

## **WHITE TOWNSHIP COMMITTEE**

## **MINUTES OF MEETING DECEMBER 14, 2022**

### **CALL TO ORDER**

Mayor Herb called the meeting to order at 5:00 p.m. and stated ‘Adequate Notice of this meeting of December 14, 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, Clerk Kathleen Reinalda, Deputy Clerk Brielle Whitmore 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 December 14, 2022, 5:00 pm:

Personnel Matters  
(Construction Office)

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 6:13 p.m. Motion passed. No action was taken in Executive Session.

## **RESOLUTIONS**

**Res. 2022-47:** 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 2022-47  
TOWNSHIP COMMITTEE  
TOWNSHIP OF WHITE, WARREN COUNTY, NEW JERSEY  
DECEMBER 14, 2022

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WHITE  
ENDORING THE AMENDED THIRD ROUND HOUSING ELEMENT AND FAIR SHARE  
PLAN

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (“Mount Laurel IV”), on July 2, 2015, the Township of White (hereinafter the “Township”) filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan, to be amended as necessary, satisfied its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine”; and

**WHEREAS**, the Township simultaneously, and ultimately secured, a protective order providing the Township immunity from all exclusionary zoning lawsuits while it pursued approval of its Housing Element and Fair Share Plan; and

**WHEREAS**, the Court also appointed a Special Court Master (hereinafter the “Court Master”), as is customary in Mount Laurel matters adjudicated in the courts; and

**WHEREAS**, with the assistance from the Court Master, the Township and Fair Share Housing Center (hereinafter “FSHC”) engaged in good faith negotiations, which resulted in the entering into a Settlement Agreement between the Township and FSHC on December 8, 2016; and

**WHEREAS**, a Fairness hearing was held on March 9, 2017, at which the FSHC Settlement Agreement was approved, and said approval was later memorialized by an Order entered by the Court; and

**WHEREAS**, as per the terms of the December 6, 2016 FSHC Settlement Agreement and the Court’s Order, the Township’s planner prepared a Housing Element and Fair Share Plan, which was reviewed and approved by the Planning Board on July 11, 2017; and

**WHEREAS**, on March 14, 2022, the Honorable Judge Miller issued a Conditional Judgment of Compliance and Repose, conditioned upon compliance with the conditions identified with the Court Master’s March 11, 2022 Compliance Report; and

**WHEREAS**, the March 11, 2022 Compliance Report from the Special Master notes certain corrections that must be made to the Township's Housing Element and Fair Share Plan; and

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the amended Housing Element and Fair Share Plan on October 6, 2022; and

**WHEREAS**, the Planning Board determined that this amended plan is consistent with the goals and objectives of the Township's Master Plan, as amended, and that the adoption and implementation of the amended plan are in the public interest and will protect the public's health and safely and promote the general welfare; and

**WHEREAS**, the Planning Board adopted the amended Housing Element and Fair Share Plan at its meeting on October 6, 2022; and

**WHEREAS**, the Planning Board adopted a resolution at its meeting on November 8, 2022 memorializing its findings, conclusions, and reasons for approval of the amended Housing Element and Fair Share Plan; and

**WHEREAS**, the Township Committee reviewed the findings, conclusions, and reasons for approval of the amended Housing Element and Fair Share Plan as summarized in the Planning Board's memorializing resolution of November 8, 2022.

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

1. That the Township hereby endorses the amended Housing Element and Fair Share Plan adopted by the White Township Planning Board.
2. That notice of this endorsement and a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the White Township municipal clerk's office located at 555 County Route 519, Belvidere, NJ 07823, during the normal business hours for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.
3. That the Township authorizes and directs its professionals to file with the Court (i) the Housing Element and Fair Share Plan, (ii) the resolutions of the Planning Board adopting and the Township Committee endorsing the Housing Element and Fair Share Plan, and (iii) any additional documents the professionals deem necessary or desirable.
4. That the Township reserves the right to further amend the Housing Element and Fair Share Plan, should that be necessary.

