

WHITE TOWNSHIP COMMITTEE MINUTES OF MEETING
SEPTEMBER 22, 2021

CALL TO ORDER

Mayor Herb called the meeting to order at 5:30 p.m. and stated ‘Adequate Notice of this meeting of September 22, 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, Deputy Mayor Collom, Committeewoman Skoog, Clerk Kathleen Reinalda, Deputy Clerk Brielle Whitmore and Attorney Tipton.

On motion by Mrs. Skoog, seconded by Mrs. Collom 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, September 22, 2021, 5:34 pm:

Pending or Threatened Litigation

(JAINDL)

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 6.00p.m. Motion passed. No action was taken in Executive Session.

RESOLUTIONS

Res. 2021-46: 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 2021-46

PERSON-TO-PERSON TRANSFER

WHEREAS, an application has been filed for a Person-To-Person Transfer of Plenary Retail Consumption License Number 2123-33-003-003, heretofore issued to Joan Fratezi;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the White Township Committee does hereby approve, effective September 22, 2021, the transfer of the aforesaid Plenary Retail Consumption License to Country Gentlemen Spirits LLC, T/A Jack’s Barn and does hereby direct the Township Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to County Gentlemen Spirits LLC., effective September 22, 2021.

Res. 2021-47: 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 - 47

WHEREAS, the Township of White plans to improve the remainder of Upper Sarepta Road and Mutton Hill Road; and

WHEREAS, the Township has obtained two grants from the municipal aid portion of the Transportation Trust Fund to help fund the project; and

WHEREAS, the Township has appropriated monies to construct the improvements on Upper Sarepta Road and Mutton Hill Road; and

WHEREAS, the work on the project includes milling and paving, drainage improvements, guiderail work and striping; and

WHEREAS, the milling and paving, guiderail, and striping work shall be performed by contractors affiliated with the Morris County Cooperative Pricing Council (MCCPC); and

WHEREAS, the drainage improvements shall be performed by another contractor; and

WHEREAS, the Township advertised the drainage improvement work for public bids; and

WHEREAS, bids were received and opened for the drainage improvement work on Wednesday, September 8, 2021; and

WHEREAS, the lowest responsible bid was received from K&A Paving Contractors LLC (“K&A”) of Belvidere, New Jersey in the amount of \$94,975.40; and

WHEREAS, K&A is a qualified contractor who was found by the Township to be in compliance with the contract documents and technical specifications; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of White that a contract be awarded to K&A in the amount of \$94,975.40 to perform drainage improvement work on Upper Sarepta Road and Mutton Hill Road.

Res. 2021-48: 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 – 48

WHEREAS, the Township of White plans to improve the balance of Upper Sarepta Road and Mutton Hill Road; and

WHEREAS, the Township has obtained two grants from the municipal aid portion of the Transportation Trust Fund to help fund the project; and

WHEREAS, the Township has appropriated monies to construct the improvements on Upper Sarepta Road and Mutton Hill Road; and

WHEREAS, the Township plans on utilizing South State Inc. (“South State”), Denville Line Painting Inc. (“Denville”) and Road Safety Systems LLC (“Road Safety”) through its membership in the Morris County Cooperative Pricing Council (“MCCPC”) to perform the required milling, paving, striping and guiderail work on Upper Sarepta Road and Mutton Hill Road; and

WHEREAS, South State, Denville and Road Safety are qualified contractors and have been found to be in compliance with the contract documents and technical specifications; and

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE of the Township of White that the Township shall utilize South State, Denville and Road Safety for the improvements on Upper Sarepta Road and Mutton Hill Road through the Township’s membership in the MCCPC as follows:

1. HMA Milling, 20,000 square yards at a 0 -2”depth at a unit price of \$2.70 per square yard for a total of \$54,000.00 (South State);
2. HMA Milling, 1,000 square yards at a 2-4” depth at a unit price of \$2.70 per square yard for a total of \$2,700.00 (South State);
3. HMA 19M64 Base Course, 3” minimum thickness, 180 tons at a unit price of \$62.20 per ton for a total of \$11,196.00 (South State);
4. HMA 9.5M64 Surface Course, 2” thickness, 2,500 tons at a unit price of \$67.00 per ton for a total of \$167,500.00 (South State);
5. Fuel Price Adjustment at \$5,000.00 (South State);
6. Asphalt Price Adjustment at \$25,000.00 (South State);
7. Traffic Stripes, 4” wide, 12,700 linear feet at a unit price of \$0.29 per linear foot for a total of \$3,683.00 (Denville);
8. Traffic Marking Lines, 24” wide, 40 linear feet at a unit price of \$5.00 per linear foot for a total of \$200.00 (Denville);
9. Traffic Marking Symbols, 11 square feet at a unit price of \$4.75 per square foot for a total of \$52.25 (Denville);
10. Removal of Beam Guiderail, 280 linear feet at a unit price of \$7.00 per linear foot for a total of \$1,960.00 (Road Safety);
11. Beam Guiderail, 180 linear feet at a unit price of \$35.00 per linear foot for a total of \$6,300.00 (Road Safety);
12. Tangent Guiderail Terminal, 2 units at a unit price of \$3,500.00 per unit for a total of \$7,000.00 (Road Safety);

BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to the NJDOT’s Division of Local Aid and Economic Development.

