

WHITE TOWNSHIP COMMITTEE

MINUTES OF MEETING MAY 11, 2022

CALL TO ORDER

Mayor Herb called the meeting to order at 5:30 p.m. and stated ‘Adequate Notice of this meeting of May 11, 2022 has been given in accordance with the Open Public Meetings Act by forwarding a notice of the date, time, and location of the meeting to the Star-Ledger; and by posting a copy thereof on the bulletin board in the Municipal Building and the township website. Formal action may be taken at this meeting. Public participation is encouraged. This agenda is subject to last minute additions and deletions by the White Township Committee’.

FLAG SALUTE

The Mayor asked everyone to stand for the flag salute.

ROLL CALL

Present: Mayor Herb, Committeewoman Skoog, Committeeman Hyndman, Deputy Clerk Brielle Whitmore and Attorney Tipton. Clerk Kathleen Reinalda was absent.

On motion by Dr. Hyndman, seconded by Mrs. Skoog and carried by unanimous favorable roll call vote, the following Resolution was adopted:

RESOLUTION - EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White, as follows:

1. The public shall be excluded from discussion, and action upon the hereinafter specified subject matter, May 11, 2022, 5:30 pm:

Litigation
(JAINDL)

2. It is anticipated at this time, the above-stated subjects will be made public at such time when the matters discussed are no longer sensitive. Motion passed.

On motion by Mrs. Skoog, seconded by Dr. Hyndman, the meeting was re-opened to the public at 6:00 p.m. Motion passed. No action was taken in Executive Session.

2022 MUNICIPAL BUDGET INTRODUCTION

Auditor John Mooney gave an overview of the 2022 Municipal Budget. The tax rate is flat, remaining at 15.8 cents. The average assessed homeowner pays approximately \$411 annual municipal taxes.

Motion made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote to approve the following resolution. Hyndman – yes, Skoog – yes, Herb – yes. Resolution adopted.

SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of White has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2022 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of White that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

COLA ORDINANCE: Motion to introduce the following ordinance on first reading made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Hyndman – yes, Skoog, yes, Herb – yes.

**WHITE TOWNSHIP/WARREN COUNTY
CALENDAR YEAR 2022
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of White in the County of Warren finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$15,065.43 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of

White, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of White shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$52,729.01 and that the CY 2022 municipal budget for the Township of White be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote to Introduce the 2022 Municipal Budget. Hyndman – yes, Skoog – yes, Herb – yes. The 2022 Municipal Budget is on file in the Office of the Municipal Clerk. Public Hearing will be held June 8th.

ENGINEERING UPDATE

Paul Sterbenz reported on the following:

- Settlers Ridge Project – The contract with Revax Contracting from Flemington NJ has been signed and construction is anticipated to begin in June.
- Upper Sarepta Rd. / Mutton Hill Project – Complete. Paving final amount \$282,649 and guiderail \$15,700.00.
- Beechwood Road – preparing NJDOT grant application for FY 2023.
- Redevelopment Grant A&P Shopping Center Site – a resolution has been prepared to send to the Planning Board asking the Board to perform a preliminary investigation to determine whether BK 53 Lot 1 qualifies as an area in need of redevelopment.
- Affordable Housing – Previously the Fair Share Housing Center ruled that the township could not use the excess units that Windtryst Apartments provides the township due to the age of the facility. After extensive research and document gathering, that ruling has been reversed. The township still needs to decide whether to establish a Development Fee ordinance.

- Beckett Sewer Agreement – the Beckett development has approvals for sewer service. The township has debated whether to enter into an agreement with Beckett to construct the project so as to allow for future sewerage of Route 46. The force main the township would need to construct would cost approximately \$481,000.00. The township could also opt to construct just a capped pipe for approximately \$165,000.00 or take no action at all at this time. The township would still have an easement in the future if it opted to wait on any construction at all. It was agreed that the township does not have the necessary funding in place at this time in order to proceed with an agreement with Beckett. The township will still have an easement for future use.

RESOLUTIONS

Res. 2022-28: Motion made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote to approve the following resolution. Hyndman – yes, Skoog – yes, Herb – yes. Resolution adopted.

