

**WHITE TOWNSHIP COMMITTEE
AGENDA FOR MEETING OF NOVEMBER 10, 2011**

CALL TO ORDER: 7:00 PM

- A. Open Public Meetings Act Statement
- B. Salute To The Flag
- C. Roll Call

ENGINEERING REPORT

- Buckhorn Drive repair quotes

PUBLIC COMMENTS

ORDINANCES – PUBLIC HEARING

- A. Ord. 2011-6: Appropriating \$15,000 for a “Stainless Steel Spreader”

**AN ORDINANCE OF THE TOWNSHIP OF WHITE PROVIDING FOR THE
APPROPRIATION OF \$15,000.00 FOR ‘ROAD DEPARTMENT – SALT SPREADER’
FROM THE GENERAL CAPITAL – CAPITAL IMPROVEMENT FUND**

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

1. The sum of **\$15,000.00** shall be appropriated for the following items, from the Capital Improvements Budget for the year 2011:

Road Department– Stainless Steel Spreader \$15,000.00

2. The sum of \$15,000.00 is available in the Capital Improvement Fund
3. This appropriation of funds and the financing of same as is provided in this Ordinance shall represent an amendment to the Capital Budget of the Township of White, as included in the 2011 Local Municipal Budget of the Township of White.
4. The appropriation herewith does not authorize any debt of the Township of White.
5. This Ordinance shall take effect immediately on final passage and publication as provided by law.

- B. Ord. 2011-7: Appropriating \$25,000 for “Road Repairs – Buckhorn Drive”

**AN ORDINANCE OF THE TOWNSHIP OF WHITE PROVIDING FOR THE
APPROPRIATION OF \$25,000.00 FOR ‘ROAD REPAIRS – BUCKHORN DRIVE’
FROM THE GENERAL CAPITAL – CAPITAL IMPROVEMENT FUND**

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

1. The sum of **\$25,000.00** shall be appropriated for the following items, from the Capital Improvements Budget for the year 2011:

Road Repairs– Buckhorn Drive \$25,000.00

6. The sum of \$25,000.00 is available in the Capital Improvement Fund
7. This appropriation of funds and the financing of same as is provided in this Ordinance shall represent an amendment to the Capital Budget of the Township of White, as included in the 2011 Local Municipal Budget of the Township of White.
8. The appropriation herewith does not authorize any debt of the Township of White.
9. This Ordinance shall take effect immediately on final passage and publication as provided by law.

RESOLUTIONS

- A. Res. 2011-53: Memorializing Hoffman Gravel Pit variance

WHEREAS, the Hoffman Gravel Pit, Block 63, Lot 9, and Block 64, Lot 6, located at Route 46 is presently owned by Charles Hoffman and authorized to operate by permit approved by the Township in January 2011;

WHEREAS, Bill Griffett is the present operator of the Hoffman Gravel Pit, and has operated the Pit for many years;

WHEREAS, the record breaking precipitation in the Township has caused an excessive amount of rain to accumulate in the Pit thereby restricting normal operations and jeopardizing this local business;

WHEREAS, Mr. Griffett made a request to the Township for a waiver from the Pit's existing soil removal and surface mining plan to temporarily mine a limited area of the property within the fifty foot buffer of the neighboring properties of Flowerland Growers LLC and Fuel Rite Petroleum.

WHEREAS, the Township has the authority to grant waivers to soil removal and surface mining plans pursuant to Chapter 254-17;

WHEREAS, the Township also has the authority to classify a waiver request as minor, routine or technical in nature, thereby not requiring a formal hearing and/or notice to neighboring property owners;

WHEREAS, Mr. Griffett and his engineer Jess Symonds, P.E. from Biggs Engineering Associates appeared before the Township on October 13, 2011 with a proposed plan for review and consideration by the Committee and its engineer, attached hereto as Exhibit A;

WHEREAS, testimony was provided that the mining in the fifty (50) foot buffer area would be completed within (60) sixty days, and that the buffer area would be restored to the grades shown on the 2011 surface mine plan with replacement material from the site and at a 2:1 slope as required by ordinance within the same time frame and that a maximum 2:1 slope would be provided to transition the grades from the buffer area to the Pit.

WHEREAS, testimony was provided by neighboring landowner Bryan Vande Vrede that he had no objection to the proposed plans and that Mr. Griffett has been a good neighbor and conscientious operator for all his time at the Pit;

WHEREAS, testimony was provided that the owner of the Pit and owners of Fuel Rite Petroleum have also been notified of the plan and have no objection to same;

WHEREAS, the Township Engineer questioned Mr. Griffett and Mr. Symonds about the restoration plan, to which they assured the Township that the plan would work and welcomed the Township to inspect and monitor the process as it deemed necessary.

NOW, THEREFORE, BE IT RESOLVED, that the Township finds that the requested relief is minor and technical in nature because of the limited duration of time and temporary disturbance of the buffer area, and therefore does not warrant a formal hearing with legal notice to all neighboring property owners.

