

## **WHITE TOWNSHIP COMMITTEE**

## **MINUTES OF MEETING OCTOBER 11, 2012**

### **CALL TO ORDER**

Mayor Holly Mackey called the meeting to order at 7:00 p.m. and stated ‘Adequate Notice of this meeting of October 11, 2012 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-Gazette and The Express-Times; 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 Mackey, Committeemen Herb and Race, Attorney Tipton and Clerk Kathleen Reinalda.

### **ENGINEERING UPDATE**

Paul Sterbenz was present to report on the following:

- Castle Ridge – The landscaping improvements are nearing completion.
- Wastewater Plan – Mr. Sterbenz continues to work with the DEP to include specific properties which the committee feels must be included in the plan.
- Nature’s Choice Stormwater Plan – no new progress to report. The required stormwater submission plan has not been provided to the DEP.
- DOT Grant Application – Mr. Sterbenz suggested the committee consider including the entire length of Buckley Avenue to strengthen the application. The committee was agreeable.
- Quick Chek School Zone Signs – representatives of Quick Chek were present to report on the history and the progress of the school zone signs. Reference to the signs were made in the Zoning Board Resolution of Approval for the Quick Chek project. The Resolution requested the applicant “pursue” the signage. Although Quick Chek originally pursued the request, approval from the DOT and the County were never received. The committee requested Quick Chek see this requirement through to completion. A certificate of occupancy can be released upon approval by the engineer and construction official.

## **NEW BUSINESS**

Stan Prater, JCP&L Area Manager, was present to introduce himself as the point of contact for the White Township area. He explained that JCP&L is planning numerous technology upgrades which will assist its customers in reporting outages and monitoring service renewal progress.

Michael Mandzik, representing Birdsall Services Group, was present to discuss the Union County third party energy cooperative. The cooperative has been approved by the Department of Community Affairs and is compliant with the Local Public Contracts Law. Union County acts as the Lead Agency to procure electricity prices for its members. There is no cost to the township to become a member of the cooperative, although passage of a Resolution is required. This will be prepared for the next meeting.

## **PUBLIC COMMENTS**

Brian Quigley, Captain of the Oxford Fire Company, provided the committee with a handout detailing costs for equipment upgrades. He requested time at the November meeting to discuss this in more detail.

## **OLD BUSINESS**

Mayor Mackey asked if the committee was prepared to take action on the proposed construction fee increase. Mr. Race said he needed additional time for further review.

## **RESOLUTIONS**

**Res. 2012-41: Tabled.**

**Res. 2012-42:** Motion made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to approve the following Resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

### **RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BUCKLEY AVENUE IMPROVEMENT PROJECT**

WHEREAS, the NJDOT makes funds available to municipalities and counties for road improvement projects through the municipal aid portion of the New Jersey Transportation Trust Fund;

WHEREAS, the Township Engineer has recommended that the Township Committee apply to the New Jersey Department of Transportation for funds that are available under the New Jersey Transportation Trust Fund Authority Act, Fiscal year 2013 Municipal Aid Program for the purpose of construction improvements to Buckley Avenue between Brass Castle Road and the Oxford Township municipal boundary;

WHEREAS, the Township Committee has considered this recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of White, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Township Engineer is hereby authorized to submit an electronic grant application identified as MA-2013-White Township- to the New Jersey Department of Transportation on behalf of Township of White.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf Township of White and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**Res. 2012-43:** Motion made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to approve the following Resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

**AMENDING RESOLUTION 2012-29 TO RESCIND THE APPROVAL OF  
RENEWAL LICENSE #2123-33-008-003 (Ziggy's Management)**

**WHEREAS**, Resolution 2012-29 was adopted on June 14, 2012 renewing liquor license #2123-33-008-003; and

**WHEREAS**, an application had been filed for a Person-To-Person Transfer of Plenary Retail Consumption License Number 2123-33-008-003, heretofore issued to the NJ Division of Taxation with a mailing address of 75 Veterans Memorial Drive, Somerville, New Jersey, 08876; and

**WHEREAS**, the renewal application was submitted by the transferee and the process to authorize the Person-To-Person Transfer had to occur first.

