

# WHITE TOWNSHIP COMMITTEE

# MINUTES OF MEETING JUNE 14, 2023

Mayor Skoog called the meeting to order at 6:00 p.m. and stated ‘Adequate Notice of this meeting of June 14, 2023 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 Warren County Zone 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**

Mayor Skoog, Committeemen Hyndman and Herb, Deputy Clerk Brielle Whitmore and Clerk Kathleen Reinalda were present for the meeting. Attorney Tipton was absent.

## **2023 BUDGET ADOPTION**

Township Auditor, John Mooney was present for adoption of the 2023 municipal budget. No increase in the municipal tax rate.

Motion to open the public hearing on the COLA Ordinance made by Mr. Herb, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Being no comments, motion to close the public hearing made by Mr. Herb, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Motion to adopt the COLA Ordinance made by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote. Herb – yes, Hyndman – yes, Skoog – yes. Motion carried.

## **CALENDAR YEAR 2023 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 2023 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 \$55,369.34 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 2023 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 \$55,369.34 and that the CY 2023 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 Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote to open the public hearing on the 2023 Municipal Budget. Joseph Venesky, Beechwood Road, encouraged the governing body to seek ratables for the future. Being no further comments, motion to close the public hearing made by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote. Motion to adopt the 2023 Municipal Budget made by Mr. Herb, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. A complete copy of the budget is available for public inspection in the office of the municipal clerk. Herb – yes, Hyndman – yes, Skoog – yes. Motion carried.

## **NEW BUSINESS**

Mark Bellin, Esq., representing Foul Rift Solar Farm LLC, was present to seek approval for access to the White Township recreation property, BK 30, Lot 10.02. An offer was made of \$50,000 for a 'nonexclusive easement agreement' in order to connect to the JCP&L approved path to the grid. The line will run along the outer property line, which will cause no interference to the use of the property. The committee had numerous questions, but decided further guidance

from Attorney Tipton would be prudent. No further action was taken at this time.

Joe Palmer, KC Sign Company, presented a depiction of a new digital sign that would be shared between the elementary school and the township. The cost is approximately \$30,000 total to be split evenly with the school. The township is waiting on school approval prior to proceeding.

## **ENGINEERING UPDATE**

Paul Sterbenz reported on the following:

- Route 46 Sewering – Mr. Sterbenz presented an estimate of \$269,000 for the Beckett six inch force main.
- Stormwater Pollution Prevention Plan – \$25,000 has been received from the State of NJDEP in order to prepare a ‘Stormwater Pollution Prevention Plan’ which is the first step to comply with Tier A requirements. Many compliance items in the plan will need to be budgeted in the 2024 municipal budget.
- Topsoil Protection Ordinance – Mr. Sterbenz provided a draft of the amended topsoil protection ordinance. Dr. Hyndman had numerous questions clarifying the intent of the ordinance.
- A&P Redevelopment Plan – the owner of the old A&P site has decided to have a marketing study done. The Redevelopment Plan will be tabled until the results of the marketing study are complete.
- Recreation Grant – The township received a grant for pickleball courts in the amount of \$82,000.00. Mr. Sterbenz continues to work on a cost estimate in order to complete the entire project.
- 2023 Road Improvement Projects – Mr. Sterbenz was authorized to proceed now that the 2023 Municipal Budget has been adopted.
- 5 Acres Request for Site Plan – Mr. Accetturo has not filed the requested site plan application to the Board of Adjustment. Mr. Accetturo’s attorney sent a letter explaining his client’s position is that the use has not changed or expanded, therefore, additional time will be needed in order for him to gather the necessary proof.
- various zoning violations – no action taken by the court.
- 45 Tamarack Road – Mr. Panetta’s drainage concerns can be resolved when Tamarack Road is overlaid.

## ORDINANCES – PUBLIC HEARING

- A. Ord. 2023-03: Motion to open the public hearing made by Dr. Hyndman, seconded by Mr. Herb. Being no comments, motion to close the public hearing made by Mr. Herb, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Motion to adopt the following ordinance made by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote. Herb – yes, Hyndman – yes, Skoog – yes.