BE IT FURTHER RESOLVED, that the Township finds that the requested waiver is granted because of the unique nature of the request, including, the occurrence of an Act of God in the form of record breaking rainfall over the last few months, the limited duration of time for the

requested activity, the temporary nature of the invasion to the buffer, the restoration of the grades in the buffer area after the work is completed, the availability of satisfactory fill material on site, the support of the neighboring property owners, and the absence of any adverse impact to the land or any residents of the Township. This approval is granted with the following conditions:

1. The (50) fifty foot buffer will be restored to transition from the buffer to the Pit at a 2:1 slope within (60) sixty days of the date that the mining in the buffer area begins.
2. The impacted neighboring property owner Fuel Rite Petroleum provides the Township with written notice of no objection to the plan.
3. The escrow for the Pit is maintained pursuant to Section 254-5B and satisfactorily to the Township Engineer for necessary inspections and monitoring of the mining.
4. Final approval of the restoration of the buffer area is subject to the Township Engineer's review. The applicant shall provide an as-built survey signed and sealed by a licensed surveyor to verify that the buffer area has been restored to the grades on the 2011 surface mining plan. If required by the Township Engineer.

The undersigned does hereby certify that the foregoing is a true copy of the action taken by the Township at its regular meeting of October 13, 2011.

B. Res. 2011-54: Tax Overpayment Refund, BK 18 Lot 6 C0030

WHEREAS, the tax collector has received a 2010 overpayment of \$1108.52 from Stella Lasher, on a property that was going to tax sale but property owners of Block 18 Lot6 C0030 paid prior to sale on day of sale; and

WHEREAS, the tax collector has requested for the lienholder to be refunded;

THEREFORE, be it resolved that the Township of White refund Stella Lasher in the amount of \$1,108.52 to the following address

Stella Lasher
PO Box 83
Milltown, NJ 08850

C. Res. 2011-55: Tax Overpayment Refund, BK 52 Lot 37

WHEREAS, the tax collector has received a 2010 overpayment of \$3,333.21 from US Bank Cust/Emp IV, Cap One, on a property that was going to tax sale but property owners of Block 52 Lot 37 paid prior to sale on day of sale; and

WHEREAS, the tax collector has requested for the lienholder to be refunded;

THEREFORE, be it resolved that the Township of White refund US Bank Cust/Emp IV, Cap. One in the amount of \$3,333.21 to the following address

US Bank Cust/Emp IV, Cap One
2 Liberty Place, 50 South 16th Street Suite 1950
Philadelphia, Pa 19102-2513

D. Res. 2011-56: Refunding Tax Premium, BK 71 Lot 3.06

WHEREAS, the Municipal Tax Sale held on October 25, 2011, a lien was sold on Block 71 Lot 3.06, also known as 22 Tamarack Road for 2010 delinquent taxes; and

WHEREAS, this lien, was sold to US Bank-Cust/Sass Muni VI dtr, for a 0% redemption fee and a \$2,000 premium.

NOW THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$2,000 (premium account) payable to

U.S. Bank-Cust/Sass Muni VI dtr
Tax Lien Services Group
2 Liberty Place
50 South 16th Street-Suite 1950
Philadelphia, Pa 19102

ORDINANCES – FIRST READING

A. Ord. 2011-8: Amending the Sewer Ordinance for Combined Fee **AN
ORDINANCE AMENDING THE EXISTING ORDINANCE
IN CHAPTER 235 - SEWERS,
OF THE TOWNSHIP OF WHITE CODE.**

WHEREAS, the Committee of the Township of White, County of Warren, State of New Jersey, maintains and administers its public sanitary sewer system and sets forth its fees by Ordinance in Chapter 235;

WHEREAS, the Township has historically charged resident users of the public sanitary sewer system a 10% maintenance fee and 12% administration fee as set forth in Chapter 235-38(D);

WHEREAS, the Township retained the services of Nisivoccia, LLP to conduct a sewer

rate study for the period of January 1, 2010 through December 31, 2014 to evaluate the current rate structure;

WHEREAS, Nisivoccia recommended that the Township combine its maintenance fee and administration fee into one single percentage of 12%, effective with the 2012 billing;

NOW THEREFORE, IT IS HEREBY ORDAINED by the Township Committee of the Township of White in the County of Warren and State of New Jersey that the existing Ordinance found in Chapter 235, is amended as follows:

Section 1:

Existing §235-38(D) states as follows:

“The Township of White hereby imposes a maintenance fee of 10% and an administration fee of 12%.”

And it shall be amended as follows:

“The Township of White hereby imposes a combined maintenance and administration fee of 12%”

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.

OLD BUSINESS

- A. 2012 insurance quotes
- B. 2012 appointments – response letters

NEW BUSINESS

- A. Computer installation – Road Department

PUBLIC COMMENTS

PRESENTATION OF MINUTES

- A. October 13, 2011 Regular Meeting
- B. October 13, 2011 Executive Session

PRESENTATION OF VOUCHERS

ANY OTHER MATTERS DEEMED NECESSARY/ANNOUNCEMENTS

Next REGULAR Meeting – December 8th 7PM

Workshop Meeting – none scheduled

FREE Rabies Clinic – November 12th, Town Garage, 2-4 PM

EXECUTIVE SESSION (if necessary)

- land acquisition
- Litigation
- personnel
- contract negotiations

ADJOURNMENT

Date: November 8, 2011

Cc: Mayor & Committee
Attorney
Bulletin Board
Web site