

WHITE TOWNSHIP COMMITTEE

MINUTES OF MEETING OCTOBER 13, 2011

CALL TO ORDER

Mayor Sam Race called the meeting to order at 7:00 p.m. and stated that in compliance with the "Open Public Meetings Act" this meeting has been advertised in the Star-Gazette, Belvidere, NJ and the Express-Times, Easton, PA; the Agenda has been posted at the Municipal Building.

FLAG SALUTE

The Mayor asked everyone to stand for the flag salute.

ROLL CALL

Present: Mayor Race, Committeeman Herb and Committeewoman Mackey, Attorney Brian Tipton and Clerk Kathleen Reinalda.

SEWER RATE STUDY RESULTS

Auditor Dave Evans presented the draft results of his sewer rate study. Based on surplus projections, Mr. Evans recommended the township combine its maintenance fee of 12% and administrative fee of 10% into one fee totaling 12%. This reduction will not only save the sewer user, it will continue to allow the township to maintain a Capital Reserve for future sewer repairs. Motion made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable roll call vote to approve issuance of the final sewer study report and have the attorney draft an ordinance to reflect the new fee structure for 2012. Herb – yes, Mackey – yes, Race – yes. Motion carried.

ENGINEERING UPDATE

Paul Sterbenz was present to review the following:

- Hoffman Gravel Pit - Bill Griffet and his engineer were present to request a variance from the 50' buffer on the southeast side of the gravel pit. Mr. Griffet explained he would like a 35' reduction in the buffer due to the current mining area being flooded. There are only two neighboring property owners, Flowerland Growers and Fuel Rite. Mr. Griffet assured the committee that he spoke with the neighbors and they did not express any concern with him mining into the buffer zone. Mr. Griffet also explained that the buffer area would be reclaimed upon completion of the mining which he approximated to take 1 month. The committee approved the request with the condition that Mr. Griffet supply the township with letters of consent from the neighbors and Mr. Hoffman, the property owner. This was done on motion by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes. Motion

carried. Attorney Tipton will prepare a memorializing resolution for the November meeting.

- Free Union Road/Tamarack Road/Lisa Court – Paving has been completed. Payment to the contractors can be authorized.
- Buckhorn Drive drainage problem– The road department installed a swale which will re-direct the drainage, however, two spots of the road need to be rebuilt to pitch the drainage to the swale. There is an approximate repair cost of \$10,000, but additional survey work needs to be performed before costs can be specified. The homeowner of 450 Buckhorn Drive will also be contacted to remove a drainage pipe which is adding to the complexity of the problem. Attorney Tipton will draft a letter.
- Natures Choice Facility – NCC is submitting a stormwater management plan to the NJDEP and copying the township. The plan is required to address the run-off problem which neighbors have complained of recently.
- Mr. Sterbenz presented a map he prepared of the areas the committee would like the state to recognize in the sewer service area. The committee reviewed the map at length and authorized Mr. Sterbenz to proceed with submission of the map to the state as presented.
- Mr. Herb reported that he had received phone calls regarding the recently completed upgrades to the Rt. 46/Sarepta Road bridge project. Residents in the area feel that since the upgrades, additional flooding has occurred due to the lowered opening for Beaver Brook to flow through. Mr. Sterbenz was asked to review this situation.
- Mr. Herb also asked Mr. Sterbenz to look at the Route 519 North recreation area. Severe flooding has occurred in the back baseball field area and does not appear to be receding. The committee agreed.

PUBLIC COMMENTS

Belvidere Town Councilwoman, Linda Stettler was present to thank Mr. Herb for attending National Night Out. Mr. Herb volunteered in the dunk tank which was a huge success! Mr. Herb was presented with a certificate of participation.

RESOLUTIONS

Res. 2011-49: Motion to adopt the following resolution made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION REFUNDING OVERPAYMENT ON BLOCK 30 LOT 12.03 C0012

WHEREAS, the Tax Collector has received a 2011 overpayment of \$1105.70 from Robert Pallotta, property owner of Block 30 Lot 12.03 C0012; and

WHEREAS, the property owner has requested the overpayment be refunded.

NOW, THEREFORE, BE IT RESOLVED that the Township of White refund Robert Pallotta, 23 Coventry Circle., Belvidere, NJ 07823, \$1105.70

Res. 2011-50: Motion to adopt the following resolution made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Resolution adopted.