**NOW, THEREFORE, BE IT RESOLVED** that the White Township Committee does hereby rescind, effective June 30, 2012, the portion of Resolution 2012-29 authorizing the renewal of license # 2123-33-008-003.

**Res. 2012-44:** Motion made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to approve the following Resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

**PERSON-TO-PERSON TRANSFER**

**WHEREAS**, an application has been filed for a Person-To-Person Transfer of Plenary Retail Consumption License Number 2123-33-008-003, heretofore issued to the NJ Division of Taxation with a mailing address of 75 Veterans Memorial Drive, Somerville, New Jersey, 08876; and

**WHEREAS**, the submitted application form is complete in all respects, and the transfer fees have been paid; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

**NOW, THEREFORE, BE IT RESOLVED** that the White Township Committee does hereby approve, effective June 30, 2012, NUNC PRO TUNC the transfer of the aforesaid Plenary Retail Consumption License to Utkarsh R. Pandya, and does hereby direct the Township Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Utkarsh R. Pandya, effective June 30, 2012, NUNC PRO TUNC.

**Res. 2012-45:** Motion made by Mr. Herb, seconded by Mayor Mackey with Mr. Race abstaining to approve the following Resolution. Herb – yes, Mackey – yes, Race – abstain. Resolution adopted.

**RESOLUTION TO PROVIDE FOR THE RENEWALS OF PLENARY RETAIL CONSUMPTION LICENSES FOR 2012-2013 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 Licenses in the Township of White, are hereby renewed for the 2012-2013 licensing year, said renewal effective July 1, 2012:

**Res. 2012-46:** Motion made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to approve the following Resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

**STATEMENT OF CONSENT  
A RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY  
MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED ‘UPPER DELAWARE  
WATER QUALITY MANAGEMENT PLAN’ (TOWN OF BELVIDERE)**

**WHEREAS**, the Township of White desires to provide for the orderly development of wastewater facilities within Warren County; and

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

**WHEREAS**, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

**WHEREAS**, a proposed WQM plan amendment noticed in the New Jersey Register on September 4, 2012 for the Upper Delaware Water Quality Management Plan (Town of Belvidere) has been prepared by Maser Consulting P.A..

**NOW, THEREFORE, BE IT RESOLVED** on this 11<sup>th</sup> day of October, 2012, by the governing body of the Township of White that:

1. The White Township Committee hereby consents to the amendment entitled Upper Delaware Water Quality Management Plan (Town of Belvidere), and publicly noticed on September 4, 2012, prepared by Maser Consulting P.A., for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

**Res. 2012-47:** Motion made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to approve the following Resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

**RESOLUTION FOR WASTEWATER MANAGEMENT PLANNING AREA GRANT**

Grant Agreement between the Township of White, Warren County, New Jersey and the State of New Jersey

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) regulations require all New Jersey Counties to develop Wastewater Management Plans pursuant to its Water Quality Management Planning rules; and

**WHEREAS**, the Warren County Board of Chosen Freeholders has opted not to develop a County-wide Wastewater Management Plan; and

**WHEREAS**, the Water Quality Management Planning rules allow municipalities to assume Wastewater Management Plan responsibility in counties where the Board of Chosen Freeholders in that County have not accepted such responsibility; and

**WHEREAS**, the Township of White, Warren County, previously assumed responsibility for preparing a Wastewater Management Plan; and

**WHEREAS**, the Township of White, Warren County previously secured a \$10,000.00 grant from the State of New Jersey to assist in the development of a Wastewater Management Plan since it assumed Wastewater Management Plan responsibility; and

**WHEREAS**, the Township of White, Warren County was notified in October 2011 that it is eligible for an additional \$5,000.00 in grant monies to assist in the development of a Wastewater Management Plan; and

**WHEREAS**, the Township of White, Warren County accepts said additional grant monies so that the Municipality has a total of \$15,000.00 to develop a Wastewater Management Plan; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of White, County of Warren, that the Township does hereby accept the additional \$5,000.00 in grant monies to develop a Wastewater management Plan; and

**BE IT FURTHER RESOLVED**, that the Township of White will execute the agreement provided by the State for additional grant monies and authorizes its Chief Financial Officer, Clerk and/or Engineer to execute and submit said agreement to the State; and

**BE IT FURTHER RESOLVED**, that the Township of White agrees to comply with all applicable Federal, State and Municipal rules and regulations in its performance under the agreement.

