

## **WHITE TOWNSHIP COMMITTEE**

## **MINUTES OF MEETING JUNE 11, 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 June 11, 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.

### **NEW BUSINESS**

The Township's Risk Manager was present to discuss a recent denial of a claim. The Township experienced a \$2000 loss after the recreation fields were vandalized by a vehicle. The invoices to repair the fields were submitted to Highland Claim Services through the township's JIF. Unfortunately, as Mr. Daly explained, the policy does not cover 'land damage'. Although disappointed that the money could not be recovered, the committee understood the explanation and thanked Mr. Daly for coming to discuss coverage options.

Mr. Daly reminded the committee that the annual insurance renewal paperwork is due by July 17<sup>th</sup>. Mr. Race suggested he meet with Mr. Daly to review the details. The committee agreed.

### **RESOLUTIONS**

**Res. 2015-34:** 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.

#### **RESOLUTION #2015-34**

#### **RESOLUTION AUTHORIZING WHITE TOWNSHIP TO PARTICPATE IN THE ACQUISITION OF DEVELOPMENT RIGHTS OF THE WALBURN FARM**

WHEREAS, property owned by John J. Walburn, Jr., known on the official tax map of White Township (the “Township”) as Block 13, Lot 22 (the “Property”), consisting of approximately 28.08 acres, was designated as a property to be protected under the Township farmland preservation plan; and

WHEREAS, the owners of the Property are willing to sell their development rights to the Township and County; and

WHEREAS, the State of New Jersey, Department of Agriculture, State Agriculture Development Committee (SADC), provided White Township with a grant under the Municipal Planning Incentive Grant (Muni PIG) Program to purchase development rights on active farms within the Township; and

WHEREAS, two fair market appraisals were obtained by the Township to establish the value of the development rights on this property; and

WHEREAS, the SADC certified a market value of \$5,900 per acre for the development rights; and

WHEREAS, the Property will include a 2.3-acre non-severable exception area around the existing residence, pool, and three sheds that will remain with the Property, resulting in a net acreage of the easement of approximately 26 acres; and

WHEREAS, the Township has negotiated a purchase price of \$5,900 per acre for the development rights on the Property, or a total of approximately \$153,400, the exact compensation to be determined by a final survey; and

WHEREAS, the SADC will provide a grant through the Muni PIG Program in the amount of \$3,850 per acre, or total of approximately \$100,100 for the development rights; and

WHEREAS, the County of Warren will provide a grant in the amount of approximately \$1,025 per acre for the development rights, for a total of approximately \$26,650, and will handle the closing of the easement and will own the easement; and

WHEREAS, contingent upon the aforementioned grants from SADC and the County of Warren being made available for the acquisition, the remaining funds for the purchase of the development rights are available in, and will be paid from, the White Township Open Space Trust; and

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of White, County of Warren, State of New Jersey that it hereby authorizes participation in the purchase of the development rights for the Property, as follows:

- 1) The Township authorizes up to \$26,650, the precise amount to be determined after completion of the survey to be paid from the Township's Open Space Trust.
- 2) The above being contingent on grants from the County of Warren and the State of New Jersey through the Municipal PIG Program to cover the balance of funds needed to purchase the development rights.
- 3) Due diligence for the acquisition will be completed by the Township with the assistance of The Land Conservancy of New Jersey. It is anticipated that the cost of due diligence will be funded from the Township's Open Space Trust Fund, and authorized under a separate resolution. It is anticipated that 50% of the cost of due diligence will be reimbursed by SADC from the Township's municipal PIG grant.

BE IT FURTHER RESOLVED by the Township Committee of the Township of White that it hereby authorizes the municipal clerk, Township attorney and The Land Conservancy of New Jersey to take all action necessary and appropriate to effectuate the intent and purpose of this resolution.