**RESOLUTION 2022-28
RESOLUTION OF THE TOWNSHIP OF WHITE,
COUNTY OF WARREN, STATE OF NEW JERSEY
TO AUTHORIZE ASSIGNMENT OF MUNICIPAL TAX SALE CERTIFICATE #20-
00014 ON BLOCK 57 LOT 2.**

WHEREAS, N.J.S.A 54:5-113 authorizes assignment by a municipality of tax sale certificate for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and,

WHEREAS, Glenn Smith has presented an offer to purchase, by assignment Certificate of Sale #20-00014 which was issued to the Municipality of White Township at a tax sale held November 13, 2020, on Block 57, Lot 2, known as 27 Ledge Road, Belvidere, NJ, and assessed to Patricia Buchma, in the amount of \$1,161.98, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, that the Municipality of White Township hereby authorizes the Mayor and Municipal Clerk to execute the necessary assignment documents to effect assignment of the above-referenced Certificate of Sale.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector.

Res. 2022-29: Motion made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote to approve the following resolution. Hyndman – yes, Skoog – yes, Herb – yes. Resolution adopted.

RESOLUTION NO. 2022-29
WHITE TOWNSHIP
WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE TOWNSHIP OF WHITE TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER BLOCK 53, LOT 1 QUALIFIES AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Township Committee of the Township of White (“Township”) is authorized to direct the Planning Board to undertake a preliminary investigation to determine whether a certain area within the municipality qualifies as an area in need of redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Township Planning Board recommended to the Township Committee in its Master Plan Amendment Report, dated October 30, 2020, and adopted December 29, 2020, that an investigation be authorized of Lot 1 in Block 53 to determine whether this property qualifies as an area in need of redevelopment or revitalization in accordance with the New Jersey Local Redevelopment and Housing Law, (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, the Township Committee is in agreement with the recommendation of the Planning Board in its Master Plan Amendment Report, dated October 30, 2020, and adopted December 29, 2020, relative to Lot 1 in Block 53; and

WHEREAS, the Township does not intend to utilize eminent domain if it is found that Lot 1 in Block 53 qualifies as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 et seq.; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White, as follows:

1. The Planning Board of the Township of White is hereby directed to conduct a preliminary investigation to determine whether Lot 1 in Block 53 in the Township of White qualifies as a “non-condemnation” area in need of redevelopment in accordance with criteria set forth in N.J.S.A. 40A:12A-5, and
2. The Planning Board of the Township of White is hereby directed to conduct a preliminary investigation of Lot 1 in Block 53, in accordance with the requirements set forth in N.J.S.A. 40A:12A-6, more specifically, to prepare a map showing the boundaries of the potential area in need of redevelopment and locations of the various parcels of property included therein, with a statement setting forth the basis for the investigation appended to the

map; to specify a date for a public hearing for the purpose of hearing persons who are interested in, or would be affected by, the determination that the delineated area is an area in need of redevelopment; to give notice of said hearing pursuant to the hearing notice requirements set forth in N.J.S.A.

40A:12A-6(b)(3); to hear and receive into the record any objections to such a determination that the proposed property be designated an area in need of redevelopment; and

3. After completing its hearing on the matter, the Planning Board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the Township to be an area in need of redevelopment.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

OLD BUSINESS

The committee continues to discuss possible auction of township owned parcels. No action was taken.

The Board of Adjustment Annual Report was tabled for further review.

Motion was made by Dr. Hyndman, seconded by Mrs. Skoog and carried by unanimous favorable roll call vote to authorize the creation of an Ad Hoc Committee for the review of the comcast cable franchise renewal process. The committee will consist of at least 3 White Township residents, Victor Allen, Erik Lee, and Denise Seeney along with Committeeman Hyndman. Hyndman – yes, Skoog – yes, Herb – yes. Motion carried.

NEW BUSINESS

A request was received from Attorney Mark S Bellin asking the committee to consider zoning amendments regarding solar farms. The clerk was asked to send the request to the Planning Board.

The ad hoc committee created for the Comcast franchise renewal will include the request from Everstream Solution LLC for consent to access the township's rights of way in their list of duties.

PUBLIC COMMENTS

Elaine Reichart, 295 CR 519, expressed concerns regarding the pesticide spraying at the township owned parcel next to Brookfield Condos. She also included Brookfield and Brookfield Glen as they contract privately with licensed sprayers. She went on to state that she would like to see the township owned parcel remain as open space for residents to enjoy rather than the township leasing it for farming purposes.

