

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON
THURSDAY, DECEMBER 16, 2021, AT 7:00 P.M. IN THE MUNICIPAL BUILDING, 1325
HIGHWAY 77, SEABROOK, NEW JERSEY, PURSUANT TO NOTICE**

Present were: James Crilley, John Daddario, Bruce Peterson, John T. O'Neill, Sr., and Scott Smith all being members of the Township Committee. Also present were: Rocco Tedesco, Solicitor; Roy Spoltore, Township Administrator/Clerk; Amy Colaneri, CFO; Chad Ott, Chief of EMS; Randall Scheule, Township Planner; and Teresa Warburton, Recording Secretary

The meeting was called to order by Committeeman James Crilley and he read the following public meeting announcement.

"This meeting is being held in accordance with the "Open Public Meetings Act." Notice of the meeting has been provided and published as required by law in the Daily Journal and The Press, Cumberland County Edition. Notice has also been posted in the Municipal Building. The Clerk shall enter this statement in the minutes of this meeting. In compliance with State Fire Safety Statues the Chairman instructs those present how to exit the room in an emergency."

James Crilley gave an invocation followed by the flag salute led by Bruce Peterson.

At this time James Crilley, Chairman opened the meeting for public comment.

There being no public comment, James Crilley. Chairman called for the approval of the minutes for the meeting of December 2, 2021. On a motion of Scott Smith, seconded by Bruce Peterson, to dispense with the reading of the minutes and to accept the minutes as received, unanimously approved 5-0.

James Crilley, Chairman called for a public hearing on an ordinance entitled, Amending Sections 405-3, 405-62 a (4)(K), 405-62a (16) of the Zoning and Development Ordinance and the Highway 77 Redevelopment Plan, Business Park Schedule of District Regulations of the Code of the Township of Upper Deerfield. The Clerk read the proposed Ordinance by title. Rocco Tedesco, Township Solicitor recused himself from any discussions due to a conflict, he can only advise on the procedural process of adopting an ordinance. Mr. Tedesco stated that the proposed ordinance amendment to the Business Park zone also includes Business Park designation in the Highway 77 Redevelopment Plan. He added that if the Committee determines that it would want to make modifications to the proposed ordinance, they would have to make specific changes this evening and have a public hearing on the amendments to the proposed ordinance at their December 30th meeting as an ordinance cannot be carried over to the following year for adoption. At this time Mr. Tedesco left the podium and sat in the audience. On motion of Bruce Peterson, seconded by John Daddario to open the meeting for a public hearing on the proposed ordinance, and unanimously carried. The Chairman instructed the Clerk to distribute copies to those present.

Randall Scheule, Township Planner gave an overview of the proposed ordinance explaining that the Planning Board had multiple meetings on this proposed ordinance and recommended adoption and approved a consistency resolution for this ordinance. The ordinance permits corporate offices, light manufacturing and warehousing in the Business Park zone, and provides requirements for buffering, landscaping, design and district schedules for the new permitted uses. Peter Chananis, Esquire for Galetto Realty Co. LP who owns Block 1206, Lots 1, 1.01 & 1.03 provided a few proposed modifications to the ordinance based on a developers feedback for buffers, design standards and setbacks. He noted that developers are looking for predictability and costs when looking at

