

## WHITE TOWNSHIP COMMITTEE

## MINUTES OF MEETING JULY 28, 2016

### CALL TO ORDER

Mayor Herb called the meeting to order at 7:00 p.m. and stated ‘Adequate Notice of this meeting of July 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, Attorney Tipton and Clerk Kathleen Reinalda. Committeewoman Mackey was absent.

### PUBLIC COMMENTS

Jay Rathore, representing the Ridge and Valley Trout Unlimited organization, was present to request the township’s assistance in a clean-up of Water Street along the Pequest River. Specifically, for the DPW to remove the trash/debris once it is collected. As this is a County road, the committee instructed Mr. Rathore to seek County approval and then come back to the township if necessary.

### RESOLUTIONS

**Res. 2016-34:** Motion made by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent the following resolution was approved. Herb – yes, Mackey – absent, Race – yes. Resolution adopted.

### RESOLUTION AUTHORIZING REFUND OF PREMIUM TO OUTSIDE LIENHOLDER

WHEREAS, the Municipal Tax Sale held on December 17, 2015, a lien was sold on Block 16 Lot 44 also known as Hazen-Oxford Road for 2014 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate No. 15-00061 was sold to US Bank Cust for PC6, LLC for a 0% redemption fee and a \$12,000.00 premium.

NOW THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$12,000.00 (premium account) payable to US Bank Cust for PC6, LLC 50 S 16<sup>th</sup> Street STE 2050, Philadelphia PA 19102 because the lien was redeemed.

**Res. 2016-35:** Motion made by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent the following resolution was approved. Herb – yes, Mackey – absent, Race – yes. Resolution adopted.

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

WHEREAS, the Municipal Tax Sale held on October 20, 2014, a lien was sold on Block 18 Lot 6 C0036 also known as 36 Colby Court for 2013 delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate No. 2014-003 was sold to US Bank Cust for BV001 Trust for a 0% redemption fee and a \$1,700.00 premium.

NOW THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$1,700.00 (premium account) payable to US Bank Cust for BV001 Trust 50 S 16<sup>th</sup> Street STE 2050 Philadelphia PA 19102 because the lien was redeemed.

**Res. 2016-36:** Motion made by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent the following resolution was approved. Herb – yes, Mackey – absent, Race – yes. Resolution adopted.

WHEREAS, the tax collector has received a payment that was taken by Valley National Bank and included in a White Township deposit error. Property is known as Block 35 Lot 13.02 Demoss, Walter J & Annick R. also known as 609 Fifth Street in the Town of Belvidere ; and

WHEREAS, The White Township Tax Collector request a check be sent to Town of Belvidere in the amount of \$1,223.02 for payment of taxes on April 29, 2016

THEREFORE, it be resolved that the Chief Financial Officer send a check to the Town of Belvidere for \$1,223.02 for Block 35 Lot 13.02.

**Res. 2016-37:** Motion made by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent the following resolution was approved. Herb – yes, Mackey – absent, Race – yes. Resolution adopted.

## RESOLUTION EXTENDING PAYMENT OF THIRD QUARTER TAXES

WHEREAS the annual tax bills were not mailed by the statutory mailing date pursuant to N.J.S.A. 54:4-66 because the 2016 tax rate was not set; and

WHEREAS the mailing of the annual tax bills occurred on or before July 28, 2016; and

WHEREAS, pursuant to Statute, no interest may be charged for 25 days after mailing.

NOW THEREFORE, be it resolved by the Mayor and Governing Body of White Township, that the third installment of the 2016 tax bill shall be due and payable without penalty by August 22, 2016. Any payments received after that date will accrue interest back to August 1, 2016.

**Res. 2016-38:** Motion made by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent the following resolution was approved. Herb – yes, Mackey – absent, Race – yes. Resolution adopted.

## **RESOLUTION TO PROVIDE FOR THE RENEWALS OF PLENARY RETAIL CONSUMPTION LICENSES FOR 2016-2017 IN THE TOWNSHIP OF WHITE, COUNTY OF WARREN, STATE OF NEW JERSEY.**

**WHEREAS**, proper applications and appropriate fees have been received by the White Township Clerk;

**WHEREAS**, Clearance Certificates have been received from the New Jersey Division of Taxation, verifying compliance with Chapter 161, Laws of N. J., by the applicants.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of White, County of Warren, State of New Jersey, that the following Plenary Retail Consumption Licenses in the Township of White, are hereby renewed for the 2016-2017 licensing year, said renewal effective July 1, 2016:

2123-33-002-005      Jerome Grove Inc., T/A Flannery's Tavern

**Res. 2016-39:** Motion made by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent the following resolution was approved. Herb – yes, Mackey – absent, Race – yes. Resolution adopted.

