

WHITE TOWNSHIP COMMITTEE

MINUTES OF MEETING APRIL 14, 2016

CALL TO ORDER

Mayor Herb called the meeting to order at 7:00 p.m. and stated ‘Adequate Notice of this meeting of April 14, 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 Katherine Fina and Clerk Kathleen Reinalda.

ENGINEERING UPDATE

BJ Wauhop of the Warren County Municipal Utilities Authority discussed options for the sewer meter project on Water Street. After extensive research, Mr. Wauhop questioned the effectiveness of a meter due to pipe size restrictions. Also, very limited flow is anticipated which makes the notion of a meter impractical. He suggested the committee consider ‘float readings’ from the box currently located at the A&P. The MUA would be responsible for the readings. The other users on the line, the Belstra’s and the Augustinians, are currently being billed by the MUA based on EDU’s. This will continue. The committee reminded Mr. Wauhop that the Town of Belvidere originally felt that metering would be the best solution as it was perceived that White Township was not paying its fair share of flow through the Town of Belvidere line. Mr. Wauhop suggested he present his idea to the Town of Belvidere and see if perceptions had changed over the last two years. Mayor Herb noted that White Township has paid its fair share over the years and by not metering the line, Belvidere will actually receive more money due to the fact that there is very little flow through the line.

2016 BUDGET INTRODUCTION

Auditor John Mooney was present to introduce the 2016 Municipal Budget. The 2016 Municipal Budget includes a 2 cent decrease from 2015.

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. Motion carried.

SELF-EXAMINATION OF BUDGET RESOLUTION
[as required by DCA]

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of White has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of White that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-5.
4. That the pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth

- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Motion made by Mr. Race, seconded by Mrs. Mackey and carried by unanimous favorable roll call vote to approve the following ordinance on first reading. Herb – yes, Mackey – yes, Race – yes. Motion carried.

**CALENDAR YEAR 2016
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40a:4-45.154)**

WHEREAS, the Local Government Cap Law, N.J.S.A.40A:4-45.1 et. seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of White in the County of Warren finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$47,429 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Township Committee hereby determine that any amount

authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of White, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of White shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$47,429 and that the CY 2016 municipal budget for the Township of White be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion to introduce the 2016 Municipal Budget made by Mrs. Mackey, seconded by Mr. Race and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. A complete copy of the 2016 Municipal Budget is on file in the office of the municipal clerk. Public Hearing is scheduled for May 12th at 7PM.

PUBLIC COMMENTS

None.

RESOLUTIONS

Res. 2016-21: 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 OF AWARD OF CONTRACT **MUNICIPAL BUILDING EMERGENCY GENERATOR INSTALLATION**

WHEREAS, the Township of White (“Township”) seeks to install an emergency generator at the Municipal building to provide an auxiliary power source during times of emergency; and

WHEREAS, the Township prepared construction plans, technical specifications, and bid documents for the project; and

WHEREAS, the Township advertised the project for public bids; and

WHEREAS, the Township received and opened bids for the project on Friday, March 11, 2016; and

WHEREAS, bids were received from five contractors; and

WHEREAS, the lowest bid was submitted by Lulo Electric of Hackettstown, New Jersey; and

WHEREAS, the amount bid by Lulo Electric for the work specified by the Township is \$53,015.00; and

WHEREAS, the low bidder was contacted by the municipal engineer for the purpose of reviewing the bid; and

WHEREAS, the municipal engineer determined during the review of the Lulo Electric bid that the bid was predicated on providing a generator that does not meet the project specifications; and

WHEREAS, Lulo Electric subsequently requested that its bid be disqualified for not providing a generator that is in compliance with the specifications; and

WHEREAS, the second lowest bid was submitted by Wire's Electrical Shop ("Wires") of Hackettstown, New Jersey; and

WHEREAS, the amount of the Wires bid was \$58,240.00, which is less than the engineer's estimate of \$65,000.00; and

WHEREAS, the bid submitted by Wires is based upon the furnishing of a Kohler generator in accordance with the project specifications pursuant to a bid review conducted by the municipal engineer; and

WHEREAS, Wires is a qualified contractor and no prior negative experience as defined in the Local Public Contracts Law was found by the municipal engineer during his bid review; and

WHEREAS, Wires is thus the lowest responsible bidder;

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of White hereby awards a contract to Wires for the installation of an emergency generator at the White Township Municipal Building in the amount of \$58, 240.00 subject to legal review and the availability of funds.

BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to Wires and the municipal engineer following adoption.

Res. 2016-22: 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 REFUND OF PREMIUM TO OUTSIDE LIENHOLDER

WHEREAS, the Municipal Tax Sale held on October 16, 2013, a lien was sold on Block 16 Lot 13 also known as 652 Brass Castle Road for 2012 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2013-003 was sold to US Bank Cust for Pro Cap III, LLC for a 0% redemption fee and a \$1,000.00 premium.

NOW THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$1,000.00 (premium account) payable to US Bank Cust for Pro Cap III, LLC 50 S. 16th St STE 1950 Philadelphia, Pa 19102 because the lien was redeemed.

Res. 2016-23: 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.

WHEREAS, the tax collector has received a 2015 excess payment of sewer taxes for \$284.26 on Account 1628 42 Colby Court ; and

WHEREAS, the homeowner have requested the payment be refunded;

THEREFORE, be it resolved that the Township of White refund Anne Carberry at the following address:

Anne Carberry
42 Colby Court
Belvidere, NJ 07823

Res. 2016-24: 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.

2015 TONNAGE GRANT APPLICATION RESOLUTION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2015 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the White Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township Committee of The Township of White that The Township of White hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Linda Gabel to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Res. 2016-25: 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 homestead credit on exempt property for \$493.62 7012 Brookfield Glen also known as Block 30 Lot 10 C7012 ; and

WHEREAS, the homeowner have requested the payment be refunded he is tax exempt

THEREFORE, be it resolved that the Township of White refund Roger & Lorraine Race

at the following address:

7012 Brookfield Glen Drive
Belvidere, NJ 07823

OLD BUSINESS

Frank Panetta presented a signed petition in support of re-naming the Route 519 Athletic Fields the 'Oscar Unangst Memorial Fields'. This was approved on motion by Mr. Race, seconded by Mrs. Mackey with Mayor Herb abstaining. Herb – abstain, Mackey – yes, Race – yes.

Mr. Panetta also presented the idea of a memorial bench honoring a White Township teenager, Connor Barbero, who tragically passed away in an ATV accident. Connor enjoyed athletics, favoring basketball and soccer. Mr. Panetta suggested a bench representing those sports and Connor's jersey number. The committee approved this on motion by Mrs. Mackey, seconded by Mr. Race and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes. Motion carried. The clerk will work with Mr. Panetta on both projects.

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

Committeeman Race recommended the township pursue preservation of the DeBoer farm. The farm is 56 acres that will go through a modified Muni-PIG application process. The town will apply and use its Muni-PIG SADC grant funding towards the project. The town will also pay its share of the acquisition costs. The county will cover all due diligence costs. This was approved on motion by Mr. Race, seconded by Mrs. Mackey with Mayor Herb abstaining. Herb – abstain, Mackey – yes, Race – yes. Motion carried.

NEW BUSINESS

Motion made by Mr. Race, seconded by Mrs. Mackey and carried by unanimous favorable roll call vote to authorize renewal of the Land Conservancy of NJ Open Space Advisory Contract for a one year period at \$100 per hour. The signing of the contract will be subject to Attorney Tipton's review and approval. Herb – yes, Mackey – yes, Race – yes. Motion carried.

Committeeman Race recommended approval for The Land Conservancy to propose the following contract to the Rothman's. The Rothman Farm, Block 33, Lot 20, consists of approximately 15.75 acres and Block 33, Lot 20.02 consisting of approximately 42.57 acres, for a total of approximately 58.32 acres (excluding exception areas). The contract calls for \$4,000/acre on approximately 48.32 or \$193,280.00 (prior to survey). White Township's share would be \$600/acre or approximately: \$28,992. This was approved on motion by Mr. Race, seconded by Mrs. Mackey

with Mr. Herb abstaining. Herb – abstain, Mackey – yes, Race – yes. Motion carried.

PUBLIC COMMENTS

None.

CORRESPONDENCE

A letter was received from Peter Iorio, offering a donation of property, Block 68 Lot 3, which is approximately 1/3 of an acre and wooded. The clerk was asked to speak to Attorney Tipton and Engineer Sterbenz to find out actions that should be taken before consideration of the request.

