

**Minutes Open Session
White Township Zoning Board of Adjustment
January 20, 2011**

There was a reorganization and regular meeting of the White Township Zoning Board of Adjustment on Thursday, January 20, 2011. Present were Board Members: Myron Rasley, Kyle Shoemaker, James, Cooper, Elaine Reichart, Donald Weidlick, Joseph Magnini, Paul Mourry, and Michael Grossmann. Also Present: Attorney William Gold, Engineer Joseph Modzelewski and Secretary Alfia Schemm. Secretary Alfia Schemm led the Board in the pledge to the flag and she called the meeting to order at 7:32 p.m. She announced that notice of this meeting was given in compliance with the "Open Public Meetings Act."

SWEARING IN:

Attorney Gold administered the oath of office to Joseph Magnini and Kyle Shoemaker.

REORGANIZATION:

Election of Chairman

Attorney Gold called for nominations for Chairman. Mr. Cooper made the motion to nominate Joseph Magnini for Chairman. Motion seconded by Mr. Grossmann. Attorney Gold asked if there were any other nominations. With there being no other nominations, Mr. Cooper made the motion to close the nominations. Motion seconded by Mr. Rasley. In a voice vote, all were in favor to close nominations. In a voice vote, all were in favor, of the nomination of Mr. Magnini as Chairman.

Election of Vice Chairman

Mr. Rasley made the motion to nominate James Cooper as the Vice Chairman. Motion seconded by Mr. Mourry. Chairman Magnini asked if there were any other nominations. With there being no other nominations, Mr. Rasley made the motion to close the nominations. Motion seconded by Mr. Mourry. In a voice vote, all were in favor to close the nominations. In a voice vote, all were in favor of the nomination of by Mr. Cooper as Vice Chairman.

Appointment of Board Professionals

Mr. Cooper made the motion to appoint William Gold as the Board Attorney, Joseph Modzelewski of Hatch Mott McDonald as the Board Engineer, and Joseph Layton of Maser Consulting as Board Planner. Motion seconded by Mr. Grossmann. In a voice vote, all were in favor.

Appointment of Board Secretary

Ms. Reichart made the motion to appoint Alfia Schemm as the Board Secretary. Motion seconded by Mr. Rasley. In a voice vote, all were in favor.

Designation of Meeting Date, Time and Place

Mr. Cooper made the motion to designate the meeting dates as the third Thursday of the Month, at 7:30 p.m., at the White Township Municipal Building, 555 CR 519, Belvidere, N.J. In a voice vote, all were in favor. Motion seconded by Mr. Rasley. In a voice vote, all were in favor, except for Mr. Grossmann, who abstained, as the third Thursday of the month is not a good night for him.

Designation of Official Newspaper

Mr. Cooper made the motion to designate the Star Gazette and the Express Times as the Official Newspapers as the ones that have been chosen by the Township Committee, as the newspapers to receive notices pursuant to the "Open Public Meetings Act." Motion seconded by Mr. Rasley. Discussion on the motion: Ms. Reichart stated that the Township also uses The Riverbend to provide notices to the Township Residents. Board Attorney Gold stated that the Governing Body establishes the Official Newspaper and the motion should be to utilize the "Official Newspaper" that the Governing Body has designated. The Board agreed and the motions were amended to reflect that the Board's "Official Newspaper" is the newspaper designated by the Governing Body. In a voice vote, all were in favor.

NEW BUSINESS:

#448 Garden State Landscape Products LLC, Block 34, Lot 20

Board Attorney Gold stated that he spoke with the Applicant's Attorney and they are not going to be present this evening. Board Engineer Modzelewski reviewed his latest completeness report dated January 10, 2011, and he stated that the only matter that is outstanding is outstanding taxes/assessments. Board Attorney Gold reviewed the state statute and he stated that any unpaid taxes/assessments could be made a condition of any approval. Board Engineer Modzelewski then reviewed the waivers being requested and he suggested that those items be waived for completeness only.

Mr. Cooper made the motion to waive the requested items for completeness only and to deem the application complete. Motion seconded by Mr. Rasley. Discussion on the motion: The Board discussed again the waivers being requested. In a voice vote, all were in favor.

MEMORIALIZING RESOLUTION:

#448 Garden State Landscape Products LLC, Block 34, Lot 20

Board Attorney Gold read the Resolution that he prepared in regards to the Board's action at last month's Board Meeting, deeming the application incomplete.

Mr. Rasley made the motion to adopt the Resolution. Motion seconded by Mr. Cooper. In a voice vote, all were in favor.

OLD BUSINESS:

#446 Quick Check Corporation, Block 62, Lots 4 & 5

Board Attorney Gold reviewed the email that he received from the Applicant's Attorney in regards to their request to reduce the "seating" to comply with the DEP regulations. He suggested that the Applicant notice for next month's meeting so that the Board can take action next month.

MINUTES APPROVED:

The minutes of the December 16, 2010 meeting were distributed to all Board Members prior to this evening's meeting.

Mr. Cooper made the motion to adopt the minutes. Motion seconded by Mr. Mourry. In a voice vote, all were in favor.

Mr. Mourry made the motion to adopt the Executive Session minutes of December 16, 2010. Motion seconded by Mr. Rasley. In a voice vote, all were in favor.

OTHER BUSINESS:

Annual Report

Board Attorney Gold reviewed the Report and the Board discussed whether they had any recommendations that they would like to make. Ms. Reichart stated that she thinks that the Township should consider adopting standards for Solar Farms/Renewable Energy. The Board discussed the seminar being held on January 31, 2011. After a brief discussion the Board agreed to make that recommendation in the Annual Report. Board Attorney Gold stated that he will modify the Annual Report and distribute it for the Board's consideration next month.

PAYMENT OF BILLS: The following vouchers were submitted:

William Gold- Clean Jersey Solar	112.50
William Gold-Quick Check	75.00
William Gold-Garden State	187.50
William Gold-General	525.00
Hatch Mott McDonald-Clean Jersey Solar	678.20

Mr. Mourry made the motion to approve the vouchers. Motion seconded by Mr. Cooper. In a voice vote, all were in favor.

OTHER:

Board Attorney Gold updated the Board on the status of the Rodata litigation. He also addressed the letter prepared by the Township Attorney pertaining to the Cannon/Allen litigation. Ms. Reichart questioned the status of the Clean Jersey Solar application. Board Attorney Gold stated that the Board will not place it back on their agenda until the appeal is heard and decided

Chairman Magnini thanked the Board for their confidence in him in electing him as the Chair for another year.

Ms. Reichart asked if the Board needed to open the meeting to the public. Chairman Magnini stated that there is no need to open the meeting to the public at this time.

ADJOURNMENT:

In a motion made and seconded, the meeting was adjourned. In a voice vote all were in favor.

Respectfully Submitted:

Alfia Schemm
Board Secretary