

WHITE TOWNSHIP COMMITTEE

**MINUTES OF MEETING
DECEMBER 8, 2011**

CALL TO ORDER

Mayor Sam Race called the meeting to order at 7:00 p.m. and stated that in compliance with the "Open Public Meetings Act" this meeting has been advertised in the Star-Gazette, Belvidere, NJ and the Express-Times, Easton, PA; the Agenda has been posted at the Municipal Building.

FLAG SALUTE

The Mayor asked everyone to stand for the flag salute.

ROLL CALL

Present: Mayor Race, Committeewoman Mackey, Attorney Craig Bossong (substituting for Brian Tipton) and Clerk Kathleen Reinalda. Committeeman Jeff Herb was absent.

PUBLIC COMMENTS

Mike Grossman asked if PP&L had all the proper permits for the work going on in the river along Foul Rift Road. He expressed concern regarding possible erosion issues. The clerk was asked to follow up with the construction official.

Barry Wessner asked the status of the proposed second alternate position for the Board of Adjustment. The committee said they were not opposed to the idea, but would need additional time to discuss it.

Mr. Wessner also asked why Nelson Tree Service is storing chippers on township property and not helping the township road department with storm damage clean up. Mayor Race offered to look into the situation.

ORDINANCES – PUBLIC HEARING

Ord. 2011-8: Motion made to open the Public Hearing made by Mrs. Mackey, seconded by Mayor Race. Being no comments, motion to close the Public Hearing made by Mrs. Mackey, seconded by Mayor Race. Motion to adopt the following Ordinance made by Mrs. Mackey, seconded by Mr. Race and carried by roll call vote. Herb – absent, Mackey – yes, Race – yes.

**ORDINANCE 2011-8
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.

RESOLUTIONS

Res. 2011-57: Motion to adopt the following resolution made by Mrs. Mackey, seconded by Mayor Race and carried by unanimous favorable vote. Herb – absent, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION TO PROVIDE FOR THE RENEWALS OF PLENARY RETAIL CONSUMPTION LICENSES FOR 2010-2011 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 2010-2011 licensing year.

2123-33-012-007 Annacon, Inc., T/A Red Wolfe Inn

OLD BUSINESS

Two joint insurance fund proposals were received for 2012 coverage. New Jersey Intergovernmental Insurance Fund proposed \$65,101 and the township's current provider, Public Alliance Insurance Coverage Fund proposed \$55,248. The private insurance companies who were contacted responded that they could not compete with the joint insurance fund premiums. The clerk was asked to prepare a resolution renewing the township's membership in the Public Alliance Insurance Coverage Fund for CY 2012, 2013 and 2014. The resolution will be prepared for the year end meeting.

All of the board members whose terms are expiring 12/31/2011 responded to the

committee's request for letters of interest to continue on the boards.

The Green Power Energy easement issue on Block 15 Lot 5.11 mentioned at the November Meeting does not need to be addressed at this time. The project is on hold. The homeowner wanted to install a ground mounted solar structure on the property, but the necessary easement was never recorded. Green Power Energy, at the time, requested the township grant the easement.

There was no discussion regarding the brush clean up from the October snow storm.

NEW BUSINESS

The committee acknowledged receipt of the Request for Proposals for the Risk Manager position. No action was taken.

Motion made by Mrs. Mackey, seconded by Mayor Race to advertise for the vacant Open Space/Agricultural Advisory Board Secretary position. Mr. Herb – absent, Mrs. Mackey – yes, Mayor Race – yes. Motion carried.

Mayor Race suggested the official Open Public Meetings Act Statement be printed on all future agendas. Mrs. Mackey agreed. Attorney Tipton will be asked to provide the official statement.

CORRESPONDENCE

The committee acknowledged receipt of the annual statement from the Pollution Control Financing Authority setting forth the 2012 host fee. The fee will decrease from \$4.012 per ton in 2011 to \$3.73 per ton in 2012. The increase in waste volume received by the landfill caused the rate decrease.

The committee briefly discussed a memo received from the zoning officer regarding the township's lack of zoning for 'Kennels and Pet Shops'. The memo will be referred to Attorney Tipton for his review and recommendation.

