

WHITE TOWNSHIP COMMITTEE

MINUTES OF MEETING MARCH 24, 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, Committeeman Herb and Committeewoman Mackey, Attorney Brian Tipton and Clerk Kathleen Reinalda.

2011 BUDGET INTRODUCTION

Auditor Dave Evans was present to introduce the 2011 Municipal Budget. The 2011 Budget does not include any increases in expenditures and, therefore, no municipal increase in taxes. This was achieved through modest cuts in expenditure line items offset by revenues including host community fees, state aid and utilization of surplus funds. The township's surplus remains level at \$1.8 million dollars.

Res. 2011-21: Motion to adopt the following resolution made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

DEFERRED LOCAL DISTRICT SCHOOL TAX

WHEREAS, the local district school tax for the fiscal year July 1, 2010 to June 30, 2011 was raised in the 2010 tax levy in the amount of \$6,906,779.00, and

WHEREAS, the statutes permit the deferral of the cash liability of such school tax up to 50% of the school tax levy or \$3,453,389.50;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of White, that the deferred school tax for the local school district be increased from \$2,660,132.35 to \$2,860,132.35 as of December 31, 2010; and

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Res. 2011-22: Motion to adopt the following resolution made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

SELF-EXAMINATION OF BUDGET RESOLUTION
[as required by DCA]

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of White has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2011 budget year.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of White that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-5.
4. That the pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth

- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

COLA ORDINANCE: Motion to adopt the following Ordinance on first reading made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Public Hearing is scheduled for April 28th at 7PM.

**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 2.0% 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 2011 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 \$20,040 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 2011 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 \$46,760 and that the CY 2011 municipal budget for the Township of White be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, 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 to introduce the 2011 Municipal Budget made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. A complete copy of the 2011 Municipal Budget is on file in the office of the municipal clerk. Public Hearing is scheduled for April 28th at 7PM.

2011 WHITE TOWNSHIP SCHOOL BUDGET PRESENTATION

School Board president Gary Meddaugh gave a brief presentation on the proposed school budget. Like the municipal budget, the school is proposing no tax increase. Taxpayers will have an opportunity to vote on the school budget April 27th.

PUBLIC COMMENTS

Several residents of the Brookfield Senior Community were present to inquire about the increase in sewer rates. The committee explained that the PRMUA establishes the billing system and White Township is merely the collection agent. The township does include a maintenance and administrative fee, but the Mayor assured those in attendance that those fees will be analyzed this year.

Bob Mackey requested the tax assessor explain to the Agricultural Advisory Board why the Lena Menegus property was removed from farmland assessment. The committee agreed and

requested the explanation be put in writing.

RESOLUTIONS

Res. 2011-18: Motion to adopt the following resolution made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION AWARDING CONTRACT FOR MOWING/MAINTENANCE OF TOWNSHIP RECREATION FIELDS TO N. MATERA & SONS LLC FOR THE 2011/2012 SEASONS

WHEREAS, White Township requires that its recreational fields on Route 46 and Route 519 be mowed/fertilized and properly maintained; and

WHEREAS, specifications for such work were publicized, and the following bids were received from three (3) different maintenance contractors:

<u>Contractor</u>	<u>Base Bid</u>	<u>Soccer Line Striping</u>	<u>Extra Mowing</u>
Heath Care Management, Inc.	\$27,500.00	\$60.00/field	\$350.00/mowing
N. Matera & Sons LLC	\$25,936.00	\$225.00/field	\$390.00/mowing
Pat Scanlan Landscaping	\$47,815.00	\$450.00/field	\$850.00/mowing

WHEREAS, the attorney has reviewed the bids and supporting documents to determine which contractor submitted the lowest bid responsive to the said specifications, and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White that the contract for mowing/maintenance/fertilization/aeration of the recreation fields be and hereby is awarded to N. Matera & Sons LLC for its lowest responsive, all-inclusive bid as per company estimate received March 22, 2011.

