

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 19-52

DETERMINING THAT THE PROPERTIES IDENTIFIED AS BLOCK 1901, LOTS 15, 15.02, 15.03 AND 16 SHOWN ON UPPER DEERFIELD TAX MAP BE DESIGNATED AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitutes a Non-Condemnation area in need of redevelopment; and

WHEREAS, on May 7, 2015 , the Township Committee for Upper Deerfield Township (the “Committee”) adopted Resolution 15-89 authorizing the Planning Board for the Township of Upper Deerfield (the “Planning Board”) to conduct a preliminary investigation to determine whether the properties identified on the Upper Deerfield Tax Map as Block 1901, Lots 15, 15.02, 15.03 and 16 (the “Study Area”) meet the criteria set forth for designation as a Non-Condemnation Area in Need of Redevelopment; and

WHEREAS, the Planning Board conducted a preliminary investigation of the Study Area to determine whether it should be designated as a Condemnation Area In Need of Redevelopment in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, as part of the preliminary investigation, Randall (“Scheule”), PP, New Jersey prepared an Area in Need of Redevelopment Study dated November 24, 2015 (the “Redevelopment Study”) and presented the Redevelopment Study to the Planning Board for its consideration in determining whether the Study Area should be designated as an Area in Need of Redevelopment; and

WHEREAS, in addition to the foregoing, Scheule prepared a map showing the boundaries of the Study Area and locations of the parcels of property included therein, along with a statement setting forth the basis for its investigation in accordance with N.J.S.A. 40A:12A- 6(b)(1); and

WHEREAS, a public hearing was conducted by the Planning Board on December 14, 2015 , with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, after completing its investigation and public hearing on this matter, the Planning Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 et seq., for designating the Study Area as a Condemnation Area in Need of Redevelopment and said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

WHEREAS, the Planning Board further concluded that there was sufficient credible evidence to support the finding that the designation of the Study Area as a Condemnation Area in Need of Redevelopment would authorize the municipality, if necessary, to exercise the power of eminent domain to acquire any property in the Study Area; and

WHEREAS, in accordance with the Redevelopment Law and as memorialized by Resolution 15-2015, adopted January 11, 2015, annexed hereto as Exhibit “A,” the Planning Board found the Study Area to meet the requirements of a Non-Condemnation Area in Need of Redevelopment; and

WHEREAS, on June 7, 2018, the Committee adopted Resolution 18-121 to have the Planning Board update its Area in Need of Redevelopment analysis; and

WHEREAS, the Planning Board conducted an investigation to update the Study Area as part of which an updated Redevelopment Study dated July 6, 2018 was prepared by Scheule, a further public hearing was held by the Planning Board on August 13, 2018 and by Resolution 14-2018 adopted September 10, 2018 confirmed that the Study Area continued to meet the requirements for a Non-Condemnation Area in Need of Redevelopment ; and

WHEREAS, the Committee considered the Planning Board's recommendation at its regularly scheduled public meeting on January 17, 2019 with public comment; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby accepts the conclusion of the Planning Board and finds that Block 1901, Lots 15, 15.02, 15.03 and 16 as shown on

the Upper Deerfield official tax map are hereby deemed to be a Non - Condemnation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

BE IT FURTHER RESOLVED, that the Township hereby reserves all other authority and powers granted to it under the Redevelopment Law; and

BE IT FURTHER RESOLVED, that the Clerk of the Township of Upper Deerfield shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review; and

BE IT FURTHER RESOLVED, that the Clerk of Upper Deerfield Township shall serve notice of the Township Committee's determination and together with a copy of this Resolution upon all record owners of property within the Non-Condemnation Redevelopment Area, as are listed on the Tax Assessor's records, and upon each person who filed a written objection hereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commissioner of the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be made available in the Clerk's office in accordance with applicable law.

Moved By:

Seconded By:

VOTING

James P. Crilley
John L. Daddario
John T. O'Neill, Sr.
Bruce T. Peterson
Scott Smith

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held February 7, 2019.

Roy J. Spoltore, Township Clerk