

WHITE TOWNSHIP COMMITTEE

MINUTES OF MEETING AUGUST 13, 2015

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 13, 2015 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 Express-Times and Star-Gazette; 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 Brian Tipton and Clerk Kathleen Reinalda.

RESOLUTIONS

Res. 2015-42: 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.

RESOLUTION AUTHORIZING REFUND OF PREMIUM TO OUTSIDE LIENHOLDER

WHEREAS, the Municipal Tax Sale held on October 20, 2014, a lien was sold on Block 18 Lot 6 C0053, also known as 53 Colby Court for 2013 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2014-005 was sold to US Bank Cust for BV001 Trust for a 0% redemption fee and a \$1,400.00 premium.

NOW THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$1,400.00 (premium account) payable to US Bank Cust for BV001 Trust 50 S 16th Street STE 2050 Philadelphia PA 19102 because the lien was redeemed.

Res. 2015-43: Motion made by Mr. Herb, seconded by Mayor Mackey with Mr. Race recusing himself to approve the following resolution. Herb – yes, Mackey – yes, Race – recused.

Resolution adopted.

**RESOLUTION GRANTING APPROVAL OF THE PURCHASE
OF A DEVELOPMENT EASEMENT ON THE SAM & JEAN
RACE FARM BLOCK 16 LOT 42 IN WHITE TOWNSHIP
CONSISTING OF APPROXIMATELY 82.4 (+3%) ACRES**

WHEREAS, the Committee of the Township of White has determined that the property known as the Sam & Jean Race Farm, owned by Samuel R. & Jean A. Race, located on Block 16 Lot 42 in White Township, consisting of approximately 82.4 (+3%) acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation program; and

WHEREAS, the pressures from development have significantly heightened the degree of imminence of change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on December 23, 2013 it was determined by the State Agriculture Development Committee (SADC) that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on October 3, 2014 the State Agricultural Development Committee has certified a development easement value of \$5,700 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$1,000 per acre based on zoning and environmental regulations in place as of the current valuation date of March 19, 2014 with an estimated total value of \$469,680.00; and

WHEREAS, the tract would encourage the survivability of production agriculture in White Township, and said tract falls within a predetermined County Agricultural Development Area and is in the West Project Area and property is located in the Highlands Preservation Area; and

WHEREAS, the purchase of the development easement on the property will encourage the survivability of the productive agriculture in White Township and Warren County; and

WHEREAS, preliminary approval for the purchase of development rights on this farm has been granted by the State Agricultural Development Committee; and

WHEREAS, the SADC is expected to grant final approval for funding amount on said application at its November 12, 2015 meeting; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on August 20, 2015, the Warren County Agriculture Development Board is expected to vote by resolution to approve the funding for the development easement with estimated cost share with no cost share contribution by White Township as follows: Cost to be shared with the SADC as follows: SADC \$3,750 per acre, Warren County \$1,950 per acre.

WHEREAS, the WCADB approval will include the following conditions:

- a. No buildings on premises
- b. No existing agriculture labor housing on premises
- c. Exception areas:

- 1) One non-severable exception of 1 1/2 acre for future single family residence restricted to one residential unit
 - 2) One severable exception area of 4 acres for non-agriculture use, and around existing building that includes an existing duplex residence, farm market and three barns
- d. No Residual Dwelling Site Opportunities (RDSO's)
 - e. No preexisting non-agricultural uses on premises
 - f. Access easements to be determined by title search
 - g. No proposed trails
 - h. SADC funding from Base grant, competitive round or both
 - i. Warren County is requesting SADC funding for a 3% buffer on the final surveyed acreage

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

The Township Committee of White hereby grants permission for the purchase of the development easement by the County of Warren under the Farmland Preservation Act as set forth above and will not be participating in cost share.

Res. 2015-44: Motion made by Mr. Race, seconded by Mayor Mackey with Mr. Herb recusing himself to approve the following resolution. Herb – recused, Mackey – yes, Race – yes. Resolution adopted.