Jack Nicklaus, Colby Court resident, complained of 'jake braking'. The state police are not enforcing the current minimal amount of signage the township has posted on County Route

519. The committee suggested a letter be written to the County Commissioners seeking their input on the issue.

PRESENTATION OF VOUCHERS

On motion by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote, the Committee approved the following list of bills:

<u>Check Number</u>	<u>Payee</u>	<u>Amount</u>
17542	ABE Paving LLC	8623.00
17543	Griffith-Allied Trucking LLC	3259.08
17544	Atlantic Salt Inc.	10,685.44
17545	Borough of Washington	2500.00
17546	CenturyLink	137.57
17547	C&M Auto Parts	547.37
17548	Comcast	606.16
17549	Delaware Valley Septic	625.00
17550	J.C. Ehrlich Co., Inc.	188.00
17551	Elizabethtown Gas	708.28
17552	Florio, Perrucci, Steinhardt & Fader	2900.00
17553	GenServe Inc.	1995.75
17554	Home Depot Credit Services	244.15
17555	JCP&L	1630.77
17556	Linda Gabel	500.00
17557	North East Parts Group	36.92
17558	NJ American Water Co.	1190.48
17559	NJ Advance Media	1106.26
17560	Quill Corp.	143.96
17561	Rigo's Hardware	77.10
17562	Sanico Inc.	194.16
17563	TGM Services	1215.00
17564	Verizon Wireless	143.73
17565	Viral Communications	1453.00
17566	Weldon Quarry Co LLC	475.00
17567	Xerox Corp	584.01
17568	Cty of Warren Treasurer's Office	28,105.74
17569	Treasurer's Office Warren County	969,042.00
17570	White Township Board of Education	642,315.00
17571	Colliers Engineering & Design	4252.65
17572	Gebhardt & Kiefer	2344.00

TOTAL.....\$1,687,829.58

Developer's Escrow Account

1414	Suburban Consulting	72.50
1415	Gebhardt & Kiefer	445.50
1416	Colliers Engineering	625.02
1417	Gebhardt & Kiefer	643.50
1418	Colliers Engineering	84.02
1419	Gebhardt & Kiefer	115.50
1420	Suburban Consulting	2367.50
1421	Gebhardt & Kiefer	132.00
1422	VOID	
1423	Suburban Consulting	2512.50
1424	Gebhardt & Kiefer	214.50
1425	Suburban Consulting	2234.42
1426	Gebhardt & Kiefer	280.50
1427	Colliers Engineering	82.50
1428	Suburban Consulting	2811.92
1429	VOID	
1430	Suburban Consulting	2780.00
1431	Bright View Engineering	2973.75
1432	Gebhardt & Kiefer	1551.00
1433	Sasowsky Earth Science	1615.63
1434	Sasowsky Earth Science	1615.62
1435	Colliers Engineering	196.25
1436	Colliers Engineering	371.25

Current Fund Manual

2412	Payroll Account	18,195.57
2413	Payroll Account	27,741.34
2414	Payroll Account	18,763.64

Gravel Pit Escrows

247	Colliers Engineering	1216.25 (for Hoffman)
251	Colliers Engineering	532.50 (for HS&G)

Capital Account

1577	Road Safety Systems LLC	15,700.00
1578	Colliers Engineering	4921.25
1579	Colliers Engineering	2258.92

Open Space Trust

968240	Joshua Mackoff LLC	1850.00
968241	Norman Goldberg Inc.	1725.00

TOTAL ALL FUNDS.....\$1,804,459.73

OTHER MATTERS

Motion made by Dr. Hyndman, seconded by Mayor Herb with Mrs. Skoog abstaining to authorize Planning Board Attorney St. Angelo to file a written response to the Krause complaint. Hyndman – yes, Skoog – abstain, Herb – yes. Motion carried.

On motion by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote, the following Resolution was adopted:

RESOLUTION - EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White, as follows:

3. The public shall be excluded from discussion, and action upon the hereinafter specified subject matter, May 11, 2022, 8:50 pm:

Personnel Matters

4. It is anticipated at this time, the above-stated subjects will be made public at such time when the matters discussed are no longer sensitive. Motion passed.

On motion by Mrs. Skoog, seconded by Dr. Hyndman, the meeting was re-opened to the public at 8:55 p.m. Motion passed. No action was taken in Executive Session.

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 9:00 p.m. on motion by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote.

Respectfully Submitted,

Kathleen R. Reinalda, RMC
Township Clerk