RESOLUTION AWARDING A CONTRACT FOR SUPPLEMENTAL SNOW PLOWING IN THE BROOKFIELD ADULT RETIREMENT COMMUNITY, COLBY COURT DEVELOPMENT AND OTHER TOWNSHIP ROADS AS MAY BE REQUIRED UPON REQUEST

WHEREAS, White Township requires supplemental snow plowing of the Brookfield Adult Retirement Community* located on Route 519 (across from Mackey’s Orchards) and the Colby Court Townhouse Development* located on Route 519 (across from the Country View Village Strip Mall) and other Township roads as may occasionally be required upon request by the Road Department Foreman for the winter months of 2011-2012 to supplement the plowing of the White Township Road Department.

WHEREAS, specifications were drafted and approved; and

WHEREAS, the following quotations were received for the 2011-2012 season from four (4) contractors:

*Superior Fencing & Hole Drilling (Scott Ruban)	\$85.00/hr truck with 10’ plow \$85.00/hr 1 yard bucket loader
*W.J. Harrington & Sons	\$85/hr truck with 8’ plow \$95/hr truck with 9’ plow \$125/hr 1 yard bucket loader
* Flowerland Growers	\$79.50/hr truck with 9’ plow \$79.50/hr 1 yard bucket loader

Hazard Mitigation Plan to be eligible for federal funds for hazard mitigation projects and activities;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of White, that the Multi-Jurisdictional Hazard Mitigation Plan is hereby adopted as an official plan and that appropriate steps be taken to execute recommended actions, including periodic updates, and to fulfill reporting requirements as specified in the Plan.

Res. 2011-52: Motion to adopt the following resolution made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Resolution adopted. Attorney Tipton advised the committee that DSM was reluctant to sign the Developer’s Agreement as they are merely the property owner and not the solar company. If not signed by DSM, the Resolution will be void as the Developer’s Agreement will not be effectuated.

RESOLUTION AUTHORIZING WHITE TOWNSHIP TO ENTER INTO A DEVELOPER’S AGREEMENT WITH DSM NUTRITIONAL PRODUCTS, INC. AND MONCADA SOLAR, LLC IN RESPECT TO THE “SOLAR FARM” PROJECT, BLOCK 52, LOT 10

WHEREAS, DSM Nutritional Products, Inc. and Moncada Solar, LLC plans to develop property in White Township called “Solar Farm” located at Block 52, Lot 10, fronting on Manunkachunk Road and U.S. Route 46; and

WHEREAS, a condition of township land use board approvals of the development is the execution of a Developer’s Agreement; and

WHEREAS, a Developer’s Agreement has been drafted, negotiated and finalized by the developer’s counsel and township attorney, and is now acceptable in form and substance,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of White that the mayor be and hereby is authorized to execute the attached Developer’s Agreement.

ORDINANCES – FIRST READING

Ord. 2011-6: Motion to introduce the following ordinance on First Reading made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Public Hearing is scheduled for November 10th. Alternate options will be researched on the type of spreader needed.

AN ORDINANCE OF THE TOWNSHIP OF WHITE PROVIDING FOR THE APPROPRIATION OF \$15,000.00 FOR ‘ROAD DEPARTMENT – SALT SPREADER’ FROM THE GENERAL CAPITAL – CAPITAL IMPROVEMENT FUND

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

1. The sum of **\$15,000.00** shall be appropriated for the following items, from the Capital Improvements Budget for the year 2011:

Road Department– Stainless Steel Spreader \$15,000.00

2. The sum of \$15,000.00 is available in the Capital Improvement Fund
3. This appropriation of funds and the financing of same as is provided in this Ordinance shall represent an amendment to the Capital Budget of the Township of White, as included in the 2011 Local Municipal Budget of the Township of White.
4. The appropriation herewith does not authorize any debt of the Township of White.
5. This Ordinance shall take effect immediately on final passage and publication as provided by law.

Ord. 2011-7: Motion to introduce the following ordinance on First Reading made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote. Herb – yes, Mackey – yes, Race – yes. Public Hearing is scheduled for November 10th.