**RESOLUTION GRANTING APPROVAL OF THE PURCHASE
OF A DEVELOPMENT EASEMENT ON THE UNANGST FARM
BLOCK 47 LOT 5 IN WHITE TOWNSHIP CONSISTING OF
APPROXIMATELY 88.58 (+3%) ACRES**

WHEREAS, the Committee of the Township of White has determined that the property known as the Unangst Farm, owned by Oscar & Lorraine Unangst, located on Block 47 Lot 5 in White Township, consisting of approximately 88.58 (+3%) acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation program; and

WHEREAS, the pressures from development have significantly heightened the degree of imminence of change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on November 24, 2014 it was determined by the State Agriculture Development Committee (SADC) that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on April 24, 2015 the State Agricultural Development Committee has certified a development easement value of \$3,625 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$3,625 per acre based on zoning and environmental regulations in place as of the current valuation date of June 28, 2014 with an estimated total value of \$321,102.50; and

WHEREAS, the tract would encourage the survivability of production agriculture in White Township, and said tract falls within a predetermined County Agricultural Development Area and is in the West Project

Area and property is located in the Highlands Planning Area; and

WHEREAS, the purchase of the development easement on the property will encourage the survivability of the productive agriculture in White Township and Warren County; and

WHEREAS, preliminary approval for the purchase of development rights on this farm has been granted by the State Agricultural Development Committee; and

WHEREAS, the SADC is expected to grant final approval for funding amount on said application at its November 12, 2015 meeting; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on July 16, 2015, the Warren County Agriculture Development Board voted to approve the funding for the development easement with estimated cost share with no cost share contribution by White Township as follows: Cost to be shared with the SADC as follows: SADC \$2,575 per acre, Warren County \$1,050 per acre.

WHEREAS, the WCADB approval will include the following conditions:

- One existing single family residence, one garage, two barns, one dairy barn, two silos, one calf pen, and one corn crib on premises
- b. No existing agriculture labor housing on premises
- c. One non-severable exception of one acre for future single family residence restricted to one residential unit
- d. No Residual Dwelling Site Opportunities (RDSO's)
- e. No preexisting non-agricultural uses on premises
- f. Access easements to be determined by title search
- g. No proposed trails
- h. SADC funding from Base grant, competitive round or both
- i. Warren County is requesting SADC funding for a 3% buffer on the final surveyed acreage

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

The Township Committee of White hereby grants permission for the purchase of the development easement by the County of Warren under the Farmland Preservation Act as set forth above and will not be participating in cost share.

Res. 2015-45: Motion made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to approve the following resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION TO PROVIDE FOR THE RENEWALS OF PLENARY RETAIL CONSUMPTION LICENSES FOR 2015-2016 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 2015-2016 licensing year, said renewal effective July 1, 2015:

2123-33-001-004	Nicola Accetturo, T/A Saloon 5A LLC
2123-33-010-004	Al's Pizza and Resturant Inc.
2123-33-008-006	Progis Group Inc., T/A Belvidere Diner

Res. 2015-46: Motion made by Mr. Race, seconded by Mayor Mackey with Mr. Herb abstaining to approve the following resolution. Herb – abstain, Mackey – yes, Race – yes. Resolution adopted.

**TOWNSHIP OF WHITE/WARREN COUNTY, STATE OF NJ
PROFESSIONAL SERVICES RESOLUTION
SURVEYOR – L.J. BRILL & ASSOCIATES, PA**

WHEREAS, there exists a need for a professional surveyor to be appointed to survey the farm properties owned by Howard & Myrna Shoemaker; and

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

WHEREAS, the price for the survey will not exceed \$8,300.00; and

WHEREAS, the firm of L.J. Brill & Associates, PA, licensed professional in the State of New Jersey, agrees to provide such services pursuant to its July 17, 2015 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, L.J. Brill & Associates, PA 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 L.J. Brill & Associates, PA for its retention as surveyor for the township in connection with preservation of the Twin Brook Farm property.
2. The services rendered by the contractor shall be as described in the July 17, 2015 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 a 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 L.J. Brill & Associates, PA 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 L.J. Brill & Associates, PA 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.

Res. 2015-47: Motion made by Mr. Race, seconded by Mayor Mackey with Mr. Herb abstaining to approve the following resolution. Herb – abstain, Mackey – yes, Race – yes. Resolution adopted.

**TOWNSHIP OF WHITE/WARREN COUNTY, STATE OF NJ
PROFESSIONAL SERVICES RESOLUTION
TITLE COMPANY – HERITAGE ABSTRACT COMPANY**

WHEREAS, there exists a need for a professional title company to be appointed to issue title insurance on the farm properties owned by Howard & Myrna Shoemaker; and

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

WHEREAS, the price for this service will not exceed \$963.00; and

WHEREAS, the firm of Heritage Abstract Company, licensed professional in the State of New Jersey, agrees to provide such services pursuant to its July 23, 2015 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, Heritage Abstract Company 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 Heritage Abstract Company for its retention as Title Company for the township in connection with preservation of the Twin Brook Farm property.
2. The services rendered by the contractor shall be as described in the July 23, 2015 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 a 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 Heritage Abstract Company 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 Heritage Abstract Company 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.

