

WHITE TOWNSHIP COMMITTEE

MINUTES OF MEETING AUGUST 9, 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 August 9, 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 Landscaping Bids – The following bids were received:

Pat Scanlan Landscaping Inc.	\$29,588.00
Ascape Landscape & Construction Corp.	\$32,970.00
Louis Barbato Landscaping Inc.	\$36,333.00
Andy Matte Inc.	\$39,090.00
TC Landscape Construction Group Inc.	\$41,190.00
LTI, Inc.	\$64,849.62

Motion made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to award the Castle Ridge Landscape Project to Pat Scanlan Landscaping Inc. subject to Mr. Sterbenz reviewing the references provided. Herb – yes, Mackey – yes, Race – yes. Motion carried.

- Nature’s Choice Corporation – To date, NCC has not provided the DEP with a satisfactory solution to the stormwater run-off issue. NCC has until September 19th to submit revised plans.
- Wastewater Management Plan – There are still properties along Route 46 that the DEP

will not authorize into the township's wastewater management plan. A meeting will be scheduled with Cindy Randazzo, Local Government Assistance Director, to review the issues. It was also noted that a discussion should be had with Ms. Randazzo regarding Nature's Choice.

PUBLIC COMMENTS

Stan Prater, JCP&L Area Manager, was not present for the meeting. He rescheduled for the September meeting.

Ralph Price, township construction official, was present to discuss construction code fees. He and Mr. Race continue to work with the County regarding permit payments for a county facility recently constructed. Although the County is exempt, they have agreed to pay an agreed upon fee to offset the township's costs. Mr. Race suggested an administrative fee be applied to the permit fees. Mr. Price will review that suggestion with the CFO.

Mr. Price also raised the issue of increasing permit fees. He reasoned that the workload has become enough that four additional hours per week would be necessary for him to get his paperwork and inspections completed in a timely manner. If the township raised fees, this would offset the cost of Mr. Price's additional salary. The committee agreed to authorize four additional hours for Mr. Price 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. An amendment to the Salary Resolution will be prepared for the next meeting. The committee took no action on raising permit fees stating they would like to continue to analyze Mr. Price's suggestion.

RESOLUTIONS

Res. 2012-36 and Res. 2012-37: 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.

#36

**TOWNSHIP OF WHITE
PROFESSIONAL SERVICES RESOLUTION
REAL ESTATE APPRAISER – ROBERT F. HEFFERNAN ASSOCIATES**

WHEREAS, there exists a need for a professional appraiser to be appointed to estimate the fair market value of the farm properties owned by Vernon & Beverly Erhardt; and

WHEREAS, the township has provided funds for expenditures dealing with such professional services; and

WHEREAS, the price for the appraisal will not exceed \$2875.00; and

WHEREAS, the firm of Robert F. Heffernan Associates, licensed professional in the State of New Jersey, agrees to provide such services pursuant to its August 6, 2012 proposal, attached hereto and incorporated herein by reference, which the Township of White deems fair and equitable for said professional services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids and the agreement must be available for public inspection; and

WHEREAS, Robert F. Heffernan agrees to incorporate into the agreement the mandatory language of subsection 3.4(a) of the Regulations promulgated by the State Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time, and the contractor agrees to comply with the terms, provisions and obligations of said section 3.4; and

WHEREAS, adequate funds for the contract are available in account number 40841065 (Open Space Account),

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White as follows:

1. The mayor and clerk of the Township of White are hereby authorized and directed to execute a duplicate of this resolution, which shall act as the authority and agreement between the Township of White and Robert F. Heffernan Associates for its retention as appraiser for the township in connection with preservation of the Erhardt farm property.
2. The services rendered by the contractor shall be as described in the August 6, 2012 proposal and in accordance with a professional services contract, copies of which are on file in the municipal clerk’s office.
3. The contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A: 11-5(1)(A) of the Local Public Contracts Law because the contractor is an appraisal firm comprised of individuals licensed in the State of New Jersey and, as such, is duly qualified as a professional to carry out the subject services, which are expressly exempt from the local public contracts bidding requirements.
4. The contractor shall execute an Affirmative Action Affidavit, to be completed by firms with less than 50 employees in the form prescribed by the State of New Jersey attesting to its compliance with P.L. 1975, c.127 and the rules and regulations pursuant thereto; and the affidavit shall be attached to the professional services contract.

5. The contractor shall attach its New Jersey Business Registration certificate to the professional services contract.
6. The contractor shall complete and submit a Business Entity Disclosure Certification which certifies that Robert F. Heffernan has not made any reportable contributions to a political or candidate committee in the Township of White in the previous year, and that the contract will prohibit Robert F. Heffernan from making any reportable contributions through the term of the contract. The disclosure shall be attached to the professional services contract.
7. A notice of this action shall be printed once in “The Star Gazette” and/or “The Express Times”.
8. Copies of this Resolution shall be forwarded to the contractor, the Township Attorney and the Township Treasurer/CFO.