### AN ORDINANCE ESTABLISHING THE SALARY RANGES OF TOWNSHIP OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF WHITE, COUNTY OF WARREN, STATE OF NJ 2023

Ordinance 2023-03

Section 1: Retroactive to January 1, 2023, the annual salary ranges and hourly wage ranges of the officials and other employees

hereinafter named shall be as follows:

Position	2023 Salary Range			Pay Frequency	
	(-15%) Low	Mid	(+15%) High		
Committee	\$3,297.15	\$3,879.00	\$4,460.85	***	Annual
Committee	\$3,297.15	\$3,879.00	\$4,460.85	***	Annual
Committee	\$3,297.15	\$3,879.00	\$4,460.85	***	Annual
Municipal Clerk, QPA, Registrar	\$71,700.00	\$84,353.00	\$97,006.00	*	Annual
Deputy Clerk; Dog Licensing Official; Webmaster; Dep Registrar	\$54,183.00	\$63,745.00	\$73,307.00	**	Annual
Land Use Secretary, Construction Secretary					
Clerical Assistant; Alternate Registrar	\$17.00	\$20.00	\$23.00		Hourly
CFO	\$25,624.00	\$30,147.00	\$34,670.00	*	Annual
Deputy CFO (Deputy Treasurer)	\$33.00	\$48.00	\$63.00	*	Hourly
Tax Collector	\$14,983.00	\$17,628.00	\$20,273.00	*	Annual
Tax Clerk	\$19.00	\$23.00	\$27.00	*	Hourly
Sewer Utility Clerk	\$9,989.00	\$11,752.00	\$13,515.00	*	Annual
Tax Assessor	\$24,650.00	\$29,000.00	\$33,350.00	*	Annual
Assessment Search Officer		\$500.00		*	Annual
Building Inspector	\$16,150.00	\$19,000.00	\$21,850.00	**	Annual
Clerical Assistant to the Construction Office	\$8,500.00	\$10,000.00	\$11,500.00	*	Annual
Electrical Inspector	\$8,500.00	\$10,000.00	\$11,500.00	**	Annual
Plumbing Inspector	\$5,950.00	\$7,000.00	\$8,050.00	**	Annual
Board of Adjustment Secretary	\$5,100.00	\$6,000.00	\$6,900.00	**	Annual
Planning Board Secretary	\$10,200.00	\$12,000.00	\$13,800.00	**	Annual
Planning Board Secretary - Special Meetings		\$200.00		as billed	Per Occurance
Environmental Commission Secretary		\$100.00		as billed	Per Occurance
Open Space/Ag Committee Secretary		\$100.00		as billed	Per Occurance
Emergency Management Coordinator	\$4,250.00	\$5,000.00	\$5,750.00	***	Annual
Deputy Emergency Management Coordinator	\$850.00	\$1,000.00	\$1,150.00	***	Annual
Road Supervisor	\$32.00	\$38.00	\$44.00	*	Hourly
Assistant Road Supervisor	\$28.05	\$33.00	\$37.95	*	Hourly
Truck Driver/Laborer	\$24.65	\$29.00	\$33.35	*	Hourly
Laborers	\$18.70	\$22.00	\$25.30	*	Hourly
Building Maintenance Worker	\$14.45	\$17.00	\$19.55	*	Hourly
Seasonal DPW Laborer	\$25.50	\$30.00	\$34.50	*	Hourly

Section 2: The following is the schedule of payment of the above-stated wages and salaries:

\* Bi-Weekly    \*\*Monthly    \*\*\* Quarterly

Section 3: This ordinance shall take effect immediately on final passage and publication as provided by law.

Section 4: This ordinance shall repeal all other ordinances or portions of ordinances inconsistent herewith.

- B.** Ord. 2023-04: Motion to open the public hearing made by Dr. Hyndman, seconded by Mr. Herb. Being no comments, motion to close the public hearing made by Mr. Herb, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Motion to adopt the following ordinance made by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote. Herb – yes, Hyndman – yes, Skoog – yes.

ORDINANCE 2023-04  
WHITE TOWNSHIP  
WARREN COUNTY, NEW JERSEY

**ORDINANCE OF THE TOWNSHIP OF WHITE, COUNTY OF WARREN, STATE OF NEW JERSEY TO REPEAL AND REPLACE CHAPTER 33 – FARMLAND PRESERVATION AND OPEN SPACE TRUST FUND AND TO REPEAL CHAPTER 23 ENVIRONMENTAL COMMISSION FOR THE CODE OF THE TOWNSHIP OF WHITE**

**WHEREAS**, the Township Committee of White has examined both Chapter 33 and Chapter 23 to consider combining the Committee and Commission to one Committee; and

**WHEREAS**, the Township Committee has determined that combining the Committee and Commission would be more effective and efficient for such bodies to carry out their respective duties and obligations; and