developing a site. Stephen Hawk – Planner for Galetto Realty has been practicing since 1988 provided testimony regarding bulk standards in other municipalities, efficient use of the land, design standards for sides of buildings that are not visible to the public and buffering concerns. Mr. Daddario stated he was concerned about the look of the buildings visible from the streets and reducing the rear setback to 60’ with resident’s being close by. Mark D’Onofrio partner of Galetto Realty with 40 years of experience in construction with industrial work. Cold storage, warehousing, and food processing are the hot ticket items currently in the market. Mr. D’Onofrio gave his perspective of the design standards, need for architectural and insulated panels as an option for energy efficiency with cold storage, having setback flexibility for basin placement, lighting, buffers and improving street elevations. Michael Fralinger, Esquire for John Mayorak and Stanley Skeba who own Block 1207, Lots 1,2 & 3 with approximately 130 acres. Mr. Fralinger stated that the ordinance is very acceptable to his clients and they would like to see the ordinance passed by December 30th. His clients want to move forward, and they agree with the ordinance as they currently own the largest area in the Business Park zone. Theodore Baker, an attorney in the audience offered his guidance as to what the committee needs to look at considering the timeline and having an ordinance adopted by December 30th or it will need to start over again. If the Committee makes changes that are not substantial in nature they can adopt the amended ordinance at their December 30th meeting. Margaretta Jespersen of Northville Road stated that the noise level of trucks backing up will need to be considered. Nancy Ridgway of Irving Avenue commented that she attends the Planning Board Meetings, and Galetto Realty could have attended the meetings and given comments during that process. Mr. Chananis stated that they did attend the zoom meetings and provided comments. Rocco Tedesco, Township Solicitor informed the committee that if they intend to make any changes, they would need to make them this evening and publish those amendments in order to adopt ordinance with amendments at their December 30th meeting or the committee could adopt the ordinance as is evening or the committee could refer it back to the Planning Board. There being no further public comments, on motion of Scott Smith, seconded by John Daddario to close the public hearing and unanimously carried.

The Committee reviewed the proposed amendments to the ordinance item by item with input from Township Planner Randall Scheule. Amendments to the Business Park Zone ordinance are as follows: cross out sections are eliminated and underlined sections are added as amendments to Ordinance 832.

*Title – An Ordinance Amending Sections 405-3, 405-62A(4)(K), 405-62A(16), ~~and Attachment 4~~ of the Zoning and Development Ordinance, and the Highway 77 Redevelopment Plan (Business Park Schedule of District Regulations) of the Code of the Township of Upper Deerfield

*Section 2 – Item 3.1 (iii)(D) When a development is adjacent to residentially-zoned properties, the Planning Board may require the developer to construct a landscape buffer or an eight-foot-high masonry or precast concrete walls along all perimeter edge buffers to the residentially-zoned properties. ~~If required, the Planning Board shall approve the type of residential buffer at the time of development approval. If precast is selected, the pattern(s) shall coincide with the architectural trim and finish of the principal structure.~~

* Section 2 – Item 3.1 (iii)(F) Buffer areas shall contain no internal driveways, parking areas, patios, stormwater detention facilities, or any other structures or accessory uses except for a fence, wall, or earthen berm constructed to provide the visual screening required to meet the standards of this Code. Underground utilities (including underground storm water management facilities) may be permitted to cross a buffer if the screening standards of this Code will be subsequently achieved. Vehicular access, utilities, project signage and site lighting may be ~~are~~ allowed through a buffer in conjunction with ~~as a condition of~~ site plan approval.

*Section 2 – Item 3.1 (iii)(H) ~~Additional buffering features are to be provided as may be found necessary by the Planning Board~~ As a result of this deletion, subsections I, J and K, are redesignated as H, I and J.

*Section 3 – Item 16(A) Applicability: The design standards in this section shall apply to all big box retail buildings, warehouses and similar facilities having 100,000 or more square feet of gross floor area. The design standards in subsections 3(16)D.6, D.7, and D.8 hereinbelow shall apply only to the façade of a building that faces a public street, which includes any façade for a building or lot with multiple street frontages (e.g., if a building is located on a corner lot fronting on two (2) streets then the standards provided in the aforementioned subsections shall apply to both street facades).

*Section 3 – Item 16(D)(6) Primary Materials: Each exterior wall facade facing a public street shall include two (2) of the following primary materials: brick, tilt-up concrete, architectural block, architectural metal panel, insulated metal panel, stone, or glass. Unfinished gray concrete block is not permitted. The use of non-insulated metal siding exclusively on any wall is prohibited. All finish material shall be durable to the effects of weather and soiling.