Res. 2011-19: Motion to adopt the following resolution made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION AWARDING A CONTRACT FOR PORT-A-JOHNS FOR THE WHITE TOWNSHIP RECREATION AREAS

WHEREAS, White Township solicited quotations for port-a-johns for the township recreation areas; and

WHEREAS, the following quotations were received from three (3) contractors:

Mr. John	\$50/restroom/month (no fuel surcharges)
D. Lovenberg's	\$50/restroom/month
All-State	\$80/restroom/month

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Committee of the Township of White that the contract for Port-A-Johns be and hereby is awarded to Mr. John for its lowest responsible, responsive quotation as per company estimate dated 2/28/11.

Res. 2011-20: Motion to adopt the following resolution made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESERVE Transfer Resolution

BE IT RESOLVED by the township committee of the Township of White, County of Warren, State of New Jersey, that there are insufficient funds to meet the demands necessary for the 2010 Reserve Balances in Municipal Clerk S/W, Computerized Data Processing, Legal Services O/E, Planning Board O/E, Construction Official S/W, Buildings & Grounds O/E, Animal Control O/E, and Municipal Court O/E.

WHEREAS, the following accounts have sufficient excess funds to meet such demands:

BE IT RESOLVED that in accordance with the provisions of R.S. 40A:4-59 the Chief Financial Officer is hereby authorized to make the following transfers:

To:	Municipal Clerk S/W	680.42
	Computerized Data Processing	1287.50
	Legal Services O/E	402.22
	Planning Board O/E	1947.50
	Construction Official S/W	1043.04
	Buildings & Grounds O/E	866.27
	Animal Control O/E	766.12
	Municipal Court O/E	<u>175.97</u>
		\$7,169.04
From:	Streets & Roads O/E	\$7,169.04

ORDINANCES – FIRST READING

Ord. 2011-1: Motion made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote to approve the following Ordinance on First Reading. Herb – yes,

Mackey – yes, Race – yes. Motion carried. Public Hearing is scheduled for April 28th at 7PM.

ORDINANCE 2011-1
AN ORDINANCE AMENDING THE EXISTING ORDINANCE
IN CHAPTER 110,
OF THE TOWNSHIP OF WHITE CODE.

WHEREAS, the Committee of the Township of White, County of Warren, State of New Jersey, maintains its own Construction Department and sets forth its fees by Ordinance in Chapter 110;

WHEREAS, the New Jersey Department of Community Affairs has established a fee schedule for construction within its jurisdiction, including fees for new commercial farm construction at .0001 per cubic foot of volume;

WHEREAS, the White Township Construction Department has made a recommendation to the Committee to amend its fee schedule to adopt the NJDCA's fees for new commercial farm construction, and the Committee finds such recommendation to be reasonable and appropriate for White Township;

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 110, is amended as follows:

Section 1:

Existing §110-2 (A)(3)(a) states as follows:

New construction fees: \$0.035 per cubic foot of volume for all use groups, provided that the minimum fee shall be \$46; except that the minimum fee for Use Groups A-1, A-2, A-3, A-4, F-1, S-1 and S-2 shall be \$100; and the fee shall be \$0.008 per cubic foot of volume for structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), used exclusively for the storage of food or grain, or the sheltering of livestock, with the maximum fee for such structures on farms not to exceed \$750, provided that the minimum fee shall be \$46.

And it shall be amended as follows:

New construction fees: \$0.035 per cubic foot of volume for all use groups, provided that the minimum fee shall be \$46; except that the minimum fee for Use Groups A-1, A-2, A-3, A-4, F-1, S-1 and S-2 shall be \$100; and the fee shall be **\$0.001** per cubic foot of volume for structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), used exclusively for the storage of food or grain, or the sheltering of livestock, with the maximum

fee for such structures on farms not to exceed \$750.00, provided that the minimum fee shall be \$46.

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.

