

WHITE TOWNSHIP COMMITTEE

MINUTES OF MEETING JUNE 8, 2022

CALL TO ORDER

Mayor Herb called the meeting to order at 5:00 p.m. and stated ‘Adequate Notice of this meeting of June 8, 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, Clerk Kathleen Reinalda and Attorney Tipton.

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:

1. The public shall be excluded from discussion, and action upon the hereinafter specified subject matter, June 8, 2022, 5:06 pm:

Personnel Matters
(DPW Supervisor)

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 ADOPTION

COLA ORDINANCE: Motion to open the public hearing on the following ordinance made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Being no comments, motion to close the public hearing made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Motion to adopt the following ordinance 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.

2022 Municipal Budget: Motion to open the public hearing on the 2022 Municipal Budget made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Being no comments, motion to close the public hearing made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Motion to adopt the 2022 Municipal Budget made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Hyndman – yes, Skoog, yes, Herb – yes. The 2022 Municipal Budget is on file in the Office of the Municipal Clerk.

ENGINEERING UPDATE

Paul Sterbenz reported on the following:

- Settlers Ridge Project – Construction is anticipated to begin late June.
- Upper Sarepta Rd. / Mutton Hill Project – Complete. Change order for paving motion made by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Hyndman – yes, Skoog – yes, Herb – yes. Motion carried. Final amount \$281,140.00.
- Redevelopment Grant A&P Shopping Center Site – work on this project has begun. Will have more details in July.
- Spring Lane paving project – The Morris County Co-Op is not interested in this project. Mr. Sterbenz will meet with a local contractor on site June 15.
- Tamarack Road paving project – on hold. Waiting for a reduction in pricing for materials.

ORDINANCES – FIRST READING

Tabled for further review.

RESOLUTIONS

Res. 2022-30: 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 2022-30

FORM 1B

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of White, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED by the Township of White, County of Warren, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the White Township Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$1,404.00
Cash Match	\$351.00
In-Kind	\$1,053.00

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Res. 2022-31: Motion made by Dr. Hyndman, seconded by Mrs. Skoog and carried by unanimous favorable roll call vote to approve the following resolution. Hyndman – yes, Skoog – yes, Herb – yes. Resolution adopted.

RESOLUTION 2022-31
A RESOLUTION OBJECTING TO THE PROPOSED UPPER DELAWARE WATER
QUALITY MANAGEMENT (WQM) PLAN AMENDMENT

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment publicly noticed in the New Jersey Register on May 2, 2022 for White - 519 Commerce Center has been prepared by Ferriero Engineering Inc.;

NOW, THEREFORE, BE IT RESOLVED on this 8th day of June, 2022 by the governing body of the Township of White that:

1). The Township of White objects to the proposed WQMP Amendment on the basis of the following inconsistencies with current wastewater management and related planning policies in the Township. The Public Notice states that the Department has determined that the proposed amendment is compliant with applicable regulatory criteria. White Township is objecting to that determination given the following specific areas of concern:

A) The proposed development is intended to be served by a new onsite discharge to groundwater treatment and disposal system, and that nitrate dilution and other groundwater quality standards to be achieved will be addressed through permitting in the future. The concern is that through the development proposal review process, it has been determined that the site is prone to sink holes and other karst features which are considered environmentally sensitive areas under the Township Code. The viability of a discharge to groundwater disposal system that concentrates hydraulic loading of 33,525 gallons per day in one particular area of this site is questionable and could adversely impact the environment. While a wastewater treatment capacity analysis is not required, the concern is that concentrated wastewater treatment and disposal capacity of this magnitude (which exceeds that which would be permitted by current zoning), is inconsistent with the specific site conditions and constraints. Absent such confirmation of suitability, the proposed plan amendment would be unsupported and wasteful if acted upon at this time.

B). The sewer service area map provided depicts Lot 3 as being included in the sewer service area and is identified as such in the public notice. Lot 3 is a solar farm which has no sewage generating uses currently or in the future and should not be included within the proposed plan amendment.

C). The sewer service area map provided depicts the proposed 519 Commerce Center DGW SSA aligned within the 62-acre footprint of two proposed warehouse structures, however the proposed development project plans depict a discharge to ground wastewater treatment and

disposal system to the east of these buildings on proposed Lot 5. It appears the map incorrectly depicts the sewer service area or at a minimum, fails to identify the proposed treatment facility and discharge location, which is an incomplete depiction of the proposed sewer service area.

