

WHITE TOWNSHIP COMMITTEE

MINUTES OF MEETING APRIL 14, 2011

CALL TO ORDER

Mayor Sam Race called the meeting to order at 6:00 p.m. and stated that in compliance with the "Open Public Meetings Act" this is a Special Meeting that has been advertised in the Star-Gazette, Belvidere, NJ on April 7, 2011.

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.

LAND USE BOARD DISCUSSION

Members of the Planning Board and Zoning Board of Adjustment were present to discuss the idea of creating a Land Use Board. Many comments were received both in favor and against the idea. The majority of members present were opposed simply because they did not like the idea of limiting public participation to one board. Historically, White Township has not had a problem filling seats on both boards, therefore, the members did not like the thought of possibly turning interested members away. After an hour of debate, Mrs. Mackey announced she would not vote for creation of a Land Use Board due to the strong argument that public participation may be limited as a result of changing to one board.

REGULAR MEETING – 7PM

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.

ENGINEERING REPORT

Paul Sterbenz was present to report on the following:

- Free Union Road – A resolution needs to be passed authorizing participation in the Morris County Cooperative Pricing Council and forwarded to the NJDOT to get this project started. Motion made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote to pass the following Resolution. Herb – yes, Mackey – yes, Race – yes. Resolution passed.

RESOLUTION 2011-25

WHEREAS, the Township of White plans to improve Free Union Road between the Liberty Township municipal boundary and Route 46; and

WHEREAS, the Township has obtained a grant from the municipal aid portion of the Transportation Trust Fund to help fund the project; and

WHEREAS, the Township has appropriated monies to construct the improvements on Free Union Road; and

WHEREAS, the Township plans on utilizing Tilcon New York Inc. (“Tilcon”), M.L. Ruberton Construction Company Inc. (“Ruberton”) and Denville Line Painting Inc. (“Denville”) through its membership in the Morris County Cooperative Pricing Council (“MCCPC”) to perform the required milling, paving, guiderail, and striping work on Free Union Road; and

WHEREAS, Tilcon, Ruberton, and Denville are qualified contractors and have been found to be in compliance with the contract documents and technical specifications; and

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE of the Township of White that the Township shall utilize Tilcon, Ruberton, and Denville for the improvements on Free Union Road through the Township’s membership in the MCCPC to perform milling and paving work in the amount of \$105,737.50 at the unit price of \$52.25 per ton for Superpave Hot Mix Asphalt (HMA) and \$1.75 per square yard for milling; guiderail work in the amount of \$27,492.00 at the unit price of \$30.00 per linear foot for beam guiderail, \$1,545.00 per slotted guiderail terminals and \$1,649.00 per extruder terminal; and striping work in the amount of \$3,599.00 at the unit price of \$0.27 per linear foot for long life epoxy resin line striping and \$5.50 per square foot for traffic markings, thermoplastic ; and

BE IT FURTHER RESOLVED that copies of this resolution shall be forwarded to the NJDOT’s Division of Local Aid and Economic Development.

- Tamarack Road – \$35,000 needs to be appropriated from the General Capital – Capital Improvement Fund to overlay a portion of Tamarack Road. Motion made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote to authorize preparation of an ordinance appropriating \$35,000 for Tamarack Road Improvements. Herb – yes, Mackey – yes, Race – yes. Motion carried.
- Municipal/School Parking Lot Improvements – Mr. Sterbenz recommended crack sealing only, as opposed to a complete seal coating for 2011. The clerk was asked to get quotes

on motion by Mr. Herb – seconded by Mrs. Mackey and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

- #188 CR 620, BK 28, Lot 2 – The owner of this property has been stockpiling debris and removing natural landscaping which has caused damaging run off on the neighbor's property. The Zoning Officer issued a violation and notice to abate.
- The NJDEP did not include Route 46 in their sewer service maps, despite the township's earlier request that they be included. Mr. Sterbenz was asked to prepare a written objection to the NJDEP for committee review.

RESOLUTIONS

Res. 2011-23: Tabled for further review.

Res. 2011-24: 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 2011-24

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WHITE OPPOSING SENATE BILL S-818 AND ASSEMBLY BILL A-2095 REVISING REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES DELIVERY

WHEREAS, Senate S-818 and Assembly Bill A-2095 revise the requirements for emergency medical services delivery; and

WHEREAS, the Emergency Medical Service Volunteers (EMS Volunteers) provide invaluable life saving services while responding to a wide variety of medical emergencies; and

WHEREAS, EMS volunteers are selfless individuals who provide aid to anyone who requires medical assistance under very difficult circumstances; and

WHEREAS, the New Jersey State First Aid Council opposes Senate Bill S-818 and Assembly Bill A-2095 because the Bills will impose unnecessary and burdensome regulatory and financial burdens upon volunteer first aid squads already understaffed and under-funded; and

WHEREAS, the Emergency Medical Technician Training Fund is a dedicated non-lapsing, revolving fund, established to reimburse any entity which is certified by the Commissioner of Health and Senior Services to provide training and testing for volunteer ambulance, first aid and rescue squad personnel who are seeking EMT certification and/or recertification: and