NEW BUSINESS

The Land Conservancy of NJ proposed a contract renewal from \$100/hour to \$85/hour for 2011/2012. The Conservancy provides professional open space and farmland preservation consulting services. To date, the Conservancy has helped White Township preserve three farms totaling 156 acres and completed the township's Comprehensive Farmland Preservation Plan. Motion made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote to approve the renewal contract with the Land Conservancy of NJ at rate of \$85/hour. Herb – yes, Mackey – yes, Race – yes. Motion carried.

OLD BUSINESS

Mayor Race informed the committee he is currently working a letter with the township planner to request additional grant money for compliance with the Highlands Regional Master Plan. The township recently received a reimbursement voucher from the Highlands in the amount of \$5500. However, the township is seeking an additional \$6420. Mayor Race said he had spoken with the Executive Director of the Highlands who requested the township seek the additional funding in writing.

Mayor Race also advised the committee that the Highlands is seeking submission of the township's final Plan Conformance components within 45 days. Mayor Race suggested that due

to the work involved it will not be possible to complete the remaining tasks within that time frame and additional time will be required. The committee agreed. The Highlands Council will be notified in writing.

Mayor and Committee again reviewed a letter to landowners as prepared by the Open Space Committee. The letter discussed options for farmland preservation as opposed to selling to a developer. Mayor Race suggested changes needed to be made and offered to discuss them with the Open Space Committee. The committee was agreeable.

A drainage complaint at 194 CR 620 was briefly reviewed. It was decided to discuss the problem in more detail at the April 14th meeting when the engineer will be present.

The township engineer, along with the Mayor and Road Foreman, reviewed the school/municipal parking lot to determine if any repairs were necessary at this time. The engineer recommended crack sealing only.

Mayor Race presented the committee with an analysis he had prepared showing costs to run a Zoning Board and Planning Board on a monthly basis. The purpose of the analysis is to determine whether it would be in the township's best interest to create a Land Use Board. There was lengthy debate amongst the committee and public with arguments for and against the proposal. Mr. Herb suggested an invitation be sent to all board members to come to the April 14th meeting to express any feelings they may have on the subject. The committee agreed. The meeting will be scheduled for 6pm on April 14th.

CORRESPONDENCE

A letter was received from Thomas Litz, Warren Hospital President and CEO, requesting the committee support Warren Hospital's request to be licensed to perform primary angioplasty services for cardiac patients in need of life saving procedures. The township had previously supported this request in writing to various elected officials and state departments. However, the hospital recently got news that the request was denied. The committee agreed that another letter addressed directly to the Governor with our legislators and the NJ Department of Health and Senior Services copied might help this most vital cause. This was approved on motion made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

PRESENTATION OF MINUTES

Motion made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote to approve the February 10, 2011 Regular Meeting Minutes and the March 1, 2011 Budget/Special Meeting Minutes as amended. Herb – yes, Mackey – yes, Race – yes. Motion carried.

PRESENTATION OF VOUCHERS

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

<u>Check No.</u>	<u>Amount</u>	<u>Payee</u>
11221	340.00	ANJEC
11222	1,680.00	Anviro Contractors
11223	600.00	ARAE Network Solutions
11224	491.00	BHS Project Graduation
11225	50.00	CenturyLink
11226	1,282.72	CenturyLink
11227	100.11	Comcast
11228	400.00	Community Prevention Resources
11229	864.00	Commercial Carpentry Services
11230	80.99	Culligan
11231	150.00	Cynthia Sturla
11232	273.48	Edward Garland
11233	142.00	J.C. Ehrlich Co., Inc.
11234	608.04	Elizabethtown Gas
11235	1,384.29	Elizabethtown Gas
11236	125.89	Fisher Electrical Contractors
11237	2,900.00	Florio, Perrucci, Steinhardt
11238	75.00	Fragrant Designs Florist
11239	98.28	Gary W. Gray Trucking
11240	20.00	Gayle Farrell
11241	1,195.00	General Code Publishers
11242	34,000.00	Goodwill Fire Company
11243	46.20	Hatch Mott MacDonald
11244	99.00	Institute for Professional Dev.
11245	15,044.64	International Salt Co., LLC
11246	100.00	Irene Brownell
11247	2,811.39	JCP&L
11248	211.76	Lamb Printing Inc.
11249	378.00	LCB Services
11250	775.40	Maser Consulting, P.A.
11251	155.00	National Drug Screen
11252	300.00	National Night Out
11253	147.95	New Jersey Law Journal
11254	949.74	NJ American Water Co.
11255	349.50	NJ Div of Fire Safety
11256	299.75	NJN Publishing
11257	651.40	NJN Publishing
11258	20,430.00	Public Alliance Ins Coverage
11259	200.00	Patricia Mannon

