

WHITE TOWNSHIP COMMITTEE

MINUTES OF MEETING MAY 10, 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 May 10, 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.

WARREN COUNTY COMMUNITY COLLEGE PRESENTATION

President William Austin provided an annual report of the college’s activities, goals, achievements, etc. Warren County Community College continues to grow and expand its program offerings to align with the needs of residents of Warren County. He thanked the committee for their time and continued support of the college.

2012 BUDGET ADOPTION

Auditor Dave Evans was present for adoption of the 2012 Municipal Budget.

COLA ORDINANCE – Motion made by Mr. Herb, seconded by Mr. Race to open the Public Hearing on the COLA Ordinance. Being no comments, motion to close the Public Hearing made by Mr. Herb, seconded by Mr. Race. Motion to adopt the COLA Ordinance made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes.

CALENDAR YEAR 2012 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

2.5% 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 2012 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 1.0% increase in the budget for said year, amounting to \$13,264 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 2012 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 \$46,424 and that the CY 2012 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.

2012 BUDGET ADOPTION

Motion to open the Public Hearing made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable vote. Being no comments, motion to close the Public Hearing made by

Mr. Herb, seconded by Mr. Race. Motion to adopt the 2012 Municipal Budget made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. A complete copy of the 2012 Municipal Budget is on file in the office of the municipal clerk.

NEW BUSINESS

Residents George Howell and Linda Belstra, 737 Water Street, and Robert and Janice Lilly, 731 Water Street, were present to request sewer service hook up. Attorney Tipton explained the process. First the request must be made to the governing body, a request must be made to the Belvidere Town Council as the line on Water Street is owned by Belvidere, permits must be issued by White and possibly Belvidere, and finally, the septic systems must be properly retired as per the Warren County Board of Health. Motion was made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to authorize the sewer hook ups of George Howell and Linda Belstra and Robert and Janice Lilly contingent upon the above stated conditions. Herb – yes, Mackey – yes, Race – yes. Motion carried.

PUBLIC COMMENTS

None.

RESOLUTIONS

Res. 2012-19: Motion made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable vote to approve the following Resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION 2012-19

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.

Res. 2012-20: Motion made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable vote to approve the following Resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION 2012-20
ADOPTING RESOLUTION

The undersigned Principal of the Township of White (the Employer) hereby certifies that the following resolutions were duly adopted by the Employer on May 10, 2012, and that such resolutions have not been modified or rescinded as of the date hereof;

RESOLVED, that the form of Cafeteria Plan including a Health Flexible Spending Account effective April 1, 2012, presented to this meeting is hereby approved and adopted and that the duly authorized agents of the Employer are hereby authorized and directed to execute and deliver

to the Administrator of the Plan one or more counterparts of the Plan.

RESOLVED, that the Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

RESOLVED, that the duly authorized agents of the Employer shall act as soon as possible to notify the employees of the Employer of the adoption of the Cafeteria Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved.

The undersigned further certifies that attached hereto as Exhibits A and B, respectively, are true copies of Township of White Cafeteria Plan and the Summary Plan Description approved and adopted in the foregoing resolutions.

Res. 2012-21: Motion made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable vote to approve the following Resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION #2012-21

WHEREAS, NJSA 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk, as per the requirements of NJSA 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S.52:27BB-52 - to wit:

R.S.52:27BB-52 - “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars(\$1,000.00), or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of White, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

(The Corrective Action Plan is on file in the office of the municipal clerk)

NEW BUSINESS

The annual Public Alliance Insurance Coverage Fund Survey of the township’s facilities and playground was conducted. Only two recommendations required attention. Review of the Road Department PEOSHA records and replacement of worn parts on the belt swings at the playground. These issues will be addressed.

A notice was sent by Verizon regarding the need to pass a “Consent Ordinance” for utilization of the township right-of-ways. The clerk was asked to prepare the ordinance for first reading at the June meeting 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.