**Res. 2015-35:** 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 2015-35**

**RESOLUTION AWARDING CONTRACT FOR PURCHASE OF AN AVAYA IP OFFICE TELEPHONE SYSTEM**

**WHEREAS**, White Township is seeking to upgrade its telephone system to offer its employees enhanced benefits of newer technology; and

**WHEREAS**, the Township received a grant from Comcast in 2009 for technology improvements which can be used to purchase the new system; and

**WHEREAS**, the following quotes were received from two (2) different contractors for purchase of a new telephone system:

<u><b>Contractor</b></u>	<u><b>Quote</b></u>
National Communications Resource Inc.	\$11,780.00
Cloud-Com Telecom	\$9,755.00

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of White that the contract be awarded to Cloud-Com Telecom for its lowest responsive, all-inclusive quote as per company estimate dated April 28, 2015.

**Res. 2015-36:** 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 2015-36

#### RESOLUTION AUTHORIZING REFUND OF PREMIUM TO OUTSIDE LIENHOLDER

WHEREAS, the Municipal Tax Sale held on September 18, 2012, a lien was sold on Block 71 Lot 3.06, also known as 22 Tamarack Road for 2011 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2012-011 was sold to US Bank Cust for Pro Capital I, LLC for a 0% redemption fee and a \$3,300.00 premium.

NOW THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$3,300 (premium account) payable to US Bank Cust for Pro Capital I, LLC 50 S 16<sup>th</sup> Street STE 1950 Philadelphia PA 19102 because the lien was redeemed.

**Res. 2015-37:** 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.

#### **Resolution 2015-37**

On a motion made by Mr. Race and seconded by Mayor Mackey the following resolution was adopted by the Township Committee of White on June 11, 2015.

#### **RESOLUTION GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT EASEMENT ON THE THOMPSON FARM BLOCK 67 LOT 16 IN WHITE TOWNSHIP CONSISTING OF APPROXIMATELY 36.34 (3%+) ACRES**

**WHEREAS**, the Committee of the Township of White has determined that known as the Thompson Farm, owned by Perie Thomas Thompson, located on Block 67 Lot 16 in White Township, consisting of approximately 36.34 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 August 6, 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 January 22, 2015 the State Agricultural Development Committee has certified a development easement value of \$3,600 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$3,600 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 \$130,824; 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 September 24, 2015 meeting; and

**WHEREAS**, pursuant to N.J.A.C. 2:76-17.13 on June 18, 2015, the Warren County Agriculture Development Board is expected 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 \$2,560 per acre, Warren County \$1,040 per acre.

**WHEREAS**, the WCADB approval will include the following conditions:

- a. One existing barn on premises
- b. No existing agriculture labor housing on premises
- c. One severable exception of 5 acres around two single family dwellings and farm building on South East Corner of lot
- 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.

**PUBLIC COMMENTS**

None.

### **OLD BUSINESS**

Attorney Tipton continues to work with Belvidere's counsel regarding the Inter-Local Sewer Agreement. The 'Belstra Agreement' required a discharge which Belvidere approved. The Belstra's have now signed that agreement. The remaining three quarters of sewer billing and the billing in the future will now be billed by White Township at the Belvidere rate for as long as the Belstra's reside at the Water Street location. The fees owed by White Township to Belvidere for 2015 flow continue to be reviewed by Belvidere.

The committee tabled action on appointment of Planning Board Alternates.

### **ORDINANCES – FIRST READING**

Ord. 2015-5: Tabled for further review.

### **PUBLIC COMMENTS**

None.

### **PRESENTATION OF MINUTES**

Motion was made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to approve the May 14, 2015 Regular Meeting Minutes and the May 14, 2015 Executive Session 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>
13965	960.00	Caesars Atlantic City
13966	4,337.50	ABE Parking Lot Striping Co.
13967	68.48	Amerigas
13968	650.00	ARAE Network Solutions LLC
13969	639.28	CenturyLink
13970	185.80	Comcast
13971	50.00	Discovery Benefits Inc.
13972	116.61	Elizabethtown Gas
13973	87.33	Elizabethtown Gas