#### **ORDINANCES – FIRST READING**

**Ord. 2012-5:** Motion made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to approve the following Ordinance on First Reading. Public

Hearing is scheduled for November 8<sup>th</sup>. Herb – yes, Mackey – yes, Race – yes. Motion carried.

**AMENDING ORDINANCE 2012-4 “SALARY & WAGE RANGES 2012”**

**BE IT ORDAINED** that Ordinance 2012-4 is hereby amended as follows:

**Building Inspector S/W**

**WAS:**

Low	Mid	High
\$15,021.20	\$17,672.00	\$20,322.80

**AMENDED TO READ:**

Low	Mid	High
\$25,410.58	\$29,894.80	\$34,379.02

**BE IT FURTHER ORDAINED** that this change is retroactive to the September 28, 2012 Payroll.

**OLD BUSINESS**

Mayor and Committee reviewed a copy of the proposed ‘solar and photovoltaic facilities’ ordinance provided by the Planning Board. It will be prepared for First Reading at the November 8<sup>th</sup> meeting.

**PUBLIC COMMENTS**

Jack Shade asked the committee why they could not do more to prevent Nature’s Choice from discharging drainage onto surrounding properties. The committee explained that it is the DEP’s jurisdiction and although the township cannot issue violations it can continue to monitor the situation and offer comments and concerns to the DEP. The committee discussed preparing a letter focusing on the damage to the Smith property. Mr. Smith’s farm borders Nature’s Choice and continues to be affected as a result of the discharge.

**CORRESPONDENCE**

The committee regretfully accepted Jim Carlson’s resignation from the Planning Board. Bryan Vande Vrede was appointed to fill the position on motion by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes. Motion carried. Mr. Vande Vrede previously occupied the Alternate position.

The committee acknowledged receipt of a copy of DSM’s Air Pollution Control Operating Permit Renewal Application. The application will be reviewed by the DEP.

## PRESENTATION OF MINUTES

Minutes of the September 13, 2012 Regular Meeting were approved as presented on motion by Mr. Herb, seconded by Mayor Mackey with Mr. Race opposed. Herb – yes, Mackey – yes, Race – opposed. Minutes of the September 17, 2012 Special Meeting were approved as presented on motion by Mr. Herb, seconded by Mayor Mackey and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes. Minutes of the September 17, 2012 Executive Session Meeting were approved as presented on motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes.

## PRESENTATION OF VOUCHERS

On motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote, Mayor and Committee approved the following list of bills:

<u>Check No.</u>	<u>Amount</u>	<u>Payee</u>
12191	\$435.00	Action Interpreting LLC
12192	\$4,318.00	Arae Network Solutions LLC
12193	\$362.59	Betty Wysocki
12194	\$100.00	BHS Project Graduation
12195	\$720.55	CenturyLink
12196	\$67.58	Comcast
12197	\$107.17	Comcast
12198	\$100.00	Cynthia Sturla
12199	\$50.00	Discovery Benefits Inc.
12200	\$60.98	Don & Len's Auto Parts
12201	\$1,000.00	Eclectic Architecture LLC
12202	\$401.00	J.C. Ehrlich Co., Inc.
12203	\$16.39	Elizabethtown Gas
12204	\$38.86	Elizabethtown Gas
12205	\$3,850.43	Finch Fuel Oil Company Inc.
12206	\$3,194.35	Florio, Perrucci, Steinhardt & Fader
12207	\$49.14	Gary W. Gray Trucking
12208	\$14.00	Gayle Farrell
12209	\$772.00	Gebhardt & Kiefer
12210	\$35.14	Home Depot Credit Services
12211	\$26.47	Hope Township
12212	\$1,757.94	JCP&L
12213	\$244.14	Kathleen Reinalda – petty cash
12214	\$306.90	Kay Printing & Envelope Co.
12215	\$917.75	Maser Consulting P.A.
12216	\$60.00	Montage Enterprises Inc.
12217	\$300.00	Mr. John Inc.
12218	\$3,242.00	N. Matera & Sons LLC