#37
TOWNSHIP OF WHITE
PROFESSIONAL SERVICES RESOLUTION
REAL ESTATE APPRAISER – NORMAN J. GOLDBERG, INC.

WHEREAS, there exists a need for a professional appraiser to be appointed to estimate the fair market value of the farm properties owned by Vernon & Beverly Erhardt; and

WHEREAS, the township has provided funds for expenditures dealing with such professional services; and

WHEREAS, the price for the appraisal will not exceed \$2,350.00; and

WHEREAS, the firm of Norman J. Goldberg Inc., licensed professional in the State of New Jersey, agrees to provide such services pursuant to its July 31, 2012 proposal, attached hereto and incorporated herein by reference, which the Township of White deems fair and equitable for said professional services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids and the agreement must be available for public inspection; and

WHEREAS, Norman J. Goldberg agrees to incorporate into the agreement the mandatory language of subsection 3.4(a) of the Regulations promulgated by the State Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time, and the contractor agrees to comply with the terms, provisions and obligations of said section 3.4; and

WHEREAS, adequate funds for the contract are available in account number 40841065

(Open Space Account),

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White as follows:

9. The mayor and clerk of the Township of White are hereby authorized and directed to execute a duplicate of this resolution, which shall act as the authority and agreement between the Township of White and Norman J. Goldberg for its retention as appraiser for the township in connection with preservation of the Erhardt farm property.
10. The services rendered by the contractor shall be as described in the July 31, 2012 proposal and in accordance with a professional services contract, copies of which are on file in the municipal clerk's office.
11. The contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A: 11-5(1)(A) of the Local Public Contracts Law because the contractor is an appraisal firm comprised of individuals licensed in the State of New Jersey and, as such, is duly qualified as a professional to carry out the subject services, which are expressly exempt from the local public contracts bidding requirements.
12. The contractor shall execute an Affirmative Action Affidavit, to be completed by firms with less than 50 employees in the form prescribed by the State of New Jersey attesting to its compliance with P.L. 1975, c.127 and the rules and regulations pursuant thereto; and the affidavit shall be attached to the professional services contract.
13. The contractor shall attach its New Jersey Business Registration certificate to the professional services contract.
14. The contractor shall complete and submit a Business Entity Disclosure Certification which certifies that Norman J. Goldberg has not made any reportable contributions to a political or candidate committee in the Township of White in the previous year, and that the contract will prohibit Norman J. Goldberg from making any reportable contributions through the term of the contract. The disclosure shall be attached to the professional services contract.
15. A notice of this action shall be printed once in "The Star Gazette" and/or "The Express Times".
16. Copies of this Resolution shall be forwarded to the contractor, the Township Attorney and the Township Treasurer/CFO.

OLD BUSINESS

The committee briefly discussed the ongoing research by the assessor to place a value on the township owned property, Bk 24, Lot 6. This is to prepare for a possible auction of the parcel. The committee requested the clerk send all township owned properties (that are not being utilized for township activities) to the Open Space Committee for their review and possible recommendation.

Mr. Race informed the committee he had contacted the County to get information about who supplies their energy. Warren County is part of an electricity co-op whereby the lead agency performs the bidding for its members. Motion made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to authorize the clerk to gather the necessary paperwork to pursue becoming a member of the co-op. Herb – yes, Mackey – yes, Race – yes. Motion carried.

A meeting will be scheduled with representatives from the Hazen Oxford Church, the Warren County Department of Land Preservation, Attorney Tipton, the Clerk and Mr. Race. The purpose of the meeting is to discuss bidding procedures. The church received a grant from the County which is realized in the Municipal Budget. Although the church is the grant recipient, the funds are processed through the township. Therefore, bidding laws must be adhered to.

The committee acknowledged receipt of the zoning officer's comments regarding the proposed solar ordinance. The clerk was instructed to send the comments back to the Planning Board for their review.

After some debate, the committee made a motion by Mr. Herb, seconded by Mr. Race, to officially change the name of the 'White Township Road Department' to the 'White Township Department of Public Works'. Mr. Herb – yes, Mayor Mackey – yes, Mr. Race – abstain. Motion carried. Mr. Race said he could not understand how this would benefit the township. Mayor Mackey and Mr. Herb maintained that the duties will be more clearly defined as 'buildings & grounds' in addition to 'road repair and maintenance'.

NEW BUSINESS

A complaint was received by the Warren County Health Department from a resident regarding the spraying of guardrails. The complaint was referred to the DEP. The committee agreed that the DPW should become certified commercial pesticide applicators to avoid any problems in the future. The clerk was asked to schedule the necessary classes for the DPW.

PUBLIC COMMENTS

Elaine Reichart requested all township correspondence reviewed by the Planning Board be forwarded to the Zoning Board also. Attorney Tipton explained that as residents, the board members are free to request copies of township documents. However, it would be inappropriate

for the governing body to forward Planning Board information to the Zoning Board as they are a quasi-judicial board.