**NOW, THEREFORE, BE IT ORDAINED** by the Committee of the Township of White, County of Warren, State of New Jersey that Chapter 33 the Code of the Township of White shall be repealed and replaced as follows and Chapter 23 shall be repealed in its entirety:

Section 1:

ARTICLE I  
**Farmland Preservation and Open Space Trust Fund**

**§ 33-1. Establishment; purpose.**

- A. There is hereby established a reserve in the Other Trust Fund which shall be known and designated as the "Farmland Preservation and Open Space Trust Fund." A special bank account shall be opened and maintained for this purpose. Funds from the Farmland Preservation and Open Space Trust Fund may, as directed by the Township Committee, be utilized to acquire by gift, purchase or by eminent domain, vacant land, easements other than development easements, and land which has improvements upon it at the time of acquisition. Development easements shall be acquired only by purchase pursuant to contract with the landowner. The

principal purpose of the acquisition shall be for any or all of the following purposes, or any combination thereof:

- (1) The purchase of property, easements or development rights within the Township of White for the preservation of farmland, active and passive recreation, or the protection of drinking water sources;
- (2) Acquisition of lands or easements for recreation and conservation purposes;
- (3) Development of lands acquired for recreation and conservation purposes;
- (4) Payment of debt service on indebtedness issued or incurred by the Township of White for any of the purposes set forth in Subsection A(1) through (3) above.

B. Any such land or improvements purchased hereunder shall be held by White Township in trust for the benefit of Township residents.

### **§ 33-2. Apportionment and allocation of funds.**

The Township Committee, after reviewing any recommendations of Open Space Committee and the holding of a public hearing thereon, shall apportion and allocate the monies from the Farmland Preservation and Open Space Trust Fund.

### **§ 33-3. Funding.**

The Farmland Preservation and Open Space Trust Fund shall be funded through the dedication to the fund of an amount of \$0.02 per \$100 of assessed valuation of each annual tax levy commencing with the tax and budget year 1999. The fund shall also be permitted to accept donations and testamentary bequests. The accumulated receipts and deposits within the fund may be utilized for the purposes set forth in § 33-1 herein. Any and all interest accruing shall be retained in and used for the same purposes as established in accordance with § 33-1 herein.

## **ARTICLE II Open Space Committee**

### **§ 33-4. Establishment.**

There is hereby established an Open Space Committee comprised of Township residents appointed by the Mayor with the consent of the other members of the Township Committee each year at the annual Township reorganizational meeting. The Open Space Committee shall consist of three regular members and two alternate members.

### **§ 33-5. Term of office; duties.**

Three of the members shall be Township residents actively engaged in farming and owning at least a portion of the land they farm. The Open Space Committee shall have, within the appropriations which may be established by the Township Committee, the following duties:

- A. In cooperation with the landowners, identify farmland and open space suitable for preservation;
- B. Establish guidelines for the preservation of farmland and open space;

- C. Establish an application process for the landowners interested in preserving farmland and open space;
- D. Educate the public about farmland and open space preservation programs, and the compensation therefor;
- E. Evaluate and recommend to the Township Committee, with the cooperation and approval of landowners, specific properties and projects for inclusion in the Farmland Preservation and Open Space Trust Fund program, and the amount of public funds needed to be expended therefor;
- F. Evaluate and recommend to the Township Committee appropriate funding mechanisms for the preservation of farmland and open space;
- G. The Open Space Committee is established for the protection, development or use of natural resources, including water resources, located within the territorial limits of the Township of White. The Open Space Committee shall have power to conduct research into the use and possible use of the open land areas of the Township and may coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purposes. It shall keep an index of all open areas, publicly or privately owned, including open marshlands, swamps and other wetlands, in order to obtain information on the proper use of such areas, and may from time to time recommend to the Planning Board plans and programs for inclusion in the Master Plan and the development and use of such areas. The Open Space Committee shall have power to study and make recommendations concerning open space preservation, water resources management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance, marine resources and protection of flora and fauna.
- H. Advise the Township Committee on stormwater management concerns and issues throughout the Township existing or related to development in the Township.
- I. Meet on a regular basis in order to properly discharge its functions herein, subject to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.;
- J. Provide written monthly reports to the Township Committee and Planning Board on the status of all farmland preservation and open space acquisition efforts;
- K. Keep and maintain, in an appropriate place in the municipal building, comprehensive records of its proceedings and all the studies and reports it has generated or received in connection with its work.
  