**Res. 2022-48:** 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 2022-48  
TOWNSHIP COMMITTEE  
TOWNSHIP OF WHITE, WARREN COUNTY, NEW JERSEY  
DECEMBER 14, 2022

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
WHITE DESIGNATING LOT 1 IN BLOCK 53 AS A NON-CONDEMNATION  
REDEVELOPMENT AREA

**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 constitute areas in need of redevelopment; and

**WHEREAS**, pursuant to Resolution No. 2022-29 adopted on May 11, 2022, the Township Committee (“Committee”) of the Township of White (the “Township”) authorized and directed the Planning Board of the Township of White (the “Board”) to conduct an investigation to determine whether certain property, identified as Block 53, Lot 1, or any portions thereof (the “Study Area”), meet the criteria set forth in the Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as that term is defined by the Redevelopment Law and;

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

**WHEREAS**, as part of its investigation, the Board directed Paul Sterbenz, P.P. to prepare an Area in Need of Redevelopment Investigation Study (“Area in Need Study”) for the Board for its consideration in determining whether the Study Area should be designated a Non-Condensation Redevelopment Area entitled “Area in Need of Redevelopment Investigation – White Township Plaza, Block 53, Lot 1”; and

**WHEREAS**, the Board conducted a public hearing on October 6, 2022, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

**WHEREAS**, at the public hearing the Board reviewed the Area in Need Study and heard testimony from Mr. Sterbenz and Daniel Bloch, P.P., AICP; and

**WHEREAS**, Mr. Sterbenz and Mr. Bloch concluded in the Area in Need Study and testified to the Board at the public hearing that there is evidence to support the finding that the Study Area satisfies the criteria for a redevelopment area designation as set forth in N.J.S.A. 40A:12A-5 (a), (b), (c), and (d); and

**WHEREAS**, at the public hearing, members of the general public were given an opportunity to be heard and to address questions to the Board, Mr. Bloch, and Mr. Sterbenz concerning the

potential designation of the Study Area as a Non-Condemnation Redevelopment Area; and

**WHEREAS**, after completing its investigation and public hearing on this matter, the 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 (a), (b), (c), and (d), for designating the Study Area as a Non-Condemnation Redevelopment Area and that said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

**WHEREAS**, in accordance with the Redevelopment Law and as approved by Motion, dated October 6, 2022, the Board recommended to the Township Committee that Block 53, Lot 1 be designated as a Non-Condemnation Redevelopment Area; and

**WHEREAS**, the Board's findings, conclusions, and recommendations relative to the designation of the Study Area as an area in need of redevelopment are summarized in a resolution memorialized by the Board at its meeting on November 8, 2022; and

**WHEREAS**, the Committee has reviewed the resolution memorialized by the Board at its meeting on November 8, 2022;

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

1. The Township Committee of the Township of White hereby agrees with and adopts and incorporates the findings of fact and conclusions of law of the Board, which are set forth in its resolution dated November 8, 2022, relative to the Study Area.
2. The Township Committee of the Township of White specifically agrees with the conclusions of the Board, that the Study Area meets the criteria in the statute for a non-condemnation redevelopment area.
3. Lot 1 in Block 53 is hereby designated as a non-condemnation redevelopment area.
4. This resolution shall be transmitted by the Township Clerk to the Commissioner of the New Jersey Department of Community Affairs pursuant to N.J.S.A. 40A:12A-6b(5)c.
5. The Township Committee hereby authorizes a committee to be formed consisting of two (2) members of the Township Committee, two (2) members of the Planning Board, and appropriate Township professionals to facilitate the preparation of a redevelopment plan for the redevelopment area pursuant to the provisions of N.J.S.A. 40A:12A-7, which shall be considered for approval by the Township Committee.

**Res. 2022-49:** 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 #2022-49**  
**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 #22-00007 ON BLOCK 37 LOT 4.**

**WHEREAS**, at the White Township Municipal Tax Sale held October 14, 2022, a lien was sold on Block 37 Lot 4, also known as 385 Route 46 for delinquent 2021 taxes; and

**WHEREAS**, this lien known as Tax Sale Certificate No 22-00007 was sold to USBANK CUST/PC8 FIRSTRUST BANK for a premium of \$2,800.00; and

**WHEREAS**, the property owner, made the full payment on Certificate No 22-00007 in the amount of \$6,608.47 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 \$2,800.00 for the Premium to:

USBANK CUST/PC8 FIRSTRUST BANK  
50 SOUTH 16<sup>TH</sup> ST, STE 2050  
PHILADELPHIA, PA 19102

**Res. 2022-50:** 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 2022-50**

**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 Committee 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 Committee 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 Committee 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 Committee does hereby authorize submission of a strategic plan for the White Township Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR	\$1,404.00
Cash Match	\$351.00
In-Kind	\$1,053.00
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**OLD BUSINESS**

The Commissioners still have not responded to the township’s letter requesting an explanation of the White Township appointment to the PRMUA. The clerk was asked to email the commissioners individually.