Res. 2021-49: 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 2021-49

On a motion made by Mrs. Skoog and seconded by Mrs. Collom the following resolution was adopted by the Township Committee on September 22, 2021.

RESOLUTION GRANTING APPROVAL OF THE PURCHASE
OF THE DEVELOPMENT EASEMENT ON THE MCEVOY #2
FARM BLOCK 13 LOT 11.01
IN WHITE TOWNSHIP CONSISTING OF
APPROXIMATELY 21.22 (3%+) NET ACRES

WHEREAS, the Warren County Agriculture Development Board has determined that the property known as the McEvoy #2 Farm, owned by Janet McEvoy, located on Block 13 Lot 11.01 in White Township, consisting of approximately 21.22 (3%+) net 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 September 29, 2020 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 12, 2021 in accordance with the SADC Resolution #FY2020R4 (14), Executive Director Payne and Secretary Fisher signed the Certification of Market Value and has certified a development easement value of \$5,200 per acre based on zoning and environmental regulations in place as of the current valuation date of December 22, 2020 with an estimated total value of \$110,344.00; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the Certified Market Value offer by the County of \$5,200 per acre.

WHEREAS, the property is part of the approved Warren County Planning Incentive Grant Application and is funded by the Warren County Open Space, Farmland, Recreation and Historic Preservation Trust Fund; 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 October 28, 2021 meeting; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on August 19, 2021, the Warren County Agriculture Development Board is expected to approve the funding for the development easement with no cost share contribution by White Township as follows: SADC \$3,500 per acre, Warren County \$1,700 per acre; and

WHEREAS, the WCADB approval will include the following conditions:

- a. No existing structures on premises
- b. No existing agriculture labor housing on premises
- c. Exceptions
 - a. One non-severable exception area of one acre for future single family residence and for future flexibility restricted to one single family 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 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 the cost share.

ORDINANCES – FIRST READING

Ord. 2021-09: Motion made by Mrs. Collom, seconded by Mrs. Skoog and carried by unanimous favorable roll call vote to introduce the following ordinance on first reading. Collom – yes, Skoog – yes, Herb – yes. Motion carried.

ORDINANCE 2021-09
AN ORDINANCE GOVERNING CHARITABLE SOLICITATIONS OF THE CODE OF THE TOWNSHIP OF WHITE

WHEREAS, the Committee of the Township of White, County of Warren, State of New Jersey (“Township”), regulates charitable solicitations in the Township through Ordinances set forth in Chapter 198 of the Township Code;

WHEREAS, the Township determined the need expand the scope of exempt charitable solicitations in the Township to permit coin drop events on roadways in the Township, and

NOW, THEREFORE, BE IT ORDAINED, by the Committee of the Township of White, County of Warren, State of New Jersey, as follows:

Chapter 198 – 10 Charitable Solicitations shall be supplemented as follows:

§ 198-10 (B). Any charitable organization as defined in section 3 of P.L. 1994, c. 16 (C.45:17A-20) shall be permitted to solicit donations on Township roadways, County highways with County approval, and State highways with NJDOT approval, and may be exempt from **§ 198-4** of this chapter, provided such organization filed with the Township Clerk an application in writing giving the following information:

(1) Name of the charitable organization.

(2) Names of the responsible members of the organization for the solicitation event.

(3) Date, Time and Location for the solicitation event.

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

OLD BUSINESS

The township owned parcels for possible auction was tabled for further review.

NEW BUSINESS

The clerk reviewed the results of the PAIC survey of township facilities and playground. The insurance company recommended the DPW comply with PEOSHA requirements and perform the weekly inspection of the playground facility. It was also recommended that the boxes on the storage room floors of the municipal building be placed on shelves. No action was taken.

An email was received from the Washington Township, Morris County, administrator seeking input on how the Animal Control Shared Services contract is working for each participating town. The committee had no comments.

