

WHITE TOWNSHIP COMMITTEE MINUTES OF MEETING
DECEMBER 29, 2021

CALL TO ORDER

Mayor Herb called the meeting to order at 4:00 p.m. and stated ‘Adequate Notice of this meeting of December 29, 2021 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 Warren County Zone and The Star- Ledger; 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 Herb, Committeewoman Collom, Committeewoman Skoog, Clerk Kathleen Reinalda, Deputy Clerk Brielle Whitmore and Attorney Tipton.

RESOLUTIONS

Res. 2021-55: Motion made by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote to approve the following resolution. Collom – yes, Skoog – yes, Herb - yes. Motion carried.

RESOLUTION 2021-55

**A RESOLUTION AUTHORIZING WHITE TOWNSHIP’S ANNUAL APPLICATION
RENEWAL TO THE STATE AGRICULTURE DEVELOPMENT COMMITTEE’S
MUNICIPAL PLANNING INCENTIVE GRANT PROGRAM**

WHEREAS, the Committee of the Township of White has developed a comprehensive Farmland Preservation Plan for the Township, which identifies land meeting the criteria for farmland preservation in accordance with the requirements of the State and County’s farmland preservation programs; and

WHEREAS, the pressures from development continue to pose the threat of imminent change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, the State Agricultural Development Committee (SADC) has funding available to assist the Township in acquiring farmland preservation easements, in partnership with the County of Warren via the Municipal Planning Incentive Grant program (Muni-PIG); and

WHEREAS, farmland preservation encourages the survivability of agricultural production, the rural character of the Township and the Township's agrarian history; and

WHEREAS, the Township Committee has determined that it is in the best interests of the Township of White to maintain a robust farmland preservation program, to continue to access funds from the SADC's Muni-PIG program, and any other programs that offer funding for farmland preservation, and to acquire as many farmland preservation easements from eligible farms, in partnership with the SADC and the County of Warren, as possible; and

WHEREAS, White Township's Farmland Preservation Committee recommends that the Township continue to participate in the SADC's Muni-PIG Program; 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 ongoing participation in the SADC's Municipal Planning Incentive Grant program, as follows:

- 1) The Township approves of the Muni-PIG renewal letter and authorizes the Farmland Preservation Committee and its consultant to submit the renewal application to SADC in advance of the deadline and to continue to work with farmland owners in the Township to develop applications to the programs.

BE IT FURTHER RESOLVED by the Township Committee of the Township of White that it hereby authorizes the Municipal Clerk, the Farmland Preservation Committee and The Land Conservancy of New Jersey to sign documents and take all action necessary and appropriate to effectuate the intent and purpose of this resolution.

Res. 2021-56: Motion made by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote to approve the following resolution. Collom – yes, Skoog – yes, Herb - yes. Motion carried.

RESOLUTION 2021-56

TOWNSHIP OF WHITE/WARREN COUNTY, STATE OF NJ

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 property Ricky Smith Farm; and

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

WHEREAS, the price for the appraisal will not exceed \$1,825.00; 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 September 29, 2021 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 Associates 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 Ricky Smith Farm property.
2. The services rendered by the contractor shall be as described in the September 29, 2021 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 Associates 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 Associates 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 Express Times – Warren County Zone".

8. Copies of this Resolution shall be forwarded to the contractor, the Township Attorney and the Township Treasurer/CFO.

Res. 2021-57: Motion made by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote to approve the following resolution. Collom – yes, Skoog – yes, Herb - yes. Motion carried.

RESOLUTION 2021-57

TOWNSHIP OF WHITE/WARREN COUNTY, STATE OF NJ

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 property Ricky Smith Farm; and

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

WHEREAS, the price for the appraisal will not exceed \$1,725.00; 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 October 5, 2021 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 Inc. 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 Norman J. Goldberg Inc. for its retention as appraiser for the township in connection with preservation of the Ricky Smith Farm property.
2. The services rendered by the contractor shall be as described in the October 5, 2021 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 Associates 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 Inc. 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 Express Times – Warren County Zone”.
8. Copies of this Resolution shall be forwarded to the contractor, the Township Attorney and the Township Treasurer/CFO.

Res. 2021-58: Motion made by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote to approve the following resolution. Collom – yes, Skoog – yes, Herb - yes. Motion carried.

Civil Rights RESOLUTION 2021-58

A RESOLUTION TO AFFIRM WHITE TOWNSHIP’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of White Township to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of White Township has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Township Committee of the Township of White that:

Section 1: No official, employee, appointee or volunteer of White Township by whatever title known, or any entity that is in any way a part of White Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of White Township's business or using the facilities or property of White Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from White Township to provide services that otherwise could be performed by White Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township Committee shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township Committee shall establish written procedures that require all officials, employees, appointees and volunteers of White Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Township Committee shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Township Committee shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within White Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on White Township's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of White in order for the public to be made aware of this policy and White Township's commitment to the implementation and enforcement of this policy.

Res. 2021-59: Motion made by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote to approve the following resolution. Collom – yes, Skoog – yes, Herb - yes. Motion carried.