D). The current White Township zoning ordinance and zoning map (last amended February 24, 2021) lists the subject parcels within the LDI Low Density Industrial zone, and the proposed 519 Commerce Center is not consistent with the current zoning ordinance which prohibits warehouses as principal uses. This zoning was adopted after the revisit of the municipal master plan recommended such changes. By virtue of the date of application, the 519 Commerce Center development proposal was permitted to advance before the White Township Planning Board because at the time of application, the proposed development of High cube warehousing was permitted. Since that time, the Township adopted new zoning for the LDI district and the proposed development is no longer consistent with that zoning. Declaration by the Governing Body that the proposed amendment is consistent with the prevailing zoning will be inaccurate. The Township's concern is if the proposed development fails to secure site plan and subdivision approvals under the current development applications and review process, the basis of the proposed WQMP amendment will be inaccurate and inconsistent. Given this unique timing and conditions, it would appear to be in the best interest of the Applicant and Municipality, as well as other stakeholders impacted by this plan amendment, to defer action until such time as the proposed 519 Commerce Center secures its rights for development through the local planning review process, and therefore necessitates the adoption of the proposed WQMP Amendment.

2). Pursuant to N.J.A.C. 7:15-3.5(g)8, The Township of White requests that the Department hold a non-adversarial public hearing in order to obtain additional information from the public and stakeholders regarding the proposed plan amendment and its consistency with the Township's master plan and ordinances, as well as any concerns that may arise from the environmentally sensitive areas potentially impacted by the proposal.

3). The Township of White submits this Resolution Pursuant to N.J.A.C. 7:15-3.5(g)6ii, as its official Resolution objecting to the proposed water quality management plan amendment which shall be forwarded to the NJDEP in accordance thereto.

OLD BUSINESS

Motion made by Mayor Herb, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote to authorize the auction of the following properties. Hyndman – yes, Skoog – yes, Herb – yes. Motion carried.

- Block 18 Lot 93 minimum bid \$63,700
- Block 16 Lot 20 minimum bid \$3000

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

Dr. Hyndman updated the committee on the status of the Comcast Franchise Renewal Agreement. A public hearing needs to be advertised. The committee scheduled this for the August 10th meeting.

NEW BUSINESS

A meeting was scheduled for June 22nd at 6pm in order to renew 2022-2023 liquor licenses. Any other matters may be discussed.

Dr. Hyndman updated the committee on the Warren County Governing Officials Association meeting he attended. The topic was how to entice filmmaking in NJ. Part of this process would be to have a company come and take pictures of the township. They would be stored for future use, such as for the township website. Dr. Hyndman said he would like to pursue this. The committee agreed.

PUBLIC COMMENTS

Elizabeth MacKinnon asked the status of the A&P shopping center site. Mayor Herb explained that the owner continues to pursue options for the site, however, there has been no interest.

Linda Stettler announced National Night Out in Belvidere August 2nd 6pm to 8pm. She welcomed all White Township residents to attend.

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>
17575	ARAE Network Solutions	11,446.00
17576	CenturyLink	67.85
17577	Colliers Engineering	3490.83
17578	Comcast	694.15
17579	J.C. Ehrlich	329.40
17580	Florio, Perrucci, Steinhardt & Fader	3030.50
17581	JCP&L	923.09
17582	Kay Printing & Envelope Co.	690.00
17583	National Night Out	500.00
17584	ReadyRefresh by Nestle	180.44
17585	NJ League of Municipalities	255.00
17586	NJ American Water Company	1190.48
17587	NJ Advance Media	1155.53
17588	Public Alliance Insurance Coverage	25,738.00
17589	Staples Credit Plan	262.96
17590	Stateline Tree Inc.	900.00

17591	Steven P. Gruenberg Esq.	874.50
17592	Verizon Wireless	143.73
17593	Warren Materials	1032.50
17594	Warren County Assessors Assc.	115.00
17595	WCGOA	35.00
17596	White Township Board of Education	642,314.00
17597	Xerox Corp	576.36

TOTAL.....\$695,945.32

Developer's Escrow Account

1437	Colliers Engineering	82.50
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Current Fund Manual

2415	Payroll Account	32,796.74
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Gravel Pit Escrows

248	Colliers Engineering	126.60 (for Hoffman)
252	Colliers Engineering	450.00 (for HS&G)

Capital Account

1580	South State	281,140.53
1581	Key-Tech	2240.00
1582	Colliers Engineering	8750.27

Dog Trust

1199	NJ Dept. of Health	9.00
1200	NJ Dept. of Health	37.20

Sewer Account

1391	Town of Belvidere	1028.87
1392	Colliers Engineering	496.87

TOTAL ALL FUNDS.....\$1,023,103.90

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 7:38 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