- L. **§ 33-6. Review and report.**

In the event that no property or easements are acquired under this chapter for a period of five consecutive years, then the Township Committee shall review the activities of the Open Space Committee and issue a report with recommendations and conclusions concerning the continuation of the fund.

**§ 33-7. Agriculture Advisory Committee; appointment; term; duties. [Amended 12-26-2003 by Ord. No. 2003-27]**

There is hereby created a committee known as the "Agriculture Advisory Committee." The Agriculture Advisory Committee shall be comprised of three members, all of whom shall be actively engaged in farming and owning at least a portion of the land they farm. In addition, the Agriculture Advisory Committee may have two alternate members. The members of the Agriculture Advisory Committee shall be appointed by the Mayor with the consent of the other members of the Township Committee at the annual reorganizational meeting. The term of office for all members shall be for three years. The duties of the Agriculture Advisory Committee shall be as follows:

- A. Provide expertise and advice regarding farmland preservation to the Open Space Committee, the Township Committee, and the Township Planning Board.
- B. Comply with the New Jersey Planning Incentive Grant ("PIG") program, N.J.A.C. 2:76-17.1, et seq.
- C. Meet on a regular basis in order to properly discharge its functions herein, subject to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.
- D. File periodic reports with the Township Planning Board as required by N.J.A.C. 2:76-17.4(a)1, and provide copies of same to the Township Committee and to the Open Space Committee.
- E. Perform those mediation duties set forth in § 217-4A and B of the Township Code.
- F. Keep and maintain, in an appropriate place in the municipal building, comprehensive records of its proceedings and all studies and reports it has generated or received in connection with its work.

**§ 33-8. Secretaries; funding. [Amended 2-5-2004 by Ord. No. 2004-1; 5-6-2004 by Ord. No. 2004-9]**

There is hereby created the position of Secretary, White Township Open Space Committee and White Township Agriculture Advisory Committee. One individual shall serve both Committees. Said positions shall be funded within the limits appropriated by the Township Committee by ordinance.

**ARTICLE III  
Sale of Property**

**§ 33-9. Authorization required.**

No property acquired with the funds from the Farmland Preservation and Open Space Trust Fund shall be leased or sold unless action has been authorized by the Township Committee pursuant to law.



**§ 33-10. Disposition of property acquired.**

The Township Committee, after at least one public hearing thereon, and upon a finding that the purposes of this chapter might otherwise be better served or that any land acquired by White Township pursuant to this chapter is required for another public use, may, by ordinance, convey through sale, exchange, transfer or other disposition, title to or a lesser interest in that land, provided that White Township shall replace any land conveyed under this section by land of at least equal fair market value and of reasonably equivalent usefulness, size, quality and location to the land conveyed. Any money derived from the conveyance shall be deposited into the fund created herein.

**§ 33-11. Compliance with other laws.**

Any conveyance made pursuant to this section shall be made in accordance with the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq. In the event of conveyance by exchange, the land or improvements thereon to be transferred to the trust shall be at least equal in fair market value and of reasonably equivalent usefulness, size, quality and location to the land or improvements transferred from the trust.

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. 2023-23: VOID

Res.2023-24: Motion made by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote to approve the following resolution. Herb – yes, Hyndman – yes, Skoog – yes. Resolution adopted.

WHEREAS, NJSA 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 2022 has been filed by a

Registered Municipal Accountant with the Municipal Clerk, as per the requirements of NJSA 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs: and

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S.52:27BB-52 - to wit:

R.S.52:27BB-52 - “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars(\$1,000.00), or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of White, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

Res.2023-25: Motion made by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote to approve the following resolution. Herb – yes, Hyndman – yes, Skoog – yes. Resolution adopted.

#### **ADOPTION OF CORRECTIVE ACTION PLAN FOR ANNUAL AUDIT**

WHEREAS, the Annual Report of Audit for the year 2022 was filed with the Municipal Clerk pursuant to N.J.S.A. 40A:5 in May 2023; and

**WHEREAS**, the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Findings and Recommendations”, have signed the group affidavit form, and adopted the resolution of certification; and

**WHEREAS**, the CFO has filed the attached Corrective Action Plan pursuant to N.J.S.A. 40A:5; and

**WHEREAS**, N.J.S.A. 40A:5 requires the Governing Body to adopt by resolution the Corrective Action Plan within 60 days of receipt of audit;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of White that the Corrective Action Plan is hereby approved.

Res.2023-26: Motion made by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote to approve the following resolution. Herb – yes, Hyndman – yes, Skoog – yes. Resolution adopted.