RESOLUTION 2021-59

Resolution Adopting Personnel Policies and Procedures

WHEREAS, it is the policy of White Township (hereinafter "Township") to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Township that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as “employment at will.”

BE IT FURTHER RESOLVED that the Township Committee and all managerial/supervisory personnel are responsible for these employment practices. The Township Clerk and the Township Attorney shall assist the Township Committee in the implementation of the policies and procedures in this manual.

Res. 2021-60: Motion made by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote to approve the following resolution. Collom – yes, Skoog – yes, Herb - yes. Motion carried.

Res. 2021-60

WHEREAS, the Township’s Municipal Excess Liability Joint Insurance Fund requires the adoption of a “Domestic Violence Policy”.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White that the attached “Domestic Violence Policy” for the Township of White is hereby adopted (see manual).

Res. 2021-61: Motion made by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote to approve the following resolution. Collom – yes, Skoog – yes, Herb - yes. Motion carried.

RESOLUTION 2021-61
TRANSFER RESOLUTION

BE IT RESOLVED by the Township Committee of the Township of White, County of Warren, State of New Jersey, that there are insufficient funds to meet the demands necessary for the 2021 balances in the Current Fund Budget. Includes General Administration S/W, Open Space O/E, Construction Official S/W, Streets & Roads S/W, Environmental O/E, Animal Control O/E, Gasoline, Recreation O/E.

WHEREAS, the following accounts have sufficient excess funds to meet such demands:

Legal Services O/E and Buildings & Grounds O/E.

BE IT RESOLVED, that in accordance with the provisions of R.S. 40A:4-58 the Chief Financial Officer is hereby authorized to make the following transfers:

TO:	General Administration S/W	1300.00
	Open Space O/E	400.00
	Construction Official S/W	800.00
	Streets & Roads S/W	15,000.00
	Environmental O/E	250.00
	Animal Control O/E	310.00
	Gasoline	500.00
	Recreation O/E	<u>11,470.00</u>
		30,030.00
FROM:	Legal Services O/E	15,000.00
	Buildings & Grounds O/E	<u>15,030.00</u>
		30,030.00

PUBLIC COMMENT

None.

APPROVAL OF PURCHASE ORDERS

On motion by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote, the Committee approved the following list of bills:

<u>CHECK NUMBER</u>	<u>AMOUNT</u>	<u>PAYEE</u>
17380	10,000.00	Hope Township
17381	60.00	Alfia Schemm
17382	2,474.81	Allied Oil
17383	5,532.00	ARAE Network Solutions
17384	344.97	C&M Auto Parts
17385	3,469.18	Colliers Engineering & Design
17386	94.00	J.C. Ehrlich Co.
17387	336.01	Elizabethtown Gas
17388	2,900.00	Florio, Perrucci, Steinhardt & Fader
17389	173.31	Garden State HWY Products
17390	1,865.50	Gebhardt & Kiefer
17391	315.10	Horizon Blue Cross Blue Shield
17392	1,150.18	JCP&L
17393	1,033.53	Kathleen Reinalda
17394	190.00	MGL Printing Solutions
17395	523.73	Michelle Trivigno
17396	71.34	North East Parts Group LLC
17397	77.46	ReadyRefresh by Nestle
17398	401.69	NJ Advance Media
17399	204.30	Quill Corporation
17400	47.47	Rigo's Hardware
17401	157.66	Sanico,Inc.
17402	275.00	Sara Amento
17403	318.58	S&K Truck Parts Inc.
17404	5,000.00	Stateline Tree Inc.
17405	435.00	Tilcon New York Inc.
17406	102.56	Verizon Wireless
TOTAL.....		\$37,553.38

Current Fund – Manual

2401	Payroll Account	28,388.43
2402	Payroll Account	15,904.57

Capital Account

1569	K&A Paving	7,100.00
1570	Colliers Engineering	16,728.15
1571	Colliers Engineering	8,501.25
1572	Colliers Engineering	2,477.66

Sewer Account

1384	Nisivoccia LLP	4,330.00
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Dog Trust

1193	NJ Dept. of Health	5.40
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TOTAL ALL FUNDS.....\$120,988.84

PRESENTATION OF MINUTES

Motion to approve the July 14, 2021 Regular Meeting Minutes as presented made by Mrs. Collom, seconded by Mrs. Skoog with Mayor Herb abstaining (not present). Collom – yes, Skoog- yes, Herb – abstain. Motion carried.

On motion by Mrs. Collom, seconded by Mrs. Skoog and carried by unanimous favorable roll call 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, December 29, 2021, 4:30 pm:

Personnel Matters

(2022 Appointments)

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 Mrs. Skoog, seconded by Mrs. Collom, the meeting was re-opened to the public at 4:44 p.m. Motion passed. No action was taken in Executive Session.

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 4:45 p.m. on motion by Mrs. Skoog, seconded by Mrs. Collom and carried by unanimous favorable roll call vote.

Respectfully Submitted,

Kathleen R. Reinalda, RMC Township Clerk