*Section 3 – Item 16(D)(7) Expanses of the primary materials, or any other uniform materials on exterior wall facades facing public streets shall be broken up with pop outs, recesses, awnings, staggered facades, metal structures, glass, change in material or texture, or the addition of other designed three (3) dimensional architectural features, ~~every two hundred feet (200’).~~

*Section 3 – Item 16(D)(8) The ends or corners of buildings at the terminations of the facades facing public streets shall be articulated with ~~at least two (2)~~ one (1) prominent architectural feature such as a change in primary material (i.e. change from tilt-up concrete panel to brick), increased roof projection of parapet, increased transparency (i.e., glass/window panels), or change in color; ~~or~~

*Section 4 Title - Attachment 4 Business Park Schedule of District Regulations of the Upper Deerfield Township Zoning and Development Ordinance and the Redevelopment Area Office Park Land Use, Area and Bulk Regulations are ~~is~~-revised as follows.

*Business Park District-Schedule of District Regulations – Warehouse and distribution facility requiring 20 Acres - Minimum Side Yard Setback Requirements reduced from ~~one hundred feet (100’)~~ to sixty feet (60’) and Minimum Rear Yard Setback Requirements from ~~one hundred feet (100’)~~ to eighty feet (80’).

*Business Park District-Schedule of District Regulations – Footnote number 1 - For properties having ~~three~~ two or more road frontages, the highest functional classification roadway shall be deemed the frontage for the property subject to front yard setback. All other road frontages shall be subject to either side or rear yard setback requirements.

*Section 5 - The Highway 77 Redevelopment Plan is hereby amended to include the uses permitted hereby and the bulk and design standards set forth herein. Nothing contained herein shall alter or amend the procedure for Redevelopment Project review and approval by the Upper Deerfield Township Redevelopment Entity and nothing contained herein shall alter or amend the jurisdiction, role and function of the Redevelopment Entity and Planning Board as set forth in the Highway 77 Redevelopment Plan.

On motion of Bruce Peterson, seconded by Scott Smith, the committee approved the proposed amendments to Ordinance 832, to advertise the amendments in the Daily Journal at least two days in advance of the December 30th meeting and to continue the Public Hearing on the amendments to Ordinance 832 at the December 30th meeting at 3 pm, unanimously carried 5-0 on a roll call vote.

INSERT AMENDED ORDINANCE

James Crilley, Chairman called for a discussion and introduction of an ordinance entitled, Amending Chapter 396 of the Code of the Township of Upper Deerfield with Respect to Water Use and Fees. The Clerk read the proposed Ordinance by title. Roy Spoltore, Township Clerk gave an overview of the proposed ordinance. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt proposed ordinance on first reading and setting the date for public hearing on December 30, 2021, at 3:00 pm and was carried 5-0 on a roll call vote. The Chairman instructed the Clerk to advertise same in the Daily Journal as required by law and copies to be made available upon request.

INSERT ORDINANCE

James Crilley, Chairman called for a discussion and introduction of an ordinance entitled, Amending Chapter 328 of the Code of the Township of Upper Deerfield with Respect to Sewer Use and Fees. The Clerk read the proposed Ordinance by title. Roy Spoltore, Township Clerk gave an overview of the proposed ordinance. On motion of Bruce Peterson, seconded by John Daddario to approve and adopt proposed ordinance on first reading and setting the date for public hearing on December 30, 2021, at 3:00 pm and was carried 5-0 on a roll call vote. The Chairman instructed the Clerk to advertise same in the Daily Journal as required by law and copies to be made available upon request.

INSERT ORDINANCE

James Crilley, Chairman called for a discussion and introduction of an ordinance entitled, An Ordinance Fixing Salaries of Certain Officials of the Township of Upper Deerfield in the County of Cumberland, Providing the Terms of Payment Thereof and Repealing Ordinances Inconsistent Therewith. The Clerk read the proposed Ordinance by title. Roy Spoltore, Township Clerk gave an overview of the proposed ordinance. On motion of Bruce Peterson, seconded by John T. O'Neill, Sr. to approve and adopt proposed ordinance on first reading and setting the date for public hearing on December 30, 2021, at 3:00 pm and was carried 5-0 on a roll call vote. The Chairman instructed the Clerk to advertise same in the Daily Journal as required by law and copies to be made available upon request.