**RESOLUTION TO PROVIDE FOR THE RENEWALS OF PLENARY RETAIL CONSUMPTION/DISTRIBUTION LICENSES FOR 2023-2024 IN THE TOWNSHIP OF WHITE, COUNTY OF WARREN, STATE OF NEW JERSEY.**

**WHEREAS**, proper applications and appropriate fees have been received by the White Township Clerk;

**WHEREAS**, Clearance Certificates have been received from the New Jersey Division of Taxation, verifying compliance with Chapter 161, Laws of N. J., by the applicants.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of White, County of Warren, State of New Jersey, that the following Plenary Retail Consumption/Distribution Licenses in the Township of White, are hereby renewed for the 2023-2024 licensing year, said renewal effective July 1, 2023:

2123-33-007-003	J. B. & L. of New Jersey, Inc., T/A Luigi’s Ranch-O
2123-33-011-006	Waterfront, Inc., T/A Domenicos Pizzeria and Liquor Store
2123-44-013-002	Yellow Dog Investments Inc., T/A Hop and Vine Premium
2123-33-009-005	Bello Giorno Inc., T/A Bello Giorno Catering
2123-33-006-001	King Cole Grove Inc.
2123-33-002-006	ADDIE K LLC
2123-33-008-006	Progis Group Inc., T/A Belvidere Diner
2123-33-003-005	Country Gentlemen Spirits LLC

2123-33-001-004 Saloon 5A LLC  
 2123-33-012-007 Annacon Inc. T/A Red Wolfe Inn

Res.2023-27: Motion made by Mr. Herb, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote to approve the following resolution. Herb – yes, Hyndman – yes, Skoog – yes. Resolution adopted.

**Resolution 2023-27  
 Establishing the 2023 Salaries for White Township Employees**

**Whereas** the salary ranges for White Township Employees have been established by Ordinance, and

Whereas the following individual salaries are within the ranges established by the 2023 Salary Ordinance, and

Whereas the funding necessary to pay the salaries as established by Ordinance has been appropriated by the 2023 Municipal Budget, and

Whereas the 2023 White Township Municipal Budget has also been adopted by Resolution after Public Hearing,

Therefore be it resolved that the 2023 salaries for White Township Employees be established as follows:

<b>Position</b>	<b>Official</b>	<b>2023 Salary</b>	<b>2022 Salary</b>	<b>Increase Amount</b>	<b>Increase Percentage</b>
Committee (Deputy Mayor)	Arnold Hyndman	3,850.63	3,850.63	0.00	0.00%
Committee (Mayor)	Anna Marie Skoog	3,850.63	3,850.63	0.00	0.00%
Committee (Committee)	Jeff Herb	3,850.63	3,850.63	0.00	0.00%
Municipal Clerk	Kathleen Reinalda	81,353.00	77,849.76	3,503.24	4.50%
Deputy Clerk; Deputy Registrar	Brielle Whitmore	63,745.00	61,000.00	2,745.00	4.50%
Webmaster; Dog Licensing Official; Land Use Secretary; Construction Secretary					
CFO / QPA	Kathleen Reinalda	30,146.35	28,848.18	1,298.17	4.50%
Deputy CFO	James Kozimor	62.41	59.72	2.69	4.50%
Tax Collector	Rachel Leber	17,627.38	16,868.31	759.07	4.50%
Sewer Utility Clerk	Racehl Leber	11,751.59	11,245.54	506.05	4.50%
Tax Assessor	Michelle Trivigno	33,271.87	31,839.11	1,432.76	4.50%
Assessment Search Officer	Municipal Clerk	500.00	500.00	0.00	0.00%
Building Inspector	Ralph Price	20,546.04	19,661.28	884.76	4.50%
Electrical Inspector	Ralph Price	10,384.69	9,937.50	447.19	4.50%
Plumbing Inspector	Ralph Price	6,805.88	6,512.80	293.08	4.50%
Zoning Officer	vacant			0.00	#DIV/0!
Planning Board Secretary - Special Meetings	Brielle Whitmore	200.00	200.00	0.00	0.00%
Environmental Commission Secretary	Brielle Whitmore	100.00	100.00	0.00	0.00%
Open Space/Ag Committee Secretary	Brielle Whitmore	100.00	100.00	0.00	0.00%
Emergency Management Coordinator	Jeff Herb	4,499.90	4,306.12	193.78	4.50%
Deputy Emergency Management Coordinator	Kathleen Reinalda	1,072.44	1,026.26	46.18	4.50%
Animal Control Officer	vacant			0.00	#DIV/0!
Road Supervisor	Ron Smith	40.92	39.16	1.76	4.49%
Assistant Road Supervisor	James Kopeski	33.91	32.45	1.46	4.50%
Truck Driver/Laborer	Clay McEvoy	29.33			#DIV/0!
Laborer	Kenneth Kauffman	23.50	22.49	1.01	4.49%
Building Maintenance Worker	Lisa Duckworth	18.70	17.89	0.81	4.53%
Tax Clerk	Irene Fluck	22.15	21.20	0.95	4.48%