13974	3,784.93	Florio, Perrucci, Steinhardt & Fader
13975	1,680.00	G. Smith Services LLC
13976	199.31	Home Depot Credit Services
13977	22,605.84	Hope Township
13978	1,085.31	JCP&L
13979	264.89	Johnson Dodge Chrysler Jeep
13980	26.88	L.E. Ritter Lumber Company
13981	1,065.00	The Lock Doctor
13982	1,820.00	Maser Consulting P.A.
13983	250.00	Matt Musum
13984	280.00	Mr. John Inc.
13985	75.39	Napa Belvidere
13986	3,662.50	Newport Landscaping
13987	40.00	NJ League of Municipalities
13988	1,002.80	NJ American Water Company
13989	67.03	NJN Publishing
13990	22,710.00	PAIC
13991	81.58	Pitney Bowes Inc.
13992	46.00	Randy Bell
13993	49.67	Rigo's General Hardware
13994	126.00	Riverbend Advertiser
13995	524.66	Sanico Inc.
13996	958.75	S&L Equipment Rental Inc.
13997	220.82	Staples Credit Plan Dept. 31
13998	435.00	Swift Print Solutions
13999	452.87	Tilcon New York Inc.
14000	500.00	Treasurer, State of NJ
14001	54.24	Verizon Wireless
14002	561.00	Vital Communications
14003	243.64	Warren Materials
14004	561,781.00	White Township Board of Education
14005	525.00	William Gold, Esq.
14006	540.18	Xerox Corporation
14007	2,000.00	Jeffrey R. Surenian & Assc. LLC
14008	344.38	Horizon Blue Cross Blue Shield of NJ

Total Paid.....\$637,159.67

**SEWER ACCOUNT**

1274	50.00	Vital Communications
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**BANK OF AMERICA ESCROWS**

2703	778.50	Maser Consulting P.A.
2704	130.00	Maser Consulting P.A.
2705	65.00	Maser Consulting P.A.

2706	65.00	Maser Consulting P.A.
2707	130.00	Maser Consulting P.A.
2708	97.50	Maser Consulting P.A.
2709	1,729.00	Maser Consulting P.A.
2710	1,845.15	Maser Consulting P.A.
2711	75.00	William Gold, Esq.
<b>CURRENT ACCOUNT – MANUAL</b>		
2193	21,659.42	Payroll Account
2194	10,918.70	Payroll Account
2195	344.38	Horizon Blue Cross Blue Shield of NJ
2196	25,572.18	Payroll Account
2197	10,918.38	Payroll Account
<b>CAPITAL ACCOUNT</b>		
1501	617.50	Maser Consulting P.A.
1502	121.25	Maser Consulting P.A.
<b>ANIMAL CONTROL FUND</b>		
1126	18.60	NJ Dept. of Health & Senior Services
<b>GRAVEL PIT ESCROWS</b>		
195	32.50	Maser Consulting P.A. (for Tilcon)
195	65.00	Maser Consulting P.A. (for HS&G)
<b>TAX PREMIUM ACCOUNT</b>		
398763	3,300.00	US Bank Cust for Pro Capital I LLC
<b>OPEN SPACE TRUST</b>		
398762	552.50	The Land Conservancy of NJ
TOTAL ALL FUNDS.....\$716,245.23		

### **OTHER MATTERS**

The committee requested the clerk send the Goodwill Fire Company a thank you letter for allowing the township to use their pumper truck. The fire department quickly offered use of the equipment upon learning of the repairs to the fields and the time it would take to get the kids back playing on them. The watering occurred over several days while the grass was taking root. This significantly cut down the time it took to get the fields back in playing condition.

Mr. Race suggested a letter of appreciation be sent to Bill Dressel to congratulate him on his upcoming retirement from the NJ League of Municipalities as Executive Director. The



committee agreed.

Attorney Tipton updated the committee on his declaratory judgement complaint regarding substantive certification (COAH). Many towns are entering into contracts with a gentleman named Dr. Burchell, who used to work with COAH and had done studies to support housing figures for NJ towns. Each town's retainer is \$2000. Motion made by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable roll call vote to authorize a \$2000 expenditure to retain Dr. Burchell as part of White Township's declaratory judgement filing. Herb – yes, Mackey – yes, Race – yes. Motion carried.

### **ADJOURNMENT**

Being no further business to come before the Committee, the meeting was adjourned at 7:45pm on motion by Mr. Race, seconded by Mr. Herb and carried by unanimous favorable vote.

Respectfully Submitted,

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Kathleen R. Reinalda, RMC  
Township Clerk