INSERT ORDINANCE

James Crilley, Chairman called for a discussion and introduction of an ordinance entitled, Establishing the Position of Deputy Superintendent of Water and Sewer. The Clerk read the proposed Ordinance by title. Roy Spoltore, Township Clerk gave an overview of the ordinance. On motion of Bruce Peterson, seconded by John Daddario to approve and adopt proposed ordinance on first reading and setting the date for public hearing on December 30, 2021 at 3:00 pm and was carried 5-0 on a roll call vote. The Chairman instructed the Clerk to advertise same in the Daily Journal as required by law and copies to be made available upon request.

INSERT ORDINANCE

James Crilley, Chairman called for a resolution entitled Tax Payments to be Refunded. The Clerk read the resolution by title. On motion of John T. O'Neill, Sr., seconded by Bruce Peterson to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Authorizing an Agreement Between Amalgamated Local #2327 UAW and the Township of Upper Deerfield to Enter into a Three (3) Year Contract from January 1, 2022, to December 31, 2024. The Clerk read the resolution by title. Mayor Crilley gave an overview of the process. On motion of John Daddario, seconded by Bruce Peterson to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Providing and Delivering Various Traffic and Sign Materials Through a Cooperative Price Contract with the County of Cumberland. On motion of Bruce Peterson, seconded by John T. O'Neill, Sr. to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Authorizing the Tax Collector to Adjust Taxes for a Wartime Service-Connected 100% Disability-Long. On motion of Bruce Peterson, seconded by John T. O'Neill, Sr. to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Amending the Personnel Policy & Procedure Manual of the Township of Upper Deerfield. On motion of John Daddario, seconded by Scott Smith to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Payment of Bills, in the amount of \$175,804.00. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

COMMITTEE REPORTS

John Daddario did not have a report this evening.

Scott Smith did not have a report this evening.

Bruce Peterson reported that the group is making good progress on the 100th anniversary plans.

John T. O'Neill, Sr. stated that this year has been exceptionally good for the Utilities.

Mayor Crilley wished everyone a Merry Christmas.

ADMINISTRATOR'S REPORT

Roy Spoltore, Administrator reported that an application for a 50/50 and an On-Premise Raffle have been received from the Bridgeton Rotary who are planning on having a function at the Seabrook Fire Hall on January 28th. The Committee unanimously approved the raffle applications. Joan Robostello requested the Township take a subordinate position on her old home rehab loan as she is

trying to refinance her mortgage. The Committee approved taking a subordinate position on a motion by Bruce Peterson, seconded by Scott Smith and unanimously approved on a 5-0 roll call vote. Departmental reports for November are included in this evening's packet. The proposed recreational layout is almost complete.

SOLICITOR'S REPORT

Rocco Tedesco, Solicitor informed the Committee that the seven affordable units at the development known as Seabrook East – Mill Creek have past final inspections and Certificate of Occupancies must be issued under the terms of the adopted amended developers agreement in June of this year. Brian Murphy's letter with outstanding site improvement issues has now been sent to bonding company for the developer to get the developments improvements completed. The committee reviewed aspects of the alcoholic beverage license requirements for one on-premise consumption and one off-premise consumption. The Solicitor will prepare a final draft. Mr. Tedesco is reviewing the Bristol Ponds revised the developer's agreement and financial analysis. He has requested comments for the Township's affordable housing planner and to the redevelopment attorney for comments. Areas under review are payment to Township on units receiving CO's prior to the first or second phase being completed and the timeline for the issuance of CO's for the affordable housing units.

At this time Chairman Crilley opened the meeting for public comments. Nancy Ridgway of Irving Avenue asked about making changes to zoning ordinances at a Public Hearing at the Planning Board before coming to Township Committee. Mr. Tedesco explained that public hearings on ordinances are with the Governing Body. Dean Hawk of Merritt Avenue stated that businesses always want changes why can't they just ask for a variance. Mr. Peterson explained that the township committee has the authority to modify Planning Board recommendations.

With no public comments and no further business to come before the Committee, on a motion of Bruce Peterson, seconded by John Daddario to adjourn the meeting, and unanimously carried.

Respectfully submitted,

Teresa L. Warburton, Recording Secretary

Roy J. Spoltore, Township Clerk