The township had a bond anticipation note sale in the amount of \$1,045,000.00. Valley Bank was the winning bid at .40%

CORRESPONDENCE

A letter was received from the Law Offices of John W. Thatcher, LLC regarding township owned Block 30 Lot 10.02. Attorney Thatcher questioned the use of the property as the deed states 'for public purposes only' and the township is leasing a portion of the property for farming. Attorney Tipton said he would research the deed and report back at the next meeting.

ENGINEERING UPDATE

Paul Sterbenz reported on the following:

- ✓ 2021 tar and chip program – Mr. Sterbenz met onsite with the contractor. All work appeared to be done in accordance with the specifications. It was noted that loose chip was still an issue. A second round of street sweeping will be done.

- ✓ Tamarack Road – waiting to hear if township will be awarded grant funds from the NJDOT Program.

PUBLIC COMMENT

Zoning Board Chairman Jack Shade read a prepared statement regarding comments Arnold Hyndman made at a zoning board meeting. Mr. Shade said he felt insulted by Mr. Hyndman’s speech. He took his words as if the zoning board is not doing a good job. Mr. Shade completed his speech by asking the committee to provide guidance to the zoning board if the committee agreed with Mr. Hyndman’s comments.

Arnold Hyndman responded to Mr. Shade’s comments. He apologized that his intent was not received properly. He explained that his comments were meant to encourage the board, not insult them.

Beth Kabert reminded the committee that the Open Space members made recommendations regarding the township owned parcels for possible auction.

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:

17223	ARAE Network Solutions LLC	10,086.95
17224	ABE Paving LLC	1,728.00
17225	Bay One Truck&Equipment Repair	1,450.15
17226	Belvidere Ambulance Corps Inc.	35,000.00
17227	CenturyLink	71.21
17228	Certified Laboratories	347.64
17229	C&M Auto Parts	72.69
17230	Colliers Engineering & Design	5,049.34
17231	Comcast	608.79
17232	J.C. Ehrlich Co., Inc.	188.00

17233	Elizabethtown Gas	177.50
17234	Florio, Perrucci, Steinhardt	5,945.00
17235	Francotype-Postalia, Inc.	227.85
17236	Frank Rymon & Sons Inc.	49.95
17237	Gebhardt & Keifer	247.50
17238	General Code Publishers	3,621.19
17239	Goodwill Fire Company	59,500.00
17240	GTM Turf Management	4,874.38
17241	Hard Rock Hotel & Casino	1,920.00
17242	JCP&L	2,070.35
17243	Lisa Duckworth	202.58
17244	Mayberry Sales & Service	71.76
17245	McBride Excavation & Landscape	2,200.00
17246	Mountain Lake Fire Company	79,500.00
17247	North East Parts Group LLC	92.15
17248	ReadyRefresh by Nestle	201.78
17249	NJ League of Municipalities	360.00
17250	NJ American Water Company	1,111.36
17251	NJ Advance Media	522.10
17252	NJ Registrars' Association	86.00
17253	Oxford Volunteer Fire Dept.	29,500.00
17254	Oxford Emergency Squad	32,000.00
17255	Randy Bell	25.00
17256	Rigo's General Hardware	76.46
17257	RK Occupational	653.60
17258	Sanico Inc.	315.32
17259	S&K Truck Parts Inc.	336.72
17260	S&L Equipment Rental, Inc.	194.00
17261	Staples Credit Plan	19.66
17262	Stateline Tree Inc.	1,000.00
17263	Steven P. Gruenberg, Attorney	2,640.00
17264	Swift Print Solutions LLC	159.00
17265	TGM Services	440.93
17266	US Municipal Supply, Inc.	3,678.94
17267	Verizon Wireless	102.74
17268	Vital Communications	940.00
17269	WEX health Inc.	50.00
17270	White Twsp Board of Education	642,315.00
17271	Xerox Corporation	586.38
17272	Horizon Blue Cross Blue Shield	315.10
17273	Randy Bell - petty cash	163.83

TOTAL.....\$933,096.90

Dog Account

1190	NJ Dept. of Health	49.80
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Gravel Pit Escrows

246	Colliers Engineering	700.95 (for BS&G)
242	Colliers Engineering	612.65 (for Hoffman)
245	Colliers Engineering	720.70 (for HS&G)
235	Colliers Engineering	610.70 (for Tilcon)
246	Colliers Engineering	385.00 (for HS&G)

Capital Account

1568	TGM Services	7,774.07
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Developer Escrow Account

1334	Colliers Engineering	2950.07
1335	Colliers Engineering	155.00
1336	Gebhardt & Kiefer	148.50
1337	Colliers Engineering	1886.55
1338	Gebhardt & Kiefer	198.00

TOTAL ALL FUNDS.....\$949,288.89

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 6:47 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