ENGINEERING UPDATE

Paul Sterbenz was not present, but the committee reviewed the following items:

- Buckhorn Drive drainage issue – the resurfacing of a section of road has been completed. The township continues to discuss a drainage pipe on the property of 450 Buckhorn Drive with the owner of the property.
- Nature's Choice Corporation – NCC submitted a 'Stormwater Drainage Plan' to the

NJDEP. Mr. Sterbenz prepared a letter on behalf of the township expressing the continued concerns the township has regarding run-off from the property.

- Wastewater Management Plan – an additional \$5000 in grant funds is available from the state to assist the township in completing its mandatory wastewater management plan. Motion was made by Mrs. Mackey, seconded by Mayor Race to authorize Mr. Sterbenz to accept the grant and complete the necessary paperwork. Mr. Herb – absent, Mrs. Mackey – yes, Mr. Race – yes. Motion carried.

PUBLIC COMMENTS

None.

PRESENTATION OF MINUTES

Motion made by Mrs. Mackey, seconded by Mayor Race and carried by unanimous favorable vote to approve the November 10, 2011 Regular Meeting Minutes and the November 10, 2011 Executive Meeting Minutes as presented. Herb – absent, Mackey – yes, Race – yes. Motion carried.

PRESENTATION OF VOUCHERS

On motion by Mrs. Mackey, seconded by Mayor Race, the Committee approved the following list of bills:

<u>Check No.</u>	<u>Amount</u>	<u>Payee</u>
11676	\$ 196.80	Adams Fire Protection
11677	163.47	Belvidere Sand & Gravel
11678	213.52	Betty Wysocki
11679	50.00	CenturyLink
11680	673.27	CenturyLink
11681	100.11	Comcast
11682	100.00	Cynthia Sturla
11683	100.00	Dawn Decker
11684	74.38	J.C.Ehrlich Co., Inc.
11685	181.09	Elizabethtown Gas
11686	138.95	Elizabethtown Gas
11687	4,228.50	Finch Fuel Oil
11688	372.84	Fischer Electrical Contractors
11689	49.14	Gary W. Gray Trucking
11690	26.32	Hope Township
11691	283.00	International Code Council Inc.

11692	2,495.02	JCP&L
11693	25.00	Karen Stenson
11694	49.99	Lin Supply Inc.
11695	25.00	Mary Ann O'Neil
11696	2,048.50	Maser Consulting, P.A.
11697	228.33	Michelle Trivigno
11698	3,242.00	N. Matera & Sons LLC
11699	97.00	National Standard Plumbing
11700	949.74	NJ American Water Company
11701	25.00	Patricia N. Thiede
11702	200.00	Patricia Mannon
11703	1,095.00	Riverbend Advertiser
11704	225.00	Robert Blease, DVM
11705	61.49	Sanico Inc.
11706	327.08	Smith Motor Company
11707	156.91	Staples Credit Plan Dept. 31
11708	50.00	Treasurer, State of NJ
11709	120.21	Verizon Wireless
11710	550.98	Vital Communications
11711	548,495.00	White Twsp Board of Education
11712	570.98	Xerox Corporation

Total Paid: \$ 567,988.94

On motion by Mrs. Mackey, seconded by Mayor Race 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, December 8, 2011, 8:13pm.

Pending or Threatened Litigation
(450 Buckhorn Drive)
(Hike Enterprise tax appeal)

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. Mackey, seconded by Mayor Race, the meeting was re-opened to the public at 8:30pm. Motion passed.

OTHER MATTERS

Motion made by Mrs. Mackey, seconded by Mayor Race to authorize Attorney Tipton to prepare and send a second letter to the resident at 450 Buckhorn Drive regarding the drainage pipe on the property. Herb – absent, Mackey – yes, Race – yes. Motion carried. The Road Department will also be advised to post signs warning of the possible icing situation on that section of the road.

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 8:32pm on motion by Mrs. Mackey, seconded by Mayor Race and carried by unanimous favorable vote.

Respectfully Submitted,

Kathleen R. Reinalda, RMC
Township Clerk