

## **WHITE TOWNSHIP COMMITTEE**

## **MINUTES OF MEETING JANUARY 28, 2016**

### **CALL TO ORDER**

Mayor Herb called the meeting to order at 6:30 p.m. and stated ‘Adequate Notice of this meeting of January 28, 2016 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 Herb, Committeeman Race, Committeewoman Mackey, Attorney Brian Tipton and Clerk Kathleen Reinalda.

### **ENGINEERING UPDATE**

Paul Sterbenz reported the following:

- COAH Litigation - A ‘structural conditions survey’ is recommended to refute the proposed rehabilitation numbers as suggested by the Econsult Report.
- DOT Municipal Aid Application – the township applied for Rutherford Drive, but has not heard any word on the availability of grant funds.
- Municipal Building Generator Project – Motion made by Mr. Race, seconded by Mrs. Mackey and carried by unanimous favorable roll call vote to authorize Paul Sterbenz to advertise the generator project for bid. Herb – yes, Mackey – yes, Race – yes. Motion carried.
- Jack’s Barn site improvements – full compliance with the Zoning Board approvals from last year have not been achieved. Previous correspondence was sent to the owners indicating the urgency of finishing all required improvements as the facility has been operating even prior to receiving approvals. Motion made by Mrs. Mackey, seconded by Mr. Race and carried by unanimous favorable roll call vote to authorize Mr. Sterbenz to send correspondence to the owners of Jack’s Barn indicating the committee’s expectation that all required site improvements be completed by May 31, 2016.
- Gravel Pit Applications – Mr. Sterbenz is currently reviewing the bonding requirements

and following up with the gravel pit owners who have not provided the appropriate bond paperwork.

- LaTorre Plaza – A six month temporary certificate of occupancy was issued by the construction department. The owner, Pio Mannino, must complete additional punch list items prior to receiving a final certificate of occupancy.
- Sewer Meter Installation Project – Mr. Sterbenz presented three options for the installation of a sewer meter on the ‘A&P line’ as it nears the Town of Belvidere. Further review will be required with the Warren County Pequest River Municipal Utilities Authority before a decision is made.
- GeoPeak Energy bond release request – Mr. Sterbenz recommended release of the performance bond for the GeoPeak solar project and further recommended waiving the maintenance bond requirement as the property is privately owned.

## **PUBLIC COMMENTS**

Justin Vence requested the committee’s support for an Eagle Scout project he is considering undertaking. He explained he would like to restore an old veteran’s memorial that used to be placed in the front of J&M Lettering on Route 46. The committee asked questions regarding the origins of the sign and what other actions Mr. Vence has taken to research the project. Mr. Vence thanked the committee for their input and said he would be back at the February meeting with more information. The committee assured Mr. Vence they fully supported the project.

## **RESOLUTIONS**

**Res. 2016-8:** Motion made by Mrs. Mackey, 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 AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES – MUNICIPAL AUDITOR**

WHEREAS, the Township of White has a need to acquire a municipal auditor as a non-fair and open contract pursuant to provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Nisivoccia LLP has submitted a proposal, indicating they will provide the auditing services for the anticipated fee of \$18,350; and,

WHEREAS, Nisivoccia LLP has completed and submitted a Business Entity Disclosure Certification which certified that Nisivoccia LLP has not made any reportable contributions to a political or candidate committee in the Township of White in the previous one year, and that the contract will prohibit Nisivoccia LLP from making any reportable contributions through the term of the contract; and,

WHEREAS, the required certificate for the availability of funds has been filed by the chief financial officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C. 5:30-14.5 and that fees for the aforementioned auditing and non-auditing services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program spending or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White, the Mayor and Clerk are authorized to enter into a contract with Nisivoccia LLP as described herein as auditors on and in behalf of the Township of White for the year 2016; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in a legally designated publication.

Political Contribution Disclosure. This contract has been awarded to Nisivoccia LLP based on the merits and abilities of Nisivoccia LLP to provide the goods and services as described herein. This contract was not awarded through a “fair and open” process pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Nisivoccia LLP, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44-16 in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c. 19. Affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the municipality when the contract is awarded.

Exhibit “A” (Mandatory Affirmative Action Language), Exhibit “B” (Employee Information Report), Exhibit “C” (Business Registration Certificate), Exhibit “D” (Business Entity Disclosure Certification), Exhibit “E” (Political Contributions Disclosure Certification), and Exhibit “F” (Insurance) are attached to and made a part of this contract.