**RESOLUTION TO PROVIDE FOR THE RENEWALS OF PLENARY RETAIL CONSUMPTION LICENSES FOR 2015- 2016/ 2016-2017 IN THE TOWNSHIP OF WHITE, COUNTY OF WARREN, STATE OF NEW JERSEY.**

**WHEREAS**, proper applications and appropriate fees have been received by the White Township Clerk;

**WHEREAS**, Clearance Certificates have been received from the New Jersey Division of Taxation, verifying compliance with Chapter 161, Laws of N. J., by the applicants.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of White, County of Warren, State of New Jersey, that the following Plenary Retail Consumption Licenses in the Township of White, are hereby renewed for the 2016-2017 licensing year, said renewal effective July 1, 2016:

2123-33-001-004      Saloon 5A LLC

**Res. 2016-40:** Motion made by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent the following resolution was approved. Herb – yes, Mackey – absent, Race – yes. Resolution adopted.

**RESOLUTION TO PROVIDE FOR THE RENEWALS OF PLENARY RETAIL CONSUMPTION LICENSES FOR 2016-2017 IN THE TOWNSHIP OF WHITE, COUNTY OF WARREN, STATE OF NEW JERSEY.**

**WHEREAS**, proper applications and appropriate fees have been received by the White Township Clerk;

**WHEREAS**, Clearance Certificates have been received from the New Jersey Division of Taxation, verifying compliance with Chapter 161, Laws of N. J., by the applicants.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of White, County of Warren, State of New Jersey, that the following Plenary Retail Consumption Licenses in the Township of White, are hereby renewed for the 2016-2017 licensing year, said renewal effective July 1, 2016:

2123-33-003-002      Armando & Joan Fratezi; T/A Pequest Bend Tavern

**Res. 2016-41:** Motion made by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent the following resolution was approved. Herb – yes, Mackey – absent, Race – yes. Resolution adopted.

**PERSON-TO-PERSON/PLACE-TO-PLACE TRANSFER**

**WHEREAS**, an application has been filed for a Person-To-Person/Place-To-Place Transfer of Plenary Retail Consumption License Number 2123-33-002-005, issued to Jerome Grove Inc. for premises located at 73 Titman Road, White Township, New Jersey;

**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 applicants are 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 July 28, 2016, the transfer of the aforesaid Plenary Retail Consumption License from its former location at 73 Titman Road, White Township, New Jersey, to its new location at 487 Rt. 46, White Township, New Jersey and the new ownership to AddieK LLC from Jerome Grove Inc., 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 AddieK LLC, effective July 28, 2016.

**Res. 2016-43:** Motion made by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent the following resolution was approved. Herb – yes, Mackey – absent, Race – yes.  
Resolution adopted.

**TOWNSHIP OF WHITE/WARREN COUNTY, STATE OF NJ  
PROFESSIONAL SERVICES RESOLUTION  
TITLE COMPANY – TITLE LINES**

**WHEREAS**, there exists a need for a professional title company to be appointed to issue title insurance on the farm properties owned by Arthur & Joan Rothman; and

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

**WHEREAS**, the price for this service will not exceed \$835.50; and

**WHEREAS**, the firm of Title Lines, licensed professional in the State of New Jersey, agrees

to provide such services pursuant to its June 27, 2016 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**, Title Lines 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 deputy 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 Title Lines for its retention as Title Company for the township in connection with preservation of the Oxbow Acres Farm property.
2. The services rendered by the contractor shall be as described in the June 27, 2016 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 a 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 Title Lines 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 Title Lines 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 Star Gazette” and/or “The Express Times”.
8. Copies of this Resolution shall be forwarded to the contractor, the Township Attorney and the Township Treasurer/CFO.

### **OLD BUSINESS**

Mayor and Committee discussed the status of the Belvidere sewer agreement. Attorney Tipton drafted an amendment to clarify the billing procedures for the Town of Belvidere. Belvidere’s attorney is currently reviewing it.

The 9-1-1 Coordinator continues to work on the database project.

### **NEW BUSINESS**

Jason Menegus was present to provide an update on Open Space Committee projects. There is an opportunity for Highlands grant funds which Mr. Menegus suggested be used for the Spencer and/or DeBoer farms. After much debate about the source of the funds, the committee tabled the request for further information.

Mr. Menegus suggested making a township application to preserve the Shoemaker (Hoff) farm along Hope Crossing Road. The cost share program with the County would still apply in this situation. The committee was agreeable.

A letter was received from the Warren County Engineering Department regarding placing a weight restriction on Hope Crossing Road. This is a result of the numerous times the County bridge has been damaged due to large trucks attempting to use the very rural road. The committee requested additional information as to the requested weight limit, the process, etc.

A resident requested the committee foreclose on the abandoned 661 Brass Castle Road so it can be sold and put back on the tax records. Attorney Tipton suggested he review the foreclosure process and report back at the August meeting.

## **PUBLIC COMMENTS**

None.

## **CORRESPONDENCE**

The committee acknowledged the PEOSHA Violation Update. All items have been properly addressed and the violations were abated.

A violation notice was received from the Warren County Health Department regarding unlicensed spraying by the DPW. The DPW has been instructed to no longer spray until one of the employees becomes a licensed commercial sprayer. The clerk will follow up with the Health Department in order to process the necessary paperwork to abate the violation.