CORRESPONDENCE

A letter was received from the Warren County Mosquito Extermination Commission suggesting the governing body put controls in place to prevent the abandonment of pools. This is a result of the increased foreclosure rate. The Health Department would like to see abandoned properties classified as ‘public health nuisances’ to protect the overall health of the public. This will be reviewed for the next meeting.

Motion was made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to regretfully accept Tom Bocko’s resignation as Zoning Officer effective August 15th. Mr. Bocko agreed to stay on until the township can find a replacement. Office hours will be held Saturdays, as needed. Herb – yes, Mackey – yes, Race – yes. Motion carried.

PRESENTATION OF MINUTES

Minutes of the July 12, 2012 Regular Meeting and July 12, 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. Race, seconded by Mayor Mackey with Mr. Herb abstaining (did not review the bills), Mayor and Committee approved the following list of bills:

<u>Check No.</u>	<u>Amount</u>	<u>Payee</u>
12106	\$ 250.00	All-Tech
12107	\$ 25,000.00	Belvidere Ambulance Corps
12108	\$ 300.00	Belvidere Recreation Trust
12109	\$ 500.00	BHS Project Graduation
12110	\$ 636.00	Caesars Hotel
12111	\$ 726.56	CenturyLink
12112	\$ 67.58	Comcast
12113	\$ 197.17	Comcast
12114	\$ 99,487.67	County of Warren Treasurer
12115	\$ 100.00	Cynthia Sturla
12116	\$ 50.00	Discovery Benefits Inc.
12117	\$ 73.00	J.C. Ehrlich Co., Inc.
12118	\$ 38.51	Elizabethtown Gas
12119	\$ 16.50	Elizabethtown Gas

12120	\$ 900.00	Florio, Perucci, Steinhardt
12121	\$ 49.14	Gary W. Gray Trucking
12122	\$ 325.00	G.F.O.A. of New Jersey
12123	\$ 947.96	Gibbons P.C.
12124	\$ 29,500.00	Goodwill Fire Company
12125	\$ 52.99	Hope Township
12126	\$ 1,820.21	JCP&L
12127	\$ 2,547.50	Maser Consultin, P.A.
12128	\$ 26.12	Mayberry Sales & Service
12129	\$ 579.08	Montage Enterprises Inc.
12130	\$ 175.00	Mr. John, Inc.
12131	\$ 3,242.00	N. Matera & Sons LLC
12132	\$ 28.63	Nestle Pure Life Direct
12133	\$ 100.00	NJ League of Municipalities
12134	\$ 1,002.80	NJ American Water Company
12135	\$ 212.03	NJN Publishing
12136	\$ 200.00	Patricia Mannon
12137	\$ 81.58	Pitney Bowes Inc.
12138	\$ 293.00	Riverbend Advertiser
12139	\$ 250.00	Robert Blease, DVM
12140	\$ 2.25	S&L Equipment Rental, Inc.
12141	\$ 330.00	Staples Credit Plan Dept. 31
12142	\$ 70.98	Tractor Supply Credit Plan
12143	\$ 114.69	Verizon Wireless
12144	\$ 1,660.08	Vital Communications
12145	\$835,196.56	Warren County Treasurer
12146	\$ 1,303.64	Warren Materials
12147	\$ 119.50	West Payment Center
12148	\$847,665.00	White Twsp Board of Education
12149	\$ 6,000.00	White Township YAA
12150	\$ 514.19	Xerox Corporation

Total Amount Paid: \$1, 864,680.92

CURRENT FUND MANUAL CHECKS

2087	\$23,609.57	Payroll Account
2088	\$14,782.69	Payroll Account
2089	\$799.71	Horizon Blue Cross Blue Shield of NJ

SEWER ACCOUNT

1198	\$50.00	Vital Communications
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ANIMAL CONTROL ACCOUNT

1095 \$4.80 NJ Dept. of Health & Senior Services

CAPITAL ACCOUNT

1426	\$1300.00	Warren County Glass & Mirror
1427	\$644.24	Warren Materials
1428	\$759.46	Warren Materials
1429	\$403.75	Maser Consulting P.A.

BANK OF AMERICA ESCROW ACCOUNT

2481	\$1650.00	Maser Consulting P.A.
2482	\$468.75	Maser Consulting P.A.
2483	\$62.50	Maser Consulting P.A.

BONDS/CD'S

634836	\$57.02	NJN Publishing
634835	\$1969.70	Maser Consulting P.A.

TOTAL ALL FUNDS.....\$1,911,243.11

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, August 9, 2012, 8:43pm:

Pending or Threatened Litigation
(BK 18, Lot 13.03, rental property)

Contract Negotiations

(supplemental snow plowing contract 2012-2013)

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 9.10pm. Motion passed. No action was taken in Executive Session.

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 9.14pm on motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable vote.

Respectfully Submitted,

Kathleen R. Reinalda, RMC
Township Clerk