Adopted: June 14, 2023

Roll Call: Hyndman - yes Herb - yes Skoog - yes

Res.2023-28: Motion made by Mr. Herb, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote to approve the following resolution. Herb – yes, Hyndman – yes, Skoog – yes. Resolution adopted.

**WHEREAS**, the Township of White plans to improve Tamarack Road; and

**WHEREAS**, the Township has obtained a grant from the municipal aid portion of the Transportation Trust Fund to help fund the project; and

**WHEREAS**, the Township has appropriated monies to construct the improvements on Tamarack Road; and

**WHEREAS**, the Township plans on utilizing Tilcon New York (“Tilcon”), Denville Line Painting Inc. (“Denville”) and Road Safety Systems LLC (“Road Safety”) through its membership in the Morris County Cooperative Pricing Council (“MCCPC”) to perform the required milling, paving, striping and guiderail work on Tamarack Road; and

**WHEREAS**, Tilcon , Denville and Road Safety are qualified contractors and have been found to be in compliance with the contract documents and technical specifications; and

**NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE** of the Township of White that the Township shall utilize Tilcon , Denville and Road Safety for the improvements on Tamarack Road through the Township’s membership in the MCCPC as follows:

1. HMA Milling, 10,500 square yards at a 0 -2” depth at a unit price of \$2.75 per square yard for a total of \$28,875.00 (Tilcon);
2. HMA Milling, 200 square yards at a 2-4” depth at a unit price of \$2.00 per square yard for a total of \$400.00 (Tilcon);
3. HMA 19M64 Base Course, 3” minimum thickness, 40 tons at a unit price of \$60.00 per ton for a total of \$2,400.00 (Tilcon);
4. HMA 9.5M64 Surface Course, 2” thickness, 1,300 tons at a unit price of \$84.15 per ton for a total of \$109,395.00 (Tilcon);
5. Fuel Price Adjustment at \$5,000.00 (Tilcon);
6. Asphalt Price Adjustment at \$1,250.00 (Tilcon);
7. Traffic Stripes, 4” wide, 9,100 linear feet at a unit price of \$0.34 per linear foot for a total of \$3,094.00 (Denville);
8. Traffic Marking Lines, 24” wide, 13 linear feet at a unit price of \$5.46 per linear foot for a total of \$70.98 (Denville);
9. Beam Guiderail Posts 10’ Long, 420 linear feet at a unit price of \$32.00 per linear foot for a total of \$13,440.00 (Road Safety);
10. Removal of Beam Guiderail, 1111 linear feet at a unit price of \$8.00 per linear foot for a total of \$8,888.00 (Road Safety);

11. Beam Guiderail, 961 linear feet at a unit price of \$36.00 per linear foot for a total of \$34,596.00 (Road Safety);
12. Tangent Guiderail Terminal, 3 units at a unit price of \$3,500.00 per unit for a total of \$10,500.00 (Road Safety);

**BE IT FURTHER RESOLVED BY THE TOWNSHIP COMMITTEE** of the Township of White that this resolution supersedes Resolution 2023-28 that was adopted on June 14, 2023;

**BE IT FURTHER RESOLVED**, that copies of this resolution shall be forwarded to the NJDOT's Division of Local Aid and Economic Development.

#### **ORDINANCES – FIRST READING**

**A. Ord. 2023-06: Tabled for further review.**

**B. Ord. 2023-07:** Motion made by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote to introduce Ordinance 2023-07 on first reading. Herb – yes, Hyndman – yes, Skoog – yes.