11260	144.00	Pitney Bowes
11261	562064	Quill Corporation
11262	562.64	Reserve Account
11263	240.00	R.J. Lynch
11264	61.49	Sanico
11265	229.95	Seely Equipment
11266	37.96	S&L Equipment
11267	509.82	Staples Credit Plan Dept. 31
11268	680.00	Superior Fencing & Hole Drilling
11269	25.00	TCTA Membership Services
11270	1,345.00	The Express-Times
11271	500.00	Treasurer, State of NJ
11272	213.48	Verizon Wireless
11273	98.49	Verizon Wireless
11274	700.00	Vital Communications
11275	135.00	Warren County Assessors Assoc.
11276	151.00	West Group
11277	1,999.50	William Gold, Esq.
11278	56.26	Wilson Products
11279	570.98	Xerox Corporation

Total Amount Paid: \$ 98,251.70

CURRENT FUND MANUAL CHECKS

2026	\$29,225.23	Payroll Account
2027	\$46.80	Postmaster
2028	\$46.80	Alfia Schemm
2029	\$548,495.00	Board of Education
2030	\$14,535.41	Payroll Account
2031	\$25,842.60	Payroll Account

SEWER ACCOUNT

1150	\$46.43	Lamb Printing
1151	\$50.00	Vital Communications
1152	\$585.44	Belvidere Sewer Utility
1153	\$157.50	Vital Communications

BANK OF AMERICA ESCROW ACCOUNT

2353	\$112.50	William Gold
2354	\$412.50	William Gold
2355	\$900.00	William Gold
2356	\$1124.20	Hatch Mott MacDonald
2357	\$1771.60	Hatch Mott MacDonald

2358	\$1952.75	Maser Consulting
2359	\$1273.75	Maser Consulting
2360	\$28.56	Rite Aid of NJ
2361	\$1791.85	Rite Aid of NJ
2362	\$613.00	Geza Budai
2363	\$148.00	Michael DeTommaso
2364	\$334.50	White Mountain Estates
2365	\$54.35	Fox Chase Estates
2366	\$494.50	Sue Morrow
2367	\$96.25	G-4 Development
2368	\$126.50	G-4 Development
2369	\$416.75	Al Hartrum
2370	\$100.00	Al Hartrum
2371	\$206.38	Al Hartrum

ANIMAL CONTROL ACCOUNT

1079	\$86.40	NJ Department of Health & Senior Services
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GRAVEL PIT ESCROWS

177	\$62.50	Maser Consulting
167	\$62.50	Maser Consulting
171	\$31.25	Maser Consulting

TOTAL ALL FUNDS.....\$729,483.50

PUBLIC COMMENTS

None.

On motion by Mrs. Mackey, 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, March 24, 2011, 10:35pm.

Litigation
(Rodata)
(Castle Ridge)
(Allen/Cannon)

Executive Minutes of February 10, 2011

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 Mrs. Mackey, the meeting was re-opened to the public at 11:04pm. Motion passed.

OTHER MATTERS

Motion made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote to approve the February 10, 2011 Executive Minutes as amended. Herb – yes, Mackey – yes, Race – yes. Motion carried.

Motion to authorize Mr. Tipton to send a letter to the court objecting to the substance of the Cannon/Allen request for reimbursement of litigation costs made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 11:06pm on motion by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote.

Respectfully Submitted,

Kathleen R. Reinalda, RMC
Township Clerk