## **PRESENTATION OF VOUCHERS**

On motion by Mr. Race, seconded by Mr. Herb with Mrs. Mackey absent, the Committee approved the following list of bills:

<u>Check No.</u>	<u>Amount</u>	<u>Payee</u>
14572	1,208.60	Picnic Furniture
14573	344.38	Horizon Blue Cross Blue Shield of NJ
14574	584,471.00	White Township Board of Education
14575	2,362.50	Arae Network Solutions
14576	25,000.00	Belvidere Ambulance Corps.
14577	1,000.00	Belvidere Area Senior Center
14578	738.26	CenturyLink
14579	204.00	Clarke Caton Hintz
14580	250.00	Computer Images Web LLC
14581	199.80	Comcast
14582	100.00	Discovery Benefits Inc.
14583	168.00	J.C. Ehrlich Co., Inc.
14584	174.65	Elizabethtown Gas
14585	178.01	Elizabethtown Gas
14586	2,900.00	Florio, Perrucci, Steinhardt & Fader
14587	370.00	Gebhardt & Kiefer
14588	6,361.20	Hope Township
14589	1,808.73	JCP&L
14590	153.80	L.E. Ritter Lumber Company
14591	1,067.75	Maser Consulting P.A.
14592	70.97	Mayberry Sales & Service
14593	100.00	MCANJ c/o Diane Pflugfelder
14594	635.00	MGL Printing Solutions
14595	560.00	Mr. John Inc.
14596	449.30	Napa Belvidere
14597	82.35	ReadyRefresh by Nestle



14598	3,662.50	Newport Landscaping LLC
14599	9,850.00	Nisivoccia LLP
14600	2,074.60	NJ American Water Company
14601	118.06	NJ Advance Media
14602	23,162.00	Public Alliance Insurance Coverage
14603	126.00	Eurofins QC, Inc.
14604	116.15	Ralph Price
14605	138.00	Randy Bell
14606	1,000.00	Reserve Account
14607	64.18	Rigo's General Hardware
14608	143.86	RiverEdge Park Condo Assoc.
14609	252.00	Riverbend Advertiser
14610	184.00	Robert Blease DVM
14611	434.00	S&L Equipment Rental Inc.
14612	269.25	Staples Credit Plan
14613	111.03	State of New Jersey
14614	250.00	Stateline Tree Inc.
14615	4,053.25	TGM Services
14616	1,276.77	Tilcon New York Inc.
14617	250.00	Treasurer, State of NJ
14618	356.00	Treasurer, State of NJ
14619	54.38	Verizon Wireless
14620	508.00	Vital Communications
14621	1,577.50	Warren County Treasurer
14622	859.39	Warren Materials
14623	75,000.00	White Township
14624	750.00	William Gold, Esq.
14625	91.37	Wilson Products
14626	18,196.00	Wire's Electrical Shop
14627	528.54	Xerox Corporation

TOTAL.....\$776,415.13

SEWER ACCOUNT

1308	67,656.75	Warren County (PR) MUA
1309	1,800.00	Warren County (PR) MUA
1310	50.00	Vital Communications
1311	3,000.00	Nisivoccia LLP

CAPITAL ACCOUNT

1514	667.25	Maser Consulting P.A.
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DEVELOPER ESCROWS

2798	66.50	Maser Consulting P.A.
2799	2,826.25	Maser Consulting P.A.
2800	1,596.00	Maser Consulting P.A.
2801	199.50	Maser Consulting P.A.
2802	99.75	Maser Consulting P.A.
2803	99.75	Maser Consulting P.A.
2804	328.50	Maser Consulting P.A.
2805	133.00	Maser Consulting P.A.
2806	6,764.19	GeoPeak Energy LLC
2807	4,930.56	Hatch Mott MacDonald
2808	1,606.50	Hatch Mott MacDonald
2809	112.50	William Gold, Esq.
2810	412.50	William Gold, Esq.
2811	262.50	William Gold, Esq.

ANIMAL CONTROL FUND

1135	40.20	NJ Dept. of Health & Senior Services
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OPEN SPACE ACCOUNT

559374	963.00	Heritage Abstract Company
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CURRENT FUND – MANUAL

2239	12,215.74	Payroll Account
2240	11,921.25	Payroll Account

TOTAL ALL FUNDS.....\$894,167.32

On motion by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent, 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, July 28, 2016, 8:15pm:

Litigation  
(COAH)  
(Walter Luers – OPRA Request)

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 Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent, the meeting was re-opened to the public at 8:35p.m. Motion passed. No action was taken in Executive Session.

#### **OTHER MATTERS**

Motion made by Mr. Race, seconded by Mayor Herb with Mrs. Mackey absent, the committee authorized the CFO to issue two checks for \$2,000 each to Vicinage 13 and Jeffrey Surennian regarding the COAH litigation. Herb – yes, Mackey – absent, Race – yes. Motion carried.

#### **ADJOURNMENT**

Being no further business to come before the Committee, the meeting was adjourned at 8:41pm on motion by Mr. Race, seconded by Mayor Herb.

Respectfully Submitted,

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Kathleen R. Reinalda, RMC  
Township Clerk