Res. 2015-48: Motion made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to approve the following resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION EXTENDING PAYMENT OF THIRD QUARTER TAXES

WHEREAS the annual tax bills were not mailed by the statutory mailing date pursuant to N.J.S.A. 54:4-66 because the 2015 tax rate was not set; and

WHEREAS the mailing of the annual tax bills occurred on or before July 31, 2015; and

WHEREAS, pursuant to Statute, no interest may be charged for 25 days after mailing.

NOW THEREFORE, be it resolved by the Mayor and Governing Body of White Township, that the third installment of the 2015 tax bill shall be due and payable without penalty by August 25, 2015. Any payments received after that date will accrue interest back to August 1, 2015.

PUBLIC COMMENTS

Bryan Leh, Block 69, Lot 24.22, 41 Tamarack Road, was present to discuss damage done to his property approximately ten years ago which he feels was caused by run off from lands located across the township road. At that time, the road department installed an inlet to collect and drain water to reduce the amount of drainage onto the Leh property. Mr. Leh had approached the governing body members at that time about paying all or a portion of the cost of a new retaining wall on his property. The negotiations had reached a point where an agreement was drafted, but never effectuated. Mr. Leh asked if the current committee would consider honoring the intent of the agreement. Attorney Tipton advised the committee that this request should be discussed in Executive Session.

OLD BUSINESS

Motion made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to appoint Drew Kiszonic to the Planning Board as Alternate #1. Herb – yes, Mackey – yes, Race – yes. Motion carried.

NEW BUSINESS

The committee discussed Frank Snover's request to take the courses offered through Rutgers to obtain his DPW certification. Mr. Snover has worked for White Township for approximately two years. Upon review of the requirements to sit for the state exam, it was discovered that an applicant must have a minimum of five years of experience. Mayor Mackey suggested Mr. Snover wait at least another year before signing up for the courses. The committee agreed. The clerk was asked to Rice Notice Supervisor Randy Bell so the committee can discuss the status of his DPW certification.

The committee discussed the need to appoint a Risk Manager in light of John Daly's impending exit from Wells Fargo Insurance Company. The clerk was asked to prepare an RFP.

The Township has been awarded a federal grant in the amount of \$64,500 for purchase and installation of a municipal building generator. Motion made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to authorize Maser Consulting to provide a quote for the preparation of specifications. Herb – yes, Mackey – yes, Race – yes. Motion carried.

ORDINANCES – FIRST READING

A. Ord. 2015-5: Tabled for further review.

CORRESPONDENCE

The committee acknowledged receipt of the 2016 NJDOT Aid Program notification. The committee requested Engineer Sterbenz review the application for Rutherford Drive, which was denied last year, or recommend a different road if he felt that it would score higher.

An email was received from Christopher Pozarycki requesting 'no engine braking' signs be installed on State Route 31. Since the township does not have jurisdiction on a state highway, the clerk was asked to contact the Department of Transportation for approval.

The committee regretfully accepted the resignation of Glenn Carter from the Zoning Official position effective August 31st.

The committee regretfully accepted the resignation of Dale Glynn from the Plumbing Inspector position effective Oct. 1st.

An email was received from Gus Tishuk, resident of Pennsylvania, alerting the committee to a stretch of Delaware River property that has become a hang-out for teens. This is creating excessive amounts of garbage and destruction to the area. Mr. Tishuk was under the impression that the township owned the property, but upon review of the tax map this is not the case. In fact, upon further review, the property is not even located within the township borders.

PUBLIC COMMENTS

Delmont Cole of the Goodwill Fire Company reviewed the following:

- False Alarm Ordinance – This was worked on by the township committee many months ago and given back to the Fire Company for review. The issue that has held up the enactment of the ordinance has been the enforcement of it. Mr. Cole felt that the township's fire subcode official, in conjunction with the Fire Department, could be the enforcing agent. Attorney Tipton will review the Ordinance again and provide an update to the committee.
- Brookfield Alarms – the NJ Division of Fire Safety, by law, must be called in after an alarm has been activated. Many residents are complaining about this process, however, as Mr. Cole explained, it is the law and the proper procedures must be followed.
- Hydrant Law – there is a new law concerning fire hydrants that gives the committee the ability to govern snow removal. Attorney Tipton will review the law and provide guidance.

PRESENTATION OF MINUTES

Motion was made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to approve the July 9, 2015 Regular Meeting Minutes as presented. Herb – yes, Mackey – yes, Race – yes. Motion carried.