WHEREAS, Senate Bill S-818 and Assembly Bill A-2095 replace the “Emergency Medical Technician Training Fund: with the “Emergency Medical Services Training Fund” and permits the use of the fund by individuals and agencies other than ofr volunteer ambulance, first aid and rescue squad personnel; and

WHEREAS, Senate Bill S-818 and Assembly Bill A-2095 would remove the supervision and control of volunteer first aid squads from their respective municipalities to the New Jersey Department of Health and Senior Services; and

WHEREAS, New Jersey and more then 32 other states as well as the federal government require one (1) Emergency Medical Technician (EMT) along with one (1) other non-EMT to staff each ambulance. Senate Bill S-818 and Assembly Bill A-2095 will mandate each volunteer first aid squad to provide two (2) EMTs on every call; and

WHEREAS, the revisions contained in Senate Bill S-818 and Assembly Bill A-2095 will result in a decline in the number of available volunteer ambulances in the EMS services and increase the financial burden on municipalities and volunteer first aid squads; and

WHEREAS, Senate Bill S-818 and Assembly Bill A-2095 place new and expanded rules, responsibilities and requirements on municipalities that will cause additional expense for municipalities without a funding source, thereby creating an unfunded mandate in violation of the new Jersey Constitution Article VIII, Section 2, Paragraph 5 and N.J.S.A. 52:13H-2; and

WHEREAS, the New Jersey State First Aid Council represents more than 20,000 EMS volunteers affiliated with more then 350 first aid and rescue squads throughout the State and the New Jersey State First Council has identified additional concerns that would adversely effect volunteer ambulance services and made them known to the bills sponsors; and

WHEREAS, the study upon which these bills are based is reported to contain inaccurate and inconsistent information about the New Jersey EMS System.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White, in the County of Warren, State of New Jersey, to oppose New Jersey Senate Bill S-818 and New Jersey Assembly Bill A-2095; and be it further **RESOLVED** that the Township Clerk shall forward a certified copy of the Resolution to the following:

- (1.) The Honorable Chris Christie, Governor of the State of New Jersey
- (2.) The Honorable Stephen M. Sweeney, President, NJ State Senate
- (3.) The Honorable Sheila Y. Oliver, Speaker of the NJ General Assembly
- (4.) Assemblyman Herb Conaway
- (5.) Senator Joseph Vitale
- (6.) The 23rd District Legislators: Senator Michael J. Doherty
Assemblyman John DiMaio

Assemblyman Erik Peterson
The 24th District Legislators: Senator Steven V. Oroho
Assemblyman Gary R. Chiusano
Assemblywoman Alison Littell McHose

- (7.) Belvidere Ambulance Squad
Oxford Township Ambulance Squad
- (8.) Assembly Health and Senior Services Committee
- (9.) Senate Health, Human Services and Senior Services Committee

PUBLIC COMMENTS

Bob Mackey once again asked if the Construction and Zoning Officials provide monthly activity reports to the committee. Mayor Race said he would discuss this with Mr. Price and Mr. Bocko.

Barry Wessner commented that the Board of Adjustment is still not accepting Public Comments as part of their meetings. Mr. Herb and Mrs. Mackey were very upset by this news, as the committee has already reached out to the board asking them to include this as an agenda item each month. Motion was made by Mrs. Mackey, seconded by Mr. Herb with Mayor Race opposed to demand that the Board of Adjustment include Public Comments on their monthly agenda. Herb – yes, Mackey – yes, Race – opposed. Motion carried.

OLD BUSINESS

Mayor and Committee discussed 2011 salaries. The Open Space/Agriculture Advisory Secretary and Environmental Secretary per meeting fees of \$260 were discussed at length. The committee felt that \$260 was high for the workload. Mrs. Mackey suggested \$25 per hour for up to the first hour of a meeting and then \$25 per hour thereafter. Also, a blanket \$25 for preparation of monthly meeting minutes. This was approved on motion by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

A 1.5% increase for all employees, retroactive to January 1, 2011 (with the exception of the Open Space/Agriculture Secretary and the Environmental Secretary) was also discussed. This was approved on motion by Mr. herb, seconded by Mrs. Mackey and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Motion carried. The clerk will prepare the 2011 Salary Ordinance and Resolution to include the discussed changes.

The Tax Assessor prepared a detailed explanation of why Bk 60 Lot 9 is not included in Farmland Assessment as per a public comment request by Bob Mackey. The lot does not meet the 5 acre minimum requirement and it is not contiguous with any other acceptable lot.

A letter was received from FEMA regarding adoption of floodplain management

regulations. Attorney Tipton was asked to research this matter.

NEW BUSINESS

A soliciting application was received for operation of a mobile ice cream truck. This was approved on motion by Mr. Herb, seconded by Mayor Race with Mrs. Mackey abstaining (owns ice cream stand). Herb – yes, Mackey – abstain, Race – yes. Soliciting Permit approved. The permit will be good for one year.