The committee reviewed three quotes received for the reconstruction of four driveways and shoulder improvements on Free Union Road. The quotes are as follows:

K&A Paving Contractors LLC	\$6240.00
Anviro Contractors	\$11,000.00

Howard Burd & Sons

\$12,438.00

Motion was made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to award the Free Union Road improvements to K&A Paving Contractors based on their lowest responsive, responsible quote and also based on the township engineer's recommendation. Herb – yes, Mackey – yes, Race – yes. Motion carried. This work is being performed with remaining DOT grant funds.

The township committee approved the White Township PTO raffle application for a Tricky Tray to be held May 11th at the White Township Elementary School. This was approved on motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

Mayor and Committee acknowledged the road foreman's retirement effective June 1st. They discussed a \$500 gift card purchase for Mr. Hothouse's numerous years of dedicated service. Mr. Race offered to explore other options for a retirement gift. The Assistant Foreman will be asked to attend the June meeting to discuss the future of the Road Department.

OLD BUSINESS

The ongoing stormwater discharge at Nature's Choice was discussed. NCC submitted revised plans for the management of the discharge to the NJDEP. Mayor and committee discussed having the engineer review the plans. This was approved on motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

Mayor and Committee discussed the continued ADA Municipal Building improvements. Two quotes were received for replacing the handicap ramp. Currently the ramp is not as per code as it does not have the correct elevations and width. The two quotes are as follows:

Anviro Contractors	\$17,305.00
Len Tiner, Old House Specialist	\$18,730.00

Motion was made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to award the ADA ramp repairs to Anviro Contractors. Herb – yes, Mackey – yes, Race – yes. Motion carried.

Mayor Mackey provided an update on the 450 Buckhorn Drive drainage repairs. The homeowner removed the pipe that was directing the drainage onto the road. He then redirected the drainage as Mayor Mackey took pictures for the township's file. This action, along with the road repairs the Road Department made last year, should alleviate the drainage problems on that section of Buckhorn Drive.

The clerk presented comparisons of the JCP&L and Viridian rates. The township

switched to Viridian last year based on a quote that indicated \$1200 could be saved annually. After months of monitoring rates, it became apparent that Viridian was not any cheaper than JCP&L. In fact, some months the rate fluctuated higher than JCP&L. Motion was made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to cancel the electric service with Viridian. Herb – yes, Mackey – yes, Race – yes. Motion carried. The process of switching to a third party provider may now require public bidding. Attorney Tipton will research this for the June meeting.

PUBLIC COMMENTS

None.

CORRESPONDENCE

An email was received from the Land Conservancy of NJ advising the committee of a possible preservation opportunity for the Erhardt Farm. If pursued, it would require no township funding other than the cost of the Land Conservancy's time. This was approved on motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote with the stipulation that the cost not exceed \$400. Herb – yes, Mackey – yes, Race – yes. Motion carried.

PRESENTATION OF MINUTES

Approval of the April 12, 2012 Regular Meeting Minutes was tabled for revisions to be made by Committeeman Race.

PRESENTATION OF VOUCHERS

On motion by Mr. Herb, seconded by Mr. Race 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>
11966	\$ 706.12	CentruryLink
11967	\$ 90.67	Cintas First Aid & Safety
11968	\$ 7.96	C&M Auto Parts
11969	\$ 107.17	Comcast
11970	\$ 99,487.67	Cty of Warren Treasurer's Office
11971	\$ 50.00	Discovery Benefits
11972	\$ 135.48	Elizabethtown Gas
11973	\$ 159.50	Elizabethtown Gas
11975	\$ 3,369.03	Finch Fuel Oil Company Inc.
11976	\$ 3,045.00	Florio, Perrucci, Steinhardt
11977	\$ 26.52	Hope Township
11978	\$ 2,086.36	JCP&L

