

WHITE TOWNSHIP COMMITTEE

MINUTES OF MEETING JANUARY 13, 2021

CALL TO ORDER

Mayor Herb called the meeting to order at 6:00 p.m. and stated ‘Adequate Notice of this meeting of January 13, 2021 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 Express-Times and 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, Committeewomen Collom and Skoog, Clerk Kathleen Reinalda, Deputy Clerk Brielle Whitmore and Attorney Tipton.

PROCLAMATION HONORING SAMUEL RACE

Mayor Herb read the following proclamation honoring Samuel Race’s years of service to White Township:

Proclamation

WHEREAS, Samuel R. Race will be honored by friends and relatives on the occasion of his retirement on December 31, 2020; and

WHEREAS, he was born in 1930, in Warren County, New Jersey and is a lifelong resident of White Township; and

WHEREAS, he attended Rutgers University and received a Bachelor of Science Degree; and

WHEREAS, he became the husband of Jean, in July of 1952, and this marriage was blessed with three children, two grandchildren, and one great-grandchild; and

WHEREAS, in addition to being a loving husband and father, he was employed with the New Jersey State Department of Agriculture, Soil Conservation Department and he took over the family farm in 1969 and grew strawberries until 2017; and

WHEREAS, he served on the White Township Zoning Board of Adjustment from July 1963 to December of 2002, many years as the Chair; and

WHEREAS, he served on the White Township Committee from 2006 to 2020, many years as the Mayor; and

WHEREAS, he also served on the White Township School Board and dedicated his time to the Board of Agriculture/Farm Bureau, the Warren County Farmers Fair and the Belvidere Rotary Club; and

WHEREAS, during a long and productive lifetime, he demonstrated in countless ways his dedication to the welfare of others and earned the respect and affection of people from all walks of life and all ages; and

WHEREAS, he has lived during the most eventful century of this world's history; and in his quiet way has been a force for good and a stabilizing influence on those around him during these turbulent years;

NOW, THEREFORE, I, Jeff Herb, Mayor of White Township, New Jersey, along with the White Township Committee, do hereby deem it an honor and pleasure to extend this Certificate of Recognition to Samuel R. Race, on the occasion of his Retirement, with sincere congratulations and best wishes for many more happy productive years.

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of White Township to be affixed, this 13th, day of January, 2021.

ORDINANCES – FIRST READING

Ord. 2021-01: Motion made by Mrs. Collom, seconded by Mrs. Skoog and carried by unanimous favorable roll call vote to introduce the following ordinance on first reading. Collom – yes, Skoog – yes, Herb – yes. Motion carried.

TOWNSHIP OF WHITE WARREN COUNTY, NEW JERSEY ORDINANCE 2021-01

An Ordinance of the Township of White Amending and Supplementing Certain Sections of Chapter 160, Entitled “Land Use” of the Code of White Township

WHEREAS, the Municipal Land Use Law (“MLUL”) (N.J.S.A. §§ 40:55D-1 et seq.) enables municipalities to adopt, and subsequently amend, zoning ordinances relating to the nature and extent of the uses of land, buildings and structures within a municipality; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62, all provisions of such zoning ordinance or amendment or revision shall either be substantially consistent with the land use plan element and housing element of the municipality’s Master Plan or designed to effectuate such plan elements; and

WHEREAS, Chapter 160 of the Code of the Township of White (the “Code”) regulates zoning and establishes permitted and conditional uses within the Township; and

WHEREAS, the White Township Planning Board adopted a Land Use Plan Element Amendment on December 29, 2020 by way of adoption of the report entitled “Master Plan Amendment, Township of White, Warren County, New Jersey, prepared October 30, 2020” prepared by Paul M. Sterbenz, P.E., P.P. and Daniel N. Bloch P.P., AICP, EADA of Maser Consulting;

WHEREAS, the 2020 Land Use Plan Amendment includes recommendations to rezone certain properties within the Township as delineated in Article XII Zoning; and

WHEREAS, the Township Committee of White seeks to enact the following amendments to the Land Use Ordinance of the Code in order to implement the recommendations of the Planning Board in the 2020 Land Use Plan Element Amendment.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of White, County of Warren, State of New Jersey as follows:

Section 1. Section 160-84 entitled “Zoning Map; Schedule of Requirements; district boundary lines” is hereby amended as follows:

1. Lot 17 in Block 32 shall be rezoned from R-1 Detached Single-Family Residence District to I-2 Industrial-Quarry District;
2. Lots 2.01, 2.02 and 2.04 in Block 54.01 shall be rezoned from O-B Office Building District to R-1 Detached Single-Family Residence District;
3. Lot 2 in Block 55 shall be rezoned from H-D Highway Development District to R-1 Detached Single-Family Residence District;
4. Lots 12 & 12.01 in Block 60; Lots 1, 2, 3 & 3.01 in Block 62; Lot 2 in Block 64; and Lots 7, 8, 9, 9.01, 9.02, 10, 11, 12, 13, 13.01, 13.03, 14 in Block 18 shall be rezoned from R-2 Single-Family Detached Residence District to R-1 Detached Single-Family Residence District;
5. A portion of Lot 7 in Block 18; and Lots 4.01, 4.02 and a portion of 4.03 in Block 18 shall be rezoned from N-C Neighborhood Commercial District to R-1 Detached Single-Family Residence District;
6. Lot 13.01 in Block 72 shall be rezoned from I Industrial District to R-1 Detached Single-Family Residence District.
7. The White Township Zoning Map shall be revised accordingly

Section 2.

Any Ordinance or portion thereof that is inconsistent or in conflict with this Ordinance is hereby repealed to the extent of such inconsistency or conflict.

Section 3.

If any provision in this Ordinance is, or is held to be, invalid or unlawful, (i) such provision shall, if possible, be deemed amended to the extent necessary to make it valid and lawful, and (ii) such invalidity or unlawfulness shall not affect the validity of the remaining provisions of this Ordinance.

Section 4. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Ord. 2021-02: Motion made by Mrs. Collom, seconded by Mayor Herb with Mrs. Skoog recused to introduce the following ordinance on first reading. Collom – yes, Skoog – recused, Herb – yes. Motion carried.

**TOWNSHIP OF WHITE
WARREN COUNTY, NEW JERSEY
ORDINANCE 2021-02**

An Ordinance of the Township of White Amending and Supplementing Certain Sections of Chapter 160, Entitled “Land Use” of the Code of White Township

WHEREAS, the Municipal Land Use Law (“MLUL”) (N.J.S.A. §§ 40:55D-1 et seq.) enables municipalities to adopt, and subsequently amend, zoning ordinances relating to the nature and extent of the uses of land, buildings and structures within a municipality; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62, all provisions of such zoning ordinance or amendment or revision shall either be substantially consistent with the land use plan element and housing element of the municipality’s Master Plan or designed to effectuate such plan elements; and

WHEREAS, Chapter 160 of the Code of the Township of White (the “Code”) regulates zoning and establishes permitted and conditional uses within the Township; and

WHEREAS, the White Township Planning Board adopted a Land Use Plan Element Amendment on December 29, 2020 by way of adoption of the report entitled “Master Plan Amendment, Township of White, Warren County, New Jersey, prepared October 30, 2020” prepared by Paul M. Sterbenz, P.E., P.P. and Daniel N. Bloch P.P., AICP, EADA of Maser Consulting; and

WHEREAS, the Township Committee of White seeks to enact the following amendments to the Land Use Ordinance of the Code in order to implement the recommendations of the Planning Board in the 2020 Land Use Plan Element Amendment to permit self-storage facilities as permitted conditional uses within the O-B Office Building District and H-D Highway Development District;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of White, County of Warren, State of New Jersey as follows:

Section 1. Section 160-112 entitled “Uses Permitted” is hereby amended to add a new permitted conditional use Section 160-112(A)(14) Self-storage facilities as follows:

“Section 160-112(A)(14) Self-storage facilities”

Section 2.

Article XIV Conditional Uses is hereby amended to add new Section 160-126.1 Self-storage facilities as follows:

160-126.1 Self-storage facilities

Self-storage facilities are permitted as a conditional use in the O-B and H-D Districts, provided that said conditional use shall meet all of the following requirements.