PRESENTATION OF VOUCHERS

On motion by Mrs. Mackey, 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>
14407	187.50	AREA Network Solutions LLC
14408	659.60	CenturyLink
14409	189.80	Comcast
14410	336.36	Deluxe
14411	50.00	Discovery Benefits Inc.
14412	82.00	J.C. Ehrlich Co., Inc.
14413	455.42	Elizabethtown Gas
14414	206.13	Elizabethtown Gas
14415	4,910.00	Florio, Perrucci, Steinhardt & Fader
14416	168.83	Home Depot Credit Services
14417	37.16	Hope Township
14418	1,624.23	JCP&L
14419	1,095.75	Maser Consulting P.A.
14420	525.00	Matt Musum
14421	139.50	MGL Printing Solutions
14422	116.33	Napa Belvidere
14423	32.00	Nestle Pure Life Direct
14424	6,162.50	Newport Landscaping LLC
14425	1,037.30	NJ American Water Company
14426	363.81	NJ Advance Media
14427	148.00	NJ Division of Fire Safety
14428	850.00	Office Business Systems Inc.
14429	135.00	Pitney Bowes
14430	147.00	Ralph Price
14431	46.00	Randy Bell
14432	210.00	Robert Blease DVM

14433	508.22	Russell Reid
14434	200.00	Scott Wilhelm
14435	26.66	Smith Motor Company
14436	105.04	Smith Tractor & Equipment Inc.
14437	173.79	Staples Credit Plan
14438	50.00	Treasurer, State of NJ
14439	500.00	Treasurer, State of NJ
14440	54.40	Verizon Wireless
14441	508.00	Vital Communications
14442	353.50	Warren County Locksmith
14443	115.00	Warren County Assessor's Association
14444	573,011.00	White Township Board of Education
14445	500.00	White Township Historical Society
14446	375.00	William Gold, Esq.
14447	517.65	Xerox Corporation
14448	183.00	ALM
14449	110.63	Sanico, Inc.
14450	250.00	White Township Historical Society
14451	493.62	Roger and Lorraine Race

TOTAL.....\$597,950.73

SEWER ACCOUNT

1298	1,800.00	Warren County (PR) MUA
1299	67,656.75	Warren County (PR) MUA
1300	322.00	MGL Printing Solutions
1301	318.25	Maser Consulting P.A.
1302	50.00	Vital Communications
1303	284.26	Anne Carbury

GRAVEL PIT ESCROWS

202	66.50	Maser Consulting P.A. (for HS&G)
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CAPITAL ACCOUNT

1511	462.25	Maser Consulting P.A.
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DEVELOPER ESCROWS

2783	97.50	Maser Consulting P.A.
2784	166.25	Maser Consulting P.A.

2785	125.00	Maser Consulting P.A.
2786	58.00	William Gold Esq.

ANIMAL CONTROL ACCOUNT		
1134	81.60	NJ Department of Health & Human Services

CURRENT FUND – MANUAL		
2226	12,205.55	Payroll Account
2227	344.38	Horizon Blue Cross Blue Shield of NJ

TOTAL ALL FUNDS.....\$681,989.02

PRESENTATION OF MINUTES

Tabled.

OTHER MATTERS

An email was received from Justin Vence requesting a donation towards his Eagle Scout project. The committee approved a \$250.00 donation on motion by Mrs. Mackey, seconded by Mr. Race and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

On motion by Mrs. Mackey, 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, April 14, 2016, 7:58pm:

Litigation
(COAH)

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. Mackey, seconded by Mr. Race, the meeting was re-opened to the public at 8:13p.m. Motion passed. No action was taken in Executive Session.

OTHER MATTERS

Motion made by Mrs. Mackey, seconded by Mr. Race and carried by unanimous favorable roll call vote to approve a check for the Vicinage 13 Group payable to Attorney Trust Account of Lavery, Selvaggi, Abromitis and Cohen in the amount of \$1,500.00 and a check for the Statewide Consortium payable to Jeffrey R. Surenian and Associates, LLC in the amount of \$2,000, both for the continued affordable housing litigation. Herb – yes, Mackey – yes, Race – yes. Motion carried.

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 8:14pm on motion by Mrs. Mackey, seconded by Mayor Herb and carried by unanimous favorable vote.

Respectfully Submitted,

Kathleen R. Reinalda, RMC
Township Clerk