PRESENTATION OF VOUCHERS

On motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote, the Committee approved the following list of bills:

<u>Check No.</u>	<u>Amount</u>	<u>Payee</u>
14056	650.00	Arae Network Solutions LLC
14057	250.00	Bello Giorno
14058	1,785.00	Brookfield Glen Condo Assc.
14059	659.13	CenturyLink
14060	112.90	Comcast
14061	72.90	Comcast
14062	60,412.38	County of Warren Treasurer
14063	100.00	Discovery Benefits
14064	164.00	J.C. Ehrlich Co., Inc.
14065	51.43	Elizabethtown Gas
14066	45.83	Elizabethtown Gas
14067	5,800.00	Florio, Perrucci, Steinhardt & Fader
14068	370.00	Gebhardt & Kiefer
14069	325.00	G.F.O.A. of New Jersey
14070	360.31	Hope Township
14071	3,891.09	JCP&L
14072	30.30	Kim Bennett
14073	1,679.54	Maser Consulting P.A.
14074	240.00	MGL Printing Solutions
14075	166.91	Michelle Trivigno
14076	431.07	Montage Enterprises Inc.
14077	280.00	Mr. John Inc.
14078	470.04	Napa Belvidere
14079	75.00	Nellie Klaver
14080	27.72	Nestle Pure Life Direct
14081	7,325.00	Newport Landscaping LLC
14082	165.00	NJ League of Municipalities
14083	1,002.80	NJ American Water Company
14084	6.89	Rigo's General Hardware
14085	110.63	Sanico Inc.
14086	400.00	Scott Wilhelm
14087	55.00	Sharon Haggerty
14088	1,212.50	S&L Equipment Rental

14089	125.14	Smith Motor Company
14090	182.99	Staples Credit Plan Dept. 31
14091	84.92	Tilcon New York
14092	199.97	Tractor Supply Credit Plan
14093	969,139.21	Treasurer's Office, Warren County
14094	54.24	Verizon Wireless
14095	166.00	Vital Communications
14096	888,424.00	White Township Board of Education
14097	375.00	William Gold, Esq.
14098	525.14	Xerox Corporation
14099	50.00	State Treasurer

Total Paid.....\$1,948,054.98

BANK OF AMERICA ESCROWS

2715	279.50	Christopher Pozarycki
2716	256.00	Gebhardt & Kiefer
2717	256.00	Gebhardt & Kiefer
2718	1,088.75	Maser Consulting P.A.
2719	65.00	Maser Consulting P.A.
2720	3,256.50	Maser Consulting P.A.
2721	32.50	Maser Consulting P.A.
2722	32.50	Maser Consulting P.A.
2723	162.50	Maser Consulting P.A.
2724	520.00	Maser Consulting P.A.
2725	195.00	Maser Consulting P.A.
2726	32.50	Maser Consulting P.A.
2727	555.00	Maser Consulting P.A.
2728	405.00	Hatch Mott MacDonald

CURRENT ACCOUNT – MANUAL

2201	1,131.51	Postmaster
2202	344.38	Horizon Blue Cross Blue Shield of NJ
2203	11,370.43	Payroll Account
2204	22,933.48	Payroll Account
2205	11,390.88	Payroll Account
2206	344.38	Horizon Blue Cross Blue Shield of NJ

ANIMAL CONTROL FUND

1128	4.80	NJ Dept. of Health & Senior Services
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GRAVEL PIT ESCROWS

204	97.50	Maser Consulting P.A. (for Hoffman)
208	97.50	Maser Consulting P.A. (for BS&G)
197	97.50	Maser Consulting P.A. (for Tilcon)
197	97.50	Maser Consulting P.A. (for HS&G)

TAX PREMIUM ACCOUNT
398895 1,400.00 US Bank Cust for BV001 Trust

TOTAL ALL FUNDS.....\$2,004,501.59

On motion by Mr. Herb, seconded by Mr. 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, August 13, 2015, 8:30pm:

Potential Litigation
(Bryan Leh – Settlement Agreement)

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 8:45p.m. Motion passed. No action was taken in Executive Session.

OTHER MATTERS

Motion made by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable roll call vote to authorize Attorney Tipton to prepare a settlement agreement for review and approval by the governing body and Bryan Leh regarding property damage at 41 Tamarack Road. Herb – yes, Mackey – yes, Race – yes. Motion carried.

Motion made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable

roll call vote to authorize Engineer Sterbenz to perform a site visit to the road area of 41 Tamarack and provide comments/recommendations regarding drainage issues.

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 8:50pm on motion by Mr. Herb, seconded by Mr. Race and carried by unanimous favorable vote.

Respectfully Submitted,

Kathleen R. Reinalda, RMC
Township Clerk