1. No new self-storage facility shall be located within 1,200 feet of an existing or approved self-storage facility.
2. Self-storage facilities shall provide a minimum front yard setback of 100 feet in the H-D District.
3. Self-storage facilities shall only be permitted on the north side of Route 46 in the H-D District.
4. A minimum setback of 200 feet shall be provided wherever a self-storage facility in the O-B District abuts a residential zone or residential property. A minimum landscape buffer 50 feet in width shall be included within the required setback.
5. Minimum side yard setback shall be 50 feet each.
6. No self-storage facility, unit, or portion thereof, shall be utilized for residential or dwelling purposes or for the storage of hazardous waste, hazardous substances or illegal substances of any kind.
7. The facility shall be designed and constructed of durable materials and design concepts that address and are compatible with contemporary community standards, which shall include substantial landscape and hardscape elements to minimize the identity of the building as a self-storage facility.
8. Fences shall comply with Section 160-107, except that fences in the front yard are permitted at a maximum height of 6 feet for security purposes, provided that such fence be setback at least 20 feet from the right-of-way. No sharp or dangerous protrusions such as barbed or razor wire shall be placed on any fence.
9. All signage shall be consistent with Section 160-86 of the Land Use Ordinance.

Section 3. Any Ordinance or portion thereof that is inconsistent or in conflict with this Ordinance is hereby repealed to the extent of such inconsistency or conflict.

Section 4.

If any provision in this Ordinance is, or is held to be, invalid or unlawful, (i) such provision shall, if possible, be deemed amended to the extent necessary to make it valid and lawful, and (ii) such invalidity or unlawfulness shall not affect the validity of the remaining provisions of this Ordinance.

Section 5. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Ord. 2021-03: Motion made by Mrs. Collom, seconded by Mrs. Skoog and carried by unanimous favorable roll call vote to introduce the following ordinance on first reading. Collom – yes, Skoog – yes, Herb – yes. Motion carried.

**TOWNSHIP OF WHITE
WARREN COUNTY, NEW JERSEY
ORDINANCE 2021-03**

An Ordinance of the Township of White Amending and Supplementing Certain Sections of Chapter 160, Entitled “Land Use” of the Code of White Township

WHEREAS, the Municipal Land Use Law (“MLUL”) (N.J.S.A. §§ 40:55D-1 et seq.) enables municipalities to adopt, and subsequently amend, zoning ordinances relating to the nature and extent of the uses of land, buildings and structures within a municipality; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62, all provisions of such zoning ordinance or amendment or revision shall either be substantially consistent with the land use plan element and housing element of the municipality’s Master Plan or designed to effectuate such plan elements; and

WHEREAS, Chapter 160 of the Code of the Township of White (the “Code”) regulates zoning and establishes permitted and conditional uses within the Township; and

WHEREAS, the White Township Planning Board adopted a Land Use Plan Element Amendment on December 29, 2020 by way of adoption of the report entitled “Master Plan Amendment, Township of White, Warren County, New Jersey, prepared October 30, 2020” prepared by Paul M. Sterbenz, P.E., P.P. and Daniel N. Bloch P.P., AICP, EADA of Maser Consulting;

WHEREAS, the 2020 Land Use Plan Amendment includes recommendations to rezone certain properties from the N-C Neighborhood Commercial District to the Low Density Industrial District; from the I Industrial District to the LDI Low Density District; from the I Industrial District to the N-C Neighborhood Commercial District and from the I Industrial District to the R-1 Detached Single-Family Residence District ;

WHEREAS, the 2020 Land Use Plan Amendment includes recommendations to further regulate and prohibit uses within the Industrial District and LDI Low Density Industrial District; and

WHEREAS, the Township Committee of White seeks to enact the following amendments to the Land Use Ordinance of the Code in order to implement the recommendations of the Planning Board in the 2020 Land Use Plan Element Amendment pertaining to the I Industrial District and LDI Low Density Industrial District;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of White, County of Warren, State of New Jersey as follows:

Section 1. Section 160-84 entitled “Zoning Map; Schedule of Requirements; district boundary lines” is hereby amended as follows:

1. Lot 14 in Block 21 and a portion of Lot 14 in Block 7 shall be rezoned from N-C Neighborhood Commercial District to LDI Low Density Industrial District;
2. Lots 1, 2, 3, 4, 5, 6, 7, 7.02, 8, 9, 10, 11, 11.01, 11.02, 11.03, 12, 13, 14, and 15 in Block 21; Lots 1 and 2 in Block 25; and Lot 1 in Block 300 shall be rezoned from I Industrial District to LDI Low Density Industrial District;
3. Lots 1, 2, 2.01, 4, and 5 in Block 28; Lot 1 in Block 27; and Lot 2 in Block 300 shall be rezoned from I Industrial District to N-C Neighborhood Commercial District;
4. Lots 1, 2, 3, 4, 5, 6, 7, 7.01, 8, 9, 9.02, 9.03, 10, 11, 12, 13, 14, 14.01, and 15 in Block 23; Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 in Block 24; Lot 1 in Block 24.01; Lots 2, 3, 4, 5, 6 and 7 in Block 26; Lot 3 in Block 200; Lot 1 in Block 201; Lot 1 in Block 301; and Lots 2, 3, 4, 5, 6, 6.01, 6.02, 7 and 7.01 in Block 30 shall be rezoned from I Industrial District to R-1 Detached Single-Family Residence District;
5. The White Township Zoning Map shall be revised accordingly

Section 2. Section 160-184 (A) Permitted uses is hereby deleted in its entirety and replaced with the following:

Section 160-184 Permitted Uses.

Permitted uses shall be:

A. Those permitted in the I Zone with the exception of those uses within the I Zone that are specifically prohibited in Section 160-185 below.

Section 3. Section 160-185 Prohibited uses is hereby deleted in its entirety and replaced with the following:

Section 160-185 Prohibited Uses.

A. Prohibited uses shall be those prohibited in the I Zone.

B. Professional and business offices, including rental office buildings. An office use is only permitted as an accessory use which is customarily incidental and subordinate to a principal permitted use; provided that the office not exceed 10 percent of the overall floor area.

C. Warehouse or storage within a completely enclosed building. Warehousing/storage is

only permitted as an accessory use which is customarily incidental and subordinate to a principal permitted use.

Section 4. Section 160-5 Definitions is hereby amended to include the following definition:

BUSINESS ESTABLISHMENT, WHOLESALE

A building or part thereof used for the selling of goods for delivery from the premises to an industrial, commercial or institutional establishment or organization and may include a showroom and/or display area open to the general public which does not exceed 25% of the premises.

Section 5. **Section 160-186 Required conditions** is hereby amended to repeal and replace Section 160-186 D and to add new Subsections as follows:

D. Maximum building coverage permitted shall be 5 percent.

E. Maximum Lot Coverage permitted shall be 15 percent.

F. Maximum Building Height permitted shall be 40 feet.

G. Maximum Floor Area Ratio permitted shall be 5 percent.

H. Greenhouse requirements. Greenhouses used as part of a customary and conventional farming operation shall conform to the minimum requirements set forth in Section 160-130 except that greenhouses are permitted up to 25 percent total building coverage, including 20 percent for crop production and 5 percent for non-crop production operations.

I. All other requirements of § 160-174 of the I Zone shall apply except as modified in Section 160-186.

Section 6. Section 160-84 Zoning Map; Schedule of Requirements; district boundary lines is hereby amended to reflect the changes to Section 160-186 set forth in Section 5.

Section 7. Section 160-172 (H) Permitted Uses is hereby deleted in its entirety and replaced with the following:

H. (Intentionally Omitted)

Section 8. Section 160-173 Prohibited Uses is hereby amended to include the following new subsection K:

K. Warehouse or storage within a completely enclosed building. Warehousing/storage is only permitted as an accessory use which is customarily incidental and subordinate to a principal permitted use.

Section 9. Any Ordinance or portion thereof that is inconsistent or in conflict with this Ordinance is hereby repealed to the extent of such inconsistency or conflict.

Section 10. If any provision in this Ordinance is, or is held to be, invalid or unlawful, (i) such provision shall, if possible, be deemed amended to the extent necessary to make it valid and lawful, and (ii) such invalidity or unlawfulness shall not affect the validity of the remaining provisions of this Ordinance.

Section 11. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Ord. 2021-04: Motion made by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote to introduce the following ordinance on first reading. Collom – yes, Skoog – yes, Herb – yes. Motion carried.