11979	\$ 306.20	Jesco, Inc.
11980	\$ 500.00	Linda Gabel
11981	\$ 2,842.50	Maser Consulting, P.A.
11982	\$ 232.15	Mr. John, Inc.
11983	\$ 3,242.00	N. Matera & Sons LLC
11984	\$ 10.00	Nestle Pure Life Direct
11985	\$ 6,350.00	Nisivoccia & Company
11986	\$ 992.91	NJ American Water Company
11987	\$ 23.34	NJN Publishing
11988	\$ 376.00	NJN Publishing
11989	\$ 32,000.00	Oxford Emergency Squad
11990	\$ 39.53	Quality Propane
11991	\$ 321.16	Randy Bell
11992	\$ 750.00	Reserve Account
11993	\$ 169.28	RiverEdge Park Condo Assoc.
11994	\$ 328.00	Seely Brothers Flag
11995	\$ 19.09	Sherwin Willisms Co.
11996	\$ 603.00	S&L Equipment Rental, Inc.
11997	\$ 160.34	Smith Tractor & Equipment Inc.
11998	\$ 292.99	Staples Credit Plan Dept. 31
11999	\$ 5,190.00	Swift Print Solutions LLC
12000	\$835,196.56	Treasurer's Office, Warren Cnty
12001	\$ 128.30	Verizon Wireless
12002	\$ 550.00	Vital Communications
12003	\$ 307.00	West Payment Center
12004	\$548,495.00	White Twsp Board of Education
12005	\$ 4,251.90	William Gold, Esq.
12006	\$ 838.44	Xerox Corporation
12007	\$ 500.00	Discovery Benefits Inc.

Total Amount Paid: \$1, 554750.92

CURRENT FUND MANUAL CHECKS

2077	\$261.26	Comcast
2078	\$23,002.42	Payroll Account
2079	\$799.71	Horizon Blue Cross Blue Shield of NJ
2080	\$16,644.71	Payroll Account

SEWER ACCOUNT

1190	\$819.18	Belvidere Sewer Utility
1191	\$50.00	Vital Communications

ANIMAL CONTROL ACCOUNT

1092 \$38.40 NJ Dept. of Health & Senior Services

CAPITAL ACCOUNT

1422 \$926.25 Maser Consulting, P.A.

BANK OF AMERICA ESCROW ACCOUNT

2459 \$569.80 Hatch Mott MacDonald
 2460 \$637.50 William Gold, Esq.
 2461 VOID
 2462 \$727.30 Kenneth McDermott
 2463 \$300.00 William Gold, Esq.
 2464 \$300.00 Andrew Discasani
 2465 \$173.75 Maser Consulting P.A.
 2466 \$941.25 Maser Consulting P.A.
 2467 \$62.50 Maser Consulting P.A.

OPEN SPACE ACCOUNT

10125 \$2465.00 The Land Conservancy of NJ

BONDS

10111 \$407.50 Maser Consulting P.A.

GRAVEL PIT ESCROWS

174 \$31.25 Maser Consulting
 180 \$218.75 Maser Consulting
 184 \$281.25 Maser Consulting

On motion by Mr. Herb, seconded by Mr. Race with Mayor Mackey abstaining, the Committee approved the following invoice:

11974 \$ 463.75 Finelli Consulting Engineers

TOTAL ALL FUNDS.....\$1,604,872.45

OTHER MATTERS

- Manunkachunk Road – discretionary aid is available and would require the engineer to complete some minor paperwork and file with the state. This was approved on motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote. Herb

– yes, Mackey – yes, Race – yes. Motion carried.

- Mr. Herb was contacted by a vendor about a new recycled hydraulic fluid. This information will be passed along to the Road Department.
- Attorney Tipton prepared a letter regarding the new Delaware River Floodplain Mapping and its adverse impact on White Township residents. The committee requested additional time to research the matter further.
- Rodata Litigation – pending Superior Court decision.
- Lisa Court – The township has secured the bond funds and must complete additional landscaping to complete the development. Motion was made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to authorize Mr. Sterbenz to set up a meeting with the residents of Lisa Court to receive their input. Herb – yes, Mackey – yes, Race – yes. Motion carried.
- Block 24, Lot 6 – A neighboring property owner expressed an interest in acquiring the township owned parcel. Attorney Tipton will research the statute regarding selling township owned
- contiguous property and report back to the committee on how to proceed. This was approved on motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 9:17pm on motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable vote.

Respectfully Submitted,

Kathleen R. Reinalda, RMC
Township Clerk