Mayor Herb and the DPW Assistant Supervisor located a F550 4X4 at Route 23 Automall LLC. It would be purchased through a co-op at a cost of \$110,240.95. This was approved on motion by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Hyndman – yes, Skoog – yes, Herb – yes. Motion carried.

Mayor and Committee approved the 2023/2024/2025 farm lease specifications with the added language regarding chemical spraying notifications to adjoining property owners on motion by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Skoog – yes, Hyndman – yes, Herb – yes. Motion carried.

The committee has completed its review of the 2023 request for proposals for professional services.

The committee continues to review the ordinances establishing the Open Space, Agricultural Advisory Boards and Environmental Commissions.

**NEW BUSINESS**

Mayor and Committee reviewed the 2022 Best Practices Inventory.

A letter was received from the State of NJ regarding zoning board member, Barry Wessner. Mr. Wessner did not file his 2022 Financial Disclosure Statement as required by law. A monetary fine will be imposed by the state in the amount of \$100. The clerk was asked to contact Mr. Wessner regarding the status of his compliance.

The Re-Organization Meeting will be held January 11<sup>th</sup> at 6PM with the Regular Meeting immediately following.

### **PUBLIC COMMENTS**

Chris Pozarycki, owner of Jack's Barn, questioned the status of outdoor storage at the 5 Acres property. No action has been taken.

### **OTHER MATTERS**

Dr. Hyndman suggested the township apply for the Local Recreation Improvement Grant being offered by the State of NJ Department of Community Affairs. He recommended pickle ball courts and possible walking paths at the Route 519 Unangst Fields. Motion made by Dr. Hyndman, seconded by Mrs. Skoog to authorize the township engineer to prepare the necessary paperwork to apply for the Local Recreation Improvement Grant. Hyndman – yes, Skoog – yes, Herb – yes. Motion carried.

Motion made by Dr. Hyndman, seconded by Mrs. Skoog and carried by unanimous favorable roll call vote to authorize the clerk to purchase two \$500 VISA gift cards for Randy Bell and Alfia Schemm, both who will be retiring December 31, 2022. Hyndman – yes, Skoog – yes, Herb – yes. Motion carried.

### **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>
17788	Evelve Bank & Trust	748.04
17789	Warren County Clerk	32.00
17790	Griffith- Allied Trucking LLC	2,048.99
17791	Belvidere Ambulance Corp Inc	300.00
17792	Belvidere Football Club	300.00
17793	Belvidere Garden Club	300.00
17794	Belvidere United Methodist	300.00
17795	Belvidere United Methodist	300.00
17796	Belvidere United Methodist	300.00
17797	Belvidere United Methodist	300.00
17798	Belvidere HS Boys Soccer	300.00
17799	Belvidere HS Boys Basketball	300.00
17780	Belvidere Cheer Booster Club	300.00



17801	Belvidere HS Wrestling Booster	300.00
17802	BHS Baseball Booster Club	300.00
17803	BHS Boys Soccer Booster Club	300.00
17804	BHS Boys Varsity Cross	300.00
17805	BHS Boys JV Cross Country	300.00
17806	BHS Boys Varsity Track	300.00
17807	BHS Boys JV Track	300.00
17808	BHS Girls Varsity Cross	300.00
17809	BHS Girls JV Cross Country	300.00
17810	BHS Girls Varsity Track	300.00
17811	BHS Girls Soccer Booster Club	300.00
17812	BHS Girls Basketball Booster	300.00
17813	Boy Scout Troop 141	300.00
17814	Brightspeed	65.65
17815	Buttzville Methodist Church	300.00
17816	Buttzville UMC Youth	300.00
17817	Buttzville UMC Trustees	300.00
17818	Buttzville Cemetery	300.00
17819	Buttzville Missions	300.00
17820	Buttzville UMC Memorial Fund	300.00
17821	Colliers Engineering & Design	300.00
17822	Comcast	762.66
17823	Rentokil	195.36
17824	Elizabethtown Gas	145.30
17825	Florio, Perrucci, Steinhardt	2,900.00
17826	Francotype-Postalia INC	141.00
17827	Gebhardt & Keifer	809.00
17828	Genserve Inc	1,100.00
17829	Gibbons PC	1,571.05
17830	Girl Scout Troop 94967	300.00
17831	Girl Scout Troop 94312	300.00
17832	Home Depot Credit Service	321.01
17833	JCP&L	2,328.54
17834	Kathleen Reinalda	27.90
17835	Warren County NJ Inc	900.00
17836	ReadyRefresh By Nestle	390.32
17837	NJ League of Municipalities	588.00
17838	NJ Dividon of ABC	36.00
17839	NJ American Water Company	1,354.70
17840	NJ Advance Media	VOID
17841	NJ Advance Media	3,218.18
17842	NJCM	395.00
17843	Sanico Inc	1188.37
17844	Staples Credit Plan	46.99
17845	Swift Print Solutions LLC	823.50
17846	Top Notch Equestrian Team	300.00