ORDINANCE NO. 2021-04
WHITE TOWNSHIP
WARREN COUNTY, NEW JERSEY

ORDINANCE OF THE TOWNSHIP OF WHITE, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND CHAPTER 160 SECTION 163 “ARTICLE XXI CC – COMMUNITY COMMERCIAL DISTRICT” OF THE CODE OF THE TOWNSHIP OF WHITE ADD A PERMITTED USE – BANQUET HALLS

WHEREAS, the Township Committee of White has examined the permitted uses in the CC zone of the Township; and

WHEREAS, the Township Committee has determined to allow banquet halls as a permitted use in the CC Zone, and

NOW, THEREFORE, BE IT ORDAINED by the Committee of the Township of White, County of Warren, State of New Jersey that Chapter 160 Section 163 Permitted Uses of the CC Zone of the Code of the Township of White shall be amended as follows:

Section 1:

§ 160-163

A. Retail Business Establishments

(23) Banquet Halls

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

RESOLUTIONS

Res. 2021-13 Motion made by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote to approve the following resolution. Collom – yes, Skoog – yes, Herb – yes. Resolution adopted.

RESOLUTION #2021-13

**RESOLUTION OF THE TOWNSHIP OF WHITE,
COUNTY OF WARREN, STATE OF NEW JERSEY
TO AUTHORIZE THE REFUND OF REDEMPTION MONIES TO OUTSIDE
LIENHOLDER OF TAX SALE CERTIFICATE #20-00007 ON BLOCK 18 LOT 6 C0013.**

WHEREAS, at the White Township Municipal Tax Sale held November 13, 2020, a lien was sold on Block 18 Lot 6 C0013, also known as 13 Colby Court for delinquent 2019 sewer; and

WHEREAS, this lien known as Tax Sale Certificate No 20-00007 was sold to US BANK CUST ACTLIEN HOLDING for a premium of \$2,400.00; and

WHEREAS, the property owner, made the full payment on Certificate No 20-00007 in the amount of \$330.35 and,

NOW THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of White hereby authorizes the Chief Financial Officer to issue a check in the amount of \$2,400.00 for the Premium to:

US BANK CUST ACTLIEN HOLDING
50 SOUTH 16TH ST, SUITE 2050
PHILADELPHIA, PA 19102

Res. 2021-14 Motion made by Mrs. Skoog, seconded by Mrs. Collom and carried by

unanimous favorable roll call vote to approve the following resolution. Collom – yes, Skoog – yes, Herb – yes. Resolution adopted.

RESOLUTION #2021-14

RESOLUTION OF THE TOWNSHIP OF WHITE, COUNTY OF WARREN, STATE OF NEW JERSEY TO REFUND OVERPAYMENTS FOR BLOCK 30 L10 C5006

WHEREAS, the Township of White has reviewed the sewer accounts and determined the Block 30 L10 C5006 has an overpayments made by the taxpayers; and

WHEREAS, the overpayments of \$138.12 due to an overpayment in Q4 2020.

NOW THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of White hereby authorizes the refund of \$138.12 to:

NANCY C. MAGINNIS
5006 BROOKFIELD GLEN DR
BELVIDERE, NJ 07836

OLD BUSINESS

Motion made by Mrs. Collom, seconded by Mrs. Skoog and carried by unanimous favorable roll call vote to appoint Dennis Smith and James Finamore to the Alternate positions on the Zoning Board of Adjustment. Collom – yes, Skoog – yes, Herb – yes. Motion carried.

Mrs. Collom proposed a Property Maintenance Ordinance to help manage the numerous complaints received from residents regarding various properties throughout the township. Mayor Herb and Mrs. Skoog requested additional time to review the proposal.

NEW BUSINESS

The committee discussed the NJ Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act. The committee has 180 days to act in order to opt in OR opt out of the state regulations.

PUBLIC COMMENTS

Arnold Hyndman congratulated Mr. Race on his years of service to the township.

On motion by Mrs. Skoog, seconded by Mrs. Collom 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, January 13, 2021, 6:27 pm:

Pending or Threatened Litigation
(JAINDL)

Contract Negotiations
(2021/2022/2023 farm leases)

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 Mrs. Collom, the meeting was re-opened to the public at 6:34p.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 6:35 p.m. On motion by Mrs. Collom, seconded by Mrs. Skoog and carried by unanimous favorable roll call vote.

Respectfully Submitted,

Kathleen R. Reinalda, RMC
Township Clerk