaceful and quiet active and passive recreational uses thereof by the public, and which are inconsistent with permitted uses under Township Zoning regulations; and

WHEREAS, the lands, and rights therein mentioned above if and to the extent such rights may exist, may be suitable for acquisition by the Township for the provision, creation, enhancement, protection and/or preservation of Open Space, any such acquisition could be by negotiation and agreement or, if necessary, under the powers of eminent domain, in accordance with the procedures of the Eminent Domain Act [N.J.S.A. 20:3-1, et seq.]; and

WHEREAS, the Township Council believes the acquisition by the Township of such lands and/or interests may possibly be in the best interests of the Municipality and the Township Council wishes to pursue the study and consideration thereof by undertaking feasibility studies and other preliminary due diligence with respect to such properties and/or property rights therein, which properties are known and designated by the following tax map lot and block numbers and street address:

<u>Block</u>	<u>Lots</u>	<u>Address</u>
64.01	1.01	North of Pershing Road
45.01	3.01	1 Pershing Road

NOW, THEREFORE, BE IT RESOLVED that the Weehawken Township Council hereby adopts and incorporates the preamble provisions set forth above as its findings and incorporates the same herein by this reference; and

BE IT FURTHER RESOLVED that preliminary studies, surveys, tests, investigations, searches, soundings, borings, appraisals and the like be undertaken of and with respect to such properties and rights therein by the

Township and its employees, contractors, consultants and agents to determine the nature and scope thereof, and depending upon the analysis thereof, the feasibility and potential effects of acquiring same, which studies, tests and the like shall be conducted during reasonable business hours, upon no less than ten [10] days prior written notice to the owners and occupants of the subject property, given by certified mail, return receipt requested, and otherwise as may be provided by law; and

BE IT FURTHER RESOLVED that the Township Manager be and he is hereby authorized and directed to arrange, in consultation with the Township Attorney, for all such studies and tests of the subject properties as they deem necessary, desirable or appropriate, based upon the information now available and as is revealed in the course of such preliminary testing and studies; and that the Township Manager may hire such professionals, contractors and consultants to perform all such studies, tests and the like, within the allowable limits of authority under the local Public Contracts Law and within the limits of available funding; and that he shall report the findings and results of such tests and studies to this Council as soon as possible.

DATED: March 22, 2023

Introduced: Lavagnino

Second: Silvestri-Ehret

Councilperson	Yea	Nay	Abstain	Absent
Carmela Silvestri-Ehret	x			
Robert J. Sosa	x			
David J. Curtis				xx
Rosemary J. Lavagnino	x			
Richard F. Turner	x			

I certify that this is a true and accurate copy on file
in the Township of Weehawken
Rolas Fares, Township Clerk

Rola Fares