#### **ORDINANCE NO. 2023-07**

#### **ORDINANCE TO AMEND THE TOPSOIL PROVISIONS IN CHAPTER 160 OF THE CODE OF THE TOWNSHIP ENTITLED “LAND USE” AND CHAPTER 254 OF THE CODE OF THE TOWNSHIP ENTITLED “SOIL REMOVAL AND SURFACE MINING”**

**WHEREAS**, both Chapter 160 and Chapter 254 of the Code of the Township of White contain provisions for the protection of topsoil; and

**WHEREAS**, the preservation and protection of topsoil is important as the topsoil layer is where nutrients are delivered to plants, water is absorbed, sunlight is received, and interactions with wildlife and microorganisms occur; and

**WHEREAS**, the Township of White has highly valuable agricultural lands with nutrient rich topsoil that is a resource to the community; and

**WHEREAS**, due to the valuable nature of the topsoil in the Township, there is a need to augment the current topsoil protection requirements in Chapters 160 and 254 of the Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of White that the topsoil protection provisions in Chapters 160 and 254 of the Code of the Township of White be amended to read as follows:

**Section 1** - Section 160-64A (7), of the Code entitled “Topsoil Protection” shall be revised in its entirety to read as follows:

(7) Topsoil Protection

- (a) Removal of Topsoil. No topsoil will be permitted to be removed from the premises unless otherwise approved by the Township Committee.
- (b) Storage of Topsoil. Whenever any owner, developer or excavator removes topsoil from any land in the Township, provision shall be made for the storage of topsoil within the boundary lines of the property.
- (c) Replacement of Topsoil. All topsoil excavated on the premises shall be stored and uniformly replaced over the entire area at a minimum depth of six (6") inches so that the final grades of the replaced topsoil conform to the proposed final grades as shown on the approved subdivision plan or site plan.
- (d) Requirements for Replacement When No or Insufficient Topsoil Exists on the Premises.
  - i. Each site, area or premises shall be covered with a minimum of six (6") inches of topsoil upon completion as part of the permanent stabilization of the site.
  - ii. Topsoil as defined in Section 254-1 of the Code of the Township of White shall be brought to the premises from an approved off-tract source where there is not sufficient topsoil material to comply with the requirements in Subsection (7)(c) above. Topsoil shall be placed and fine graded prior to the placement of permanent vegetative cover.
  - iii. Topsoil shall be friable and loamy, free of debris, objectionable weeds and stones and contains no toxic substance that may be harmful to plant growth, APH range of 5.0-7.5 is acceptable. Soluble salts shall not exceed five hundred (500) ppm.
  - iv. Topsoil shall be tested by a recognized testing laboratory, U.S. Department of Agriculture or Rutgers University Soil Testing Laboratory, with test results submitted to the Township Engineer for approval prior to import and placement.
- (e) Site Preparation.
  - i. Grade as needed, to conform to the final contours on the approved subdivision plan or site plan.
  - ii. Subsoil shall be tested for lime requirement and limestone, if needed, shall be applied to bring soil pH to 6.5 and incorporated into the soil as nearly as practical to a depth of four (4") inches.
  - iii. Immediately prior to topsoil distribution, the surface shall be scarified to provide a good bond with the topsoil.
  - iv. Erosion control practices such as diversions, grade stabilization structures, berms, channel stabilization measures, desilting basins and waterways shall be implemented while topsoil is being placed and stabilized.
- (f) Applying Topsoil.
  - i. Topsoil shall be handled only when it is dry enough to work without damaging soil structure.
  - ii. A uniform application to a depth of six (6") inches (unsettled) is required.

**Section 2** - Section 254-3 of the Code of the Township of White entitled "Transportation of Topsoil" shall be retitled "Topsoil Protection" and be revised to read as follows:

## 254-3 Topsoil Protection.

All entities performing surface mining in the Township of White in accordance with a Surface Mine Permit issued in accordance with the provisions in Chapter 254 of the Code of the Township of White shall comply with the topsoil protection provisions in Section 160-64A(7) of the Code of the Township.

**Section 3** – Portions of the Code not set forth above shall remain unchanged.

**Section 4** - This ordinance shall take effect upon adoption by the Township Committee in accordance with the law.

**Section 5** - Any section, subsection or portion of this ordinance that may be found to be invalid by a competent court of jurisdiction shall not invalidate any other section, subsection or portion of this ordinance.

## **OLD BUSINESS**

Mr. Herb and Dr. Hyndman attended a meeting with representatives from the NJDOT regarding requested improvements to the intersections of County Route 519 and State Route 46 and State Route 46 and Upper Sarepta Road. Turning lanes and updated traffic lights were discussed. The NJDOT asked if the governing body would be willing to cost share in the improvements. No official action was taken.