**Res. 2016-9:** Motion made by Mrs. Mackey, 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 AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES – TOWNSHIP ENGINEER**

WHEREAS, the Township of White has a need to acquire a township engineer as a non-fair and open contract pursuant to provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Maser Consulting P.A. has submitted a proposal, indicating they will provide the engineering services for the anticipated fee of \$133.00/hour or approximately \$50,000.000/annual; and,

WHEREAS, Maser Consulting P.A. has completed and submitted a Business Entity Disclosure Certification which certified that Maser Consulting P.A. has not made any reportable contributions to a political or candidate committee in the Township of White in the previous one year, and that the contract will prohibit Maser Consulting P.A. from making any reportable contributions through the term of the contract; and,

WHEREAS, the required certificate for the availability of funds has been filed by the chief financial officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C. 5:30-14.5 and that fees for the aforementioned engineering services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program spending or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White, the Mayor and Clerk are authorized to enter into a contract with Maser Consulting P.A. as described herein as Township Engineer on and in behalf of the Township of White for the year 2016; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in a legally designated publication.

Political Contribution Disclosure. This contract has been awarded to Maser Consulting P.A. based on the merits and abilities of Maser Consulting P.A. to provide the goods and services as described herein. This contract was not awarded through a “fair and open” process pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Maser Consulting P.A., its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44-16 in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c. 19. affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the municipality when the contract is awarded.

Exhibit “A” (Mandatory Affirmative Action Language), Exhibit “B” (Employee Information Report), Exhibit “C” (Business Registration Certificate), Exhibit “D” (Business Entity Disclosure Certification), Exhibit “E” (Political Contributions Disclosure Certification), and Exhibit “F” (Insurance) are attached to and made a part of this contract

**Res. 2016-10:** Motion made by Mr. Race, seconded by Mrs. Mackey and carried by unanimous favorable roll call vote to approve the following resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

### **RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES – MUNICIPAL ATTORNEY**

WHEREAS, the Township of White has a need to acquire a municipal attorney as a non-fair and open contract pursuant to provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Florio, Perrucci, Steinhardt and Fader LLC has submitted a proposal, indicating they will provide the attorney services for the anticipated fee of \$34,800.00/annual retainer with an additional hourly rate for matters of litigation. The total contract is not anticipated to exceed \$50,000.00 ; and,

WHEREAS, Florio, Perrucci, Steinhardt and Fader LLC has completed and submitted a Business Entity Disclosure Certification which certified that, Florio, Perrucci, Steinhardt and Fader LLC has not made any reportable contributions to a political or candidate committee in the

Township of White in the previous one year, and that the contract will prohibit Florio, Perrucci, Steinhardt and Fader LLC from making any reportable contributions through the term of the contract; and,

WHEREAS, the required certificate for the availability of funds has been filed by the chief financial officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C. 5:30-14.5 and that fees for the aforementioned attorney services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program spending or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White, the Mayor and Clerk are authorized to enter into a contract with Florio, Perrucci, Steinhardt and Fader LLC as described herein as attorneys on and in behalf of the Township of White for the year 2016; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in a legally designated publication.

Political Contribution Disclosure. This contract has been awarded to Florio, Perrucci, Steinhardt and Fader LLC based on the merits and abilities of Florio, Perrucci, Steinhardt and Fader LLC to provide the goods and services as described herein. This contract was not awarded through a “fair and open” process pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Florio, Perrucci, Steinhardt and Fader LLC, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44-16 in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c. 19. Affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the municipality when the contract is awarded.

Exhibit “A” (Mandatory Affirmative Action Language), Exhibit “B” (Employee Information Report), Exhibit “C” (Business Registration Certificate), Exhibit “D” (Business Entity Disclosure Certification), Exhibit “E” (Political Contributions Disclosure Certification), and Exhibit “F” (Insurance) are attached to and made a part of this contract.

**Res. 2016-11:** Motion made by Mr. Race, seconded by Mrs. Mackey and carried by unanimous favorable roll call vote to approve the following resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

WHEREAS, the tax collector has received a 2015 excess payment of taxes for \$613.76 for Block 30 Lot 10 C1011 located at 1011 Brookfield Glen Drive; and

WHEREAS, the homeowner have requested the payment be refunded;

THEREFORE, be it resolved that the Township of White refund William & Everdina O'Connor \$613.76 to the following address:

William J. & Everdina O'Connor  
1011 Brookfield Glen Drive  
Belvidere, NJ 07823

**Res. 2016-12:** Motion made by Mr. Race, seconded by Mrs. Mackey and carried by unanimous favorable roll call vote to approve the following resolution. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION OF THE WHITE TOWNSHIP COMMITTEE IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE SUBMISSION OF THE STRATEGIC PLAN OF THE HOPE/WHITE MUNICIPAL ALLIANCE FOR THE FISCAL YEAR 2016/17

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey;