17847	Township of Randolph	1,100.00
17848	Tractor Supply Credit Plan	70.19
17849	Troop 94643	300.00
17850	Troop 95041	300.00
17851	Verizon Wireless	206.85
17852	Warren United Soccer	300.00
17853	White Twp BOE	655,161.00
17854	White Twp 8 <sup>th</sup> Grade Class	300.00
17855	Woman's Club of Belvidere	300.00
17856	Xerox Corporation	1,087.06
17857	UPC Belvidere Community Lunch	1,000.00
17858	ARAE Network Solutions	3520.50
17859	A&S Hydraulics Inc.	605.00
17860	Belvidere Garden Club	300.00
17861	BHS Girls JV Track & Field	300.00
17862	Brielle Whitmore	388.24
17863	C&M Auto Parts	22.58
17864	Collier's Engineering	8611.94
17865	Common Sense for Animals	10.00
17866	Delaware Valley Septic	1875.00
17867	Elizabethtown Gas	518.23
17868	Florio, Perrucci, Steinhardt	2900.00
17869	GTM Turf Management	4170.00
17870	Horizon Blue Cross Blue Shield	386.38
17871	JCP&L	1082.92
17872	Jesco Inc.	181.22
17873	Kathleen Reinalda	856.68
17874	The Lock Doctor	165.00
17875	NJ Advance Media	176.96
17876	Oxford Volunteer Fire Dept.	29,500.00
17877	Rigo's General Hardware	73.25
17878	Verizon Wireless	248.20
17879	Vital Communications	420.00
17880	Weldon Quarry LLC	1140.00

Total.....753,191.95

**Developer's Escrow Account**

1503	Colliers Engineering	165.00
1504	Colliers Engineering	247.50

**Current Fund Manual**

2430	Payroll Account	31,687.01
2431	Payroll Account	15,719.39

2432	Payroll Account	38,277.52
<b>Gravel Pit Escrows</b>		
251	Colliers Engineering	916.25 (for BS&G)
239	Colliers Engineering	327.39 (for Tilcon)
256	Colliers Engineering	678.75 (for HSG)
252	Colliers Engineering	222.50 (for Hoffman)
253	Colliers Engineering	41.25 (for Hoffman)
253	Colliers Engineering	181.25 (for Hoffman)
257	Colliers Engineering	936.95 (for HS&G)
240	Colliers Engineering	579.24 (for Tilcon)
252	Colliers Engineering	580.08 (for BS&G)
<b>Capital Account</b>		
1589	Colliers Engineering	5,183.39
<b>Dog Account</b>		
1205	NJ Dept. of Health	2.40
1206	Alfia Schemm	109.99
1207	Alfia Schemm	50.00
1208	Sara Amento	300.00
1209	Pam Harrington	50.00
1210	Karen Stenson	50.00
1211	Holly Tirrell	50.00
<b>TOTAL ALL FUNDS.....</b>		<b>\$792,095.71</b>

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 December 14, 2022, 7:15 pm:

Contract Negotiations  
(2023 Landscaping Contract)

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 7:30 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 7:31 p.m. on motion by Mrs. Skoog, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote.

Respectfully Submitted,

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Kathleen R. Reinalda, RMC  
Township Clerk