The clerk updated the committee regarding the proposal from Common Sense for Animals to charge a monthly 'retainer' of \$200.00 in order to have access to their facility. The Animal Control Officer is working with Dr. Blease to come up with a more equitable way to charge the township. No further action.

## **NEW BUSINESS**

Clay McEvoy was hired as a DPW Laborer at a starting salary of \$61,000.00 effective June 5, 2023. This was approved on motion by Mr. Herb, seconded by Dr. Hyndman and carried by unanimous favorable roll call vote. Herb – yes, Hyndman – yes, Skoog – yes. Motion carried.

The committee took no action on participating in the State of NJ Spotted Lantern Fly pesticide program.

## **CORRESPONDENCE**

The committee acknowledged receipt of the Warren County Department of Human Services notification that Stephanie Nienstedt resigned as the Municipal Alliance Coordinator.



## PRESENTATION OF MINUTES

Motion to approve the May 10, 2023 Regular Meeting Minutes were approved as presented on motion by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote. Herb – yes, Hyndman - yes, Skoog – yes. Motion carried.

## PRESENTATION OF VOUCHERS

On motion by Mr. Herb, 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>
18045	IPD	50.00
18046	ARAE Network Solutions LLC	3,381.25
18047	Borough of Washington	2,500.00
18048	BrightSpeed	141.96
18049	C&M Auto Parts	119.68
18050	Colliers Engineering & Design	7,004.44
18051	Comcast	657.22
18052	Econo Signs LLC	2,004.25
18053	Rentokil	554.41
18054	Florio, Perrucci, Steinhardt & Fader	6,237.50
18055	Francotype-Postalia	141.00
18056	Garden State Highway Products	741.74
18057	Gebhardt & Kiefer	1,601.50
18058	Home Depot Credit Services	710.56
18059	James Kopeski	150.00
18060	JCP&L	1,292.93
18061	Kathleen Reinalda	57.50
18062	L.E. Ritter Lumber Company	58.47
18063	MGL Printing Solutions	1,086.50
18064	Michelle Trivigno	134.38
18065	ReadyRefresh by Nestle	303.40
18066	NJ League of Municipalities	50.00
18067	NJ American Water Company	1,354.70
18068	NJ Advance Media	432.24
18069	NJ Landscape Contractors	7,348.75
18070	Public Alliance Insurance Coverage	30,402.00
18071	Eurofins Environment Testing	267.50
18072	Rigo's General Hardware	65.08
18073	Sanico Inc.	454.52
18074	S&L Equipment Rental Inc.	881.37
18075	Staples Credit Plan	550.73
18076	Steven P. Gruenberg Attorney	346.50
18077	Tractor Supply Credit Plan	172.98
18078	Verizon Wireless	144.90
18079	WEX Health Inc.	160.50

18080	White Township Board of Education	655,164.00
18081	Xerox Corporation	527.11

TOTALS.....\$727,251.57

Current Fund – Manual

2444	Payroll Account	28,952.15
2445	Payroll Account	21,083.65

TOTAL ALL ACCOUNTS.....\$777,287.37

**PUBLIC COMMENT**

Joseph Venesky inquired as to how solar farms are assessed. The clerk will ask the assessor to provide the committee with that information.

On motion by Dr. Hyndman, seconded by Mr. Herb 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 14, 2023, 9:08 pm:

Contract Negotiations  
(Foul Rift Solar Farm LLC)

Personnel Matters  
(Open Space/Agricultural Committee appointments)

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 Dr. Hyndman, seconded by Mr. Herb, the meeting was e-opened to the public at 9:48 p.m. Motion passed. No action was taken in Executive Session.

## **OTHER MATTERS**

On motion by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable roll call vote, the committee made the following appointments:

### Open Space Committee

Nevitt Duveneck exp. 2024

Jason Menegus exp. 2025

David Pritchard exp. 2025

Beth Kabert exp. 2025

David Newhouse exp. 2023

Alt. Nancy Bilyk exp. 2025

Alt. Sharon Haggerty exp. 2025

### Agriculture Advisory Board

Nevitt Duveneck exp. 2023

Jason Menegus exp. 2024

Nancy Bilyk exp. 2023

Alt. David Newhouse exp. 2024

Alt. Sharon Haggerty exp. 2025

## **ADJOURNMENT**

Being no further business to come before the Mayor and Committee, the meeting was adjourned at 9:56 PM on motion by Dr. Hyndman, seconded by Mr. Herb and carried by unanimous favorable vote.

Respectfully Submitted,

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Kathleen R. Reinalda, RMC  
Township Clerk