12219	\$100.00	National Night Out
12220	\$10.00	Nestle Pure Life Direct
12221	\$1,002.80	NJ American Water Company
12222	\$135.34	NJN Publishing
12223	\$200.00	Patricia Mannon
12224	\$135.00	Pitney Bowes
12225	\$668.00	Precast Manufacturing Company
12226	\$63.00	QC Laboratories
12227	\$1,022.07	Quill Corporation
12228	\$174.23	Ralph Price
12229	\$662.00	Robert Blease DVM
12230	\$30.30	Ron Smith
12231	\$61.49	Sanico Inc.
12232	\$400.00	Winegar, Wilhelm, Glynn & Roemersma
12233	\$825.00	S&L Equipment Rental Inc.
12234	\$366.82	Smith Motor Company
12235	\$50.00	State Treasurer
12236	\$175.00	Treasurer, State of NJ
12237	\$50.00	Treasurer, DCA
12238	\$114.79	Verizon Wireless
12239	\$663.40	Vital Communications
12240	\$8.00	Warren County Clerk
12241	\$95.00	Warren County Road Department
12242	\$367.99	Warren Materials
12243	\$550,760.00	White Twsp. Board of Education
12244	\$544.65	Xerox Corporation

Total Amount Paid: \$ 581,233.26

**CURRENT FUND MANUAL CHECKS**

2095	\$21,855.02	Payroll Account
2096	\$5,539.74	Payroll Account
2097	\$12,945.80	Payroll Account

**SEWER ACCOUNT**

1200	\$50.00	Vital Communications
1201	\$819.18	Belvidere Sewer Utility
1202	\$1800.00	Warren County (PR) MUA
1203	\$82,932.00	Warren County (PR) MUA

**ANIMAL CONTROL ACCOUNT**

1097	\$10.80	NJ Dept. of Health & Senior Services
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**CAPITAL ACCOUNT**

1432	\$635.70	Warren Materials
1433	\$17,305.00	Anviro Contractors
1434	\$7250.00	Maza & Maza Inc.

**BANK OF AMERICA ESCROW ACCOUNT**

2486	\$2922.50	Maser Consulting P.A.
2487	\$156.25	Maser Consulting P.A.
2488	\$62.50	Maser Consulting P.A.
2489	\$213.75	Maser Consulting P.A.
2490	\$1072.00	Gebhardt & Kiefer P.C.

**BONDS**

98656	\$330.00	Maser Consulting P.A.
634895	\$217.50	Maser Consulting P.A.

**GRAVEL PIT ESCROWS**

187	\$31.25	Maser Consulting P.A.
175	\$31.25	Maser Consulting P.A.

**TOTAL ALL FUNDS.....\$737,413.50**

**OTHER MATTERS**

Mr. Herb requested the township get a price on installation of reflective markers for a curved section of Pequest Drive. This added safety measure may help drivers better negotiate the curve. Motion made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to authorize the clerk to get a quote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

On motion by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable 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, October 11, 2012, 10:00pm:

Contract Negotiations  
(Shared Services)

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 Mr. Herb, seconded by Mr. Race, the meeting was re-opened to the public at 10:16pm. Motion passed. No action was taken in Executive Session.

#### **ADJOURNMENT**

Being no further business to come before the Committee, the meeting was adjourned at 10:17pm on motion by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable vote.

Respectfully Submitted,

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Kathleen R. Reinalda, RMC  
Township Clerk