The 2011 Regional Municipal Alliance Contract was approved on motion by Mrs. Mackey – seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

The 2011 PTO Raffle applications were approved on motion by Mrs. Mackey – seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

Mrs. Mackey recommended Nancy Bilyk be appointed to a vacant seat on the Open Space Committee. This was approved on motion by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

Mayor Race announced Sharon Cooper has been hired by the Warren Morris Council of Governments to research shared services opportunities. The Council was awarded a grant which will pay for Mrs. Cooper's services.

CORRESPONDENCE

Motion made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote to approve the Warren County Women's Softball League's request to use the township's athletic fields for the 2011 season. The proper insurance certificate was received by the clerk. Herb – yes, Mackey – yes, Race – yes. Motion carried.

A letter was received from the Governor asking the Mayor and Committee to support his proposed Pensions & Benefits reforms. No action was taken.

A letter was received from the League of Municipalities seeking the committee's support on a Resolution "Opposing State Diversion of Municipal Revenues". Motion made Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote to sign the resolution of support and return it to the League. Herb – yes, Mackey – yes, Race – yes. Motion carried.

A letter was received from Frank Panetta, school board member, expressing the board's interest in solar energy opportunities. The savings could be shared by the municipality. Mr. Herb offered to reach out to the project manager to get additional information.

PRESENTATION OF MINUTES

Motion made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote to approve the March 24, 2011 Regular Meeting Minutes and the March 24, 2011 Executive Meeting Minutes as presented. Herb – yes, Mackey – yes, Race – yes. Motion carried.

PRESENTATION OF VOUCHERS

On motion by Mr. Herb, seconded by Mrs. Mackey 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>
11280	50.00	CenturyLink
11281	100.11	Comcast
11282	20.50	Culligan
11283	50.00	Dawn Decker
11284	8647.50	Eclectic Architecture LLC
11285	71.00	J.C. Ehrlich Co., Inc.
11286	3249.10	Finch Fuel Oil Company
11287	3233.50	Florio, Perrucci, Steinhardt & Fader
11288	49.14	Gary W. Gray Trucking
11289	80.00	Gebhardt & Kiefer
11290	106.72	Home Depot Credit Services
11291	339.85	Inscho Plumbing and Heating
11292	14,766.27	International Salt Co. LLC
11293	100.00	Irene Brownell
11294	821.26	JCP&L
11295	236.77	Jim Flynn's Truck Repair Inc.
11296	106.90	Kathleen Reinalda
11297	137.67	Kathleen Reinalda – petty cash
11298	545.55	Maser Consulting P.A.
11299	361.90	Nick Schulaka Plumbing
11300	949.74	NJ American Water Company
11301	192.73	NJN Publishing
11302	247.88	Opdyke's Sales & Service
11303	121.20	Ralph Price
11304	500.00	Reserve Account
11305	81.00	Riverbend Advertiser
11306	236.00	Robert Blease, DVM
11307	61.49	Sanico, Inc.
11308	177.08	S&L Equipment Rental
11309	680.00	Superior Fencing & Hole Drilling
11310	104.15	Verizon Wireless

11311	617.92	Vital Communications
11312	202.27	Warren Materials
11313	548,495.00	White Twsp. Board of Education
11314	570.98	Xerox Corporation

Total Paid: \$ 586,338.18

CURRENT FUND MANUAL CHECKS

2032	14,464.22	Payroll Account
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BANK OF AMERICA ESCROW ACCOUNT

2372	94.25	Gary Barker
2373	6022.00	Verizon Wireless
2374	VOID	
2375	VOID	
2376	781.25	Maser Consulting
2377	1250.00	Maser Consulting

GRADING PLAN ESCROWS

847905	39.75	Rodata, Inc.
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ANIMAL CONTROL ACCOUNT

1080	\$222.00	NJ Department of Health & Senior Services
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SEWER UTILITY FUND

1154	300.00	Reserve Account
1155	50.00	Vital Communications
1156	585.44	Belvidere Sewer Utility
1157	80,253.00	Warren County PRMUA
1158	1800.00	Warren County PRMUA

TOTAL ALL FUNDS.....\$692,200.09

PUBLIC COMMENTS

Mr. Wessner expressed concern that the township website does not include all boards and commissions agendas. Motion was made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote to have all the board and commission secretary's forward agendas to the clerk for posting on the website 48 hours in advance of the meeting. Herb – yes, Mackey –

yes, Race – yes. Motion carried.

OTHER MATTERS

Mr. Herb suggested the clerk get prices for spreading infield mix for the recreation fields. The committee was agreeable.

The clerk was asked to get quotes for topping off the playground mulch. The committee agreed to get prices for delivery only, not spreading.

The committee briefly discussed the section of township code which authorizes Board of Adjustment Appeals to the governing body. The clerk was asked to include this topic as an item on the April 28th agenda.

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, April 14, 2011, 9:36pm.

Litigation
(Castle Ridge)
(Cannon/Allen)

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 Mayor Race, the meeting was re-opened to the public at 10:05pm. Motion passed.

Mrs. Mackey left the Executive Session at 9:43PM and did not return for the remainder of the meeting.

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 10:08pm on motion by Mr. Herb, seconded by Mayor Race with Mrs. Mackey absent.

Respectfully Submitted,

Kathleen R. Reinalda, RMC
Township Clerk