WHEREAS, the Township Committee of the Township of White in the County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee of the Township of White further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee of the Township of White has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Warren, New Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White, County of Warren, and State of New Jersey hereby recognizes the following:

1. The White Township Committee does hereby authorize submission of the Strategic Plan for the Hope/White Municipal Alliance Grant for fiscal year 2016/17 in the amount of:

DEDR \$ 8,734.00 (Hope-\$3,342.00; White-\$5,392.00)  
Cash Match \$ 2,621.00 (Hope-\$1,003.00; White-\$1,618.00)

In-Kind Match \$ 6,551.00 (Hope-\$2,507.00; White-\$4,044.00)

The White Township Committee acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

**Res. 2016-13:** Motion made by Mrs. Mackey, 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.

**Performance Guarantee Release Request  
Geo Peak Energy Solar Array  
Lot 10, Block 52  
Township of White, Warren County, NJ**

**WHEREAS**, Geo Peak Energy LLC (“Geo Peak”) posted performance guarantees with the Township of White to ensure the completion of site improvements associated with the construction of a solar array on lands owned by DSM Nutritional Products property on Manunkachunk Road;

**WHEREAS**, Geo Peak recently completed the project including the site improvements; and

**WHEREAS**, Geo Peak, through its Construction Project Manager Michael Ford, submitted a written request on December 28, 2015 requesting the release of the performance guarantees being held by the Township for the project; and

**WHEREAS**, the Township Committee referred the request submitted by Geo Peak for the release of the performance guarantees to the Township Engineer for review; and

**WHEREAS**, the Township Engineer reviewed the findings of his review of the performance guarantee release request at the January 28, 2016 Township Committee meeting; and

**WHEREAS**, the Township Engineer advised the Township Committee that all site improvement work had been satisfactorily completed and recommended that the Township Committee approve the release of the performance guarantees being held for the project; and

**WHEREAS**, the Township Engineer recommended that the Township Committee also waive the requirement for the posting of a maintenance bond since all site improvements were constructed on private property; and

**WHEREAS**, the Township Committee is in agreement with the findings of the Township Engineer as presented at the January 28, 2016 meeting.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee hereby approves the release of the performance guarantees posted by Geo Peak for the aforementioned project and waives the requirement for the posting of a maintenance bond.



## **OLD BUSINESS**

The Goodwill Fire Company's request to have the township pass an ordinance to enable the fire department to bill homeowner's insurance after a fire event was tabled for further review.

The committee discussed participation in the 2016 gypsy moth suppression program. The township had elected to have the state review the township after receiving phone calls from residents near Buckhorn Drive regarding major gypsy moth damage. Upon completion of the review, it was determined by the state that excessive damage was not detected in that area of the township, therefore, spraying would not be authorized. The state did, however, detect damage of approximately 102 acres near the area of Winding Way. No complaints had been received from that section of the township. After lengthy discussion, the committee decided not to pursue the spraying program in 2016 as it would not help the areas that residents felt needed it the most.

The outline of the steps involved in the preservation process prepared by The Land Conservancy of NJ was tabled for further review.

## **NEW BUSINESS**

The committee scheduled a budget meeting for the February work session, 7PM February 25<sup>th</sup>.

## **PUBLIC COMMENTS**

None.

## **CORRESPONDENCE**

A request from the Oxford Emergency Squad for funding a Command Vehicle was tabled for further review at the budget work session.

## **PRESENTATION OF MINUTES**

Tabled.

## **OTHER MATTERS**

Mayor and Committee authorized the construction official to prepare a 'structural conditions survey' as recommended by the engineer and township attorney to refute the proposed rehabilitation numbers as suggested by the Econsult Report. This will require Mr. Price to visually review all areas of the township in order to complete the survey. The committee agreed upon \$50 per hour with mileage reimbursement.

## **PUBLIC COMMENTS**

Zheng Yuan and others representing the Zheng Yuan International Flagship School proposed an idea of a private boarding school in White Township on County Route 519 near the Hope Township border. After a very informative presentation, the committee directed the group to the Planning Board.

Frank Panetta proposed changing the name of the Rt. 519 north recreation complex to the 'Oscar Unangst Fields' in memory of Mr. Unangst who passed away in 2015. Mr. Unangst served his community as a committeeman for twenty two years and was very involved in the acquisition of the land which is home to the main athletic fields of the township. The committee suggested a petition be circulated to support the renaming of the fields.

## **ADJOURNMENT**

Being no further business to come before the Committee, the meeting was adjourned at 8:05pm on motion by Mrs. Mackey, seconded by Mr. Race and carried by unanimous favorable vote.

Respectfully Submitted,

---

Kathleen R. Reinalda, RMC  
Township Clerk