AN ORDINANCE OF THE TOWNSHIP OF WHITE PROVIDING FOR THE APPROPRIATION OF \$25,000.00 FOR ‘ROAD REPAIRS – BUCKHORN DRIVE’ FROM THE GENERAL CAPITAL – CAPITAL IMPROVEMENT FUND

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

1. The sum of **\$25,000.00** shall be appropriated for the following items, from the Capital Improvements Budget for the year 2011:

Road Repairs– Buckhorn Drive \$25,000.00

6. The sum of \$25,000.00 is available in the Capital Improvement Fund

7. This appropriation of funds and the financing of same as is provided in this Ordinance shall represent an amendment to the Capital Budget of the Township of White, as included in the 2011 Local Municipal Budget of the Township of White.
8. The appropriation herewith does not authorize any debt of the Township of White.
9. This Ordinance shall take effect immediately on final passage and publication as provided by law.

OLD BUSINESS

The clerk presented updated Xerox copier quotes. The upstairs machine will have faxing and scanning features for \$300/month and the downstairs machine will be downgraded on speed to save on costs. This machine will be \$198/month Replacing both machines will save the township \$70/month, but will give the staff the ability to network the faxing and scanning capabilities. This was approved on motion by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable roll call vote. Herb – yes, Mackey – yes, Race – yes. Motion carried.

The clerk received a \$17,025 quote from Anviro Contractors for repairing the municipal building handicap ramp to bring it into compliance with today's ADA standards. A second quote will be obtained. Motion made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable roll call vote to authorize the work to be performed by the low bidder after obtaining a second quote.

Mr. Herb expressed his displeasure that the governing body still does not have quotes to review for the 2012 insurance policy. The township's risk manager was instructed in June to obtain quotes to give the committee ample time to review them. Mayor Race suggested he contact Mr. Daly.

NEW BUSINESS

The township committee discussed 2012 appointments to Boards and Commissions. The clerk was asked to send a letter to all appointees whose terms are expiring at the end of 2011. The letter should ask whether the member wishes to be reappointed and why. If no response is received, the committee will assume the member does not wish to be reappointed.

CORRESPONDENCE

A letter was received from Suffolk Wireless asking the township's interest in hosting a cell tower. As this does not commit the township to any action, the committee asked the clerk to respond that there is interest in learning more about how this can possibly benefit White Township.

A letter was received from Barbara O'Connell, a Brookfield resident, expressing her concern about hot air balloon landings near the Brookfield development. "No landing zones" were discussed. The committee will research the township's authority, if any, on this matter.

The Warren County Department of Land Preservation provided the township with a list of farms as having been identified as Open Space possibilities. The Department requested the list be reviewed for accuracy. Mayor Race will review this request with the Agricultural Advisory Board. The Planning Incentive Grant was also discussed. The Land Conservancy of NJ can submit the plan for their contracted hourly rate. They anticipate the work taking 3 to 4 hours. As no changes are expected, the clerk was asked to review the grant paperwork to see if she can provide the information to the SADC without incurring the cost of the Land Conservancy's time.

A request was received from the Board of Adjustment for the committee to consider appointing a second alternate to the Board. Barry Wessner, board member, was present. He expressed concern that this correspondence was not discussed or voted on by all board members. Mrs. Mackey said she would research the matter.

A request was received from the Belvidere Youth Athletic Association to utilize the township soccer fields. A certificate of insurance was attached. The request is a result of the fields in Belvidere getting flooded out during the hurricane. The committee approved the request but asked the clerk to forward the request to the White Township YAA for their final approval.

A letter was received from Florence Mazurczyk requesting the township consider adopting a property maintenance ordinance. No action was taken.

PUBLIC COMMENTS

None.

PRESENTATION OF MINUTES

Motion made by Mr. Herb, seconded by Mrs. Mackey and carried by unanimous favorable vote to approve the September 8, 2011 Regular Meeting Minutes as presented. Herb – yes, Mackey – yes, Race – yes. Motion carried.

PRESENTATION OF VOUCHERS

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

<u>Check No.</u>	<u>Amount</u>	<u>Payee</u>
11560	\$ 5,500.00	Anviro Contractors
11561	210.20	Belvidere Sand & Gravel

11562	279.27	Betty Wysocki
11563	200.00	BHS Cheerleading
11564	10,000.00	Brannaugh Masonry LLC
11565	200.00	BSA Troop 146
11566	200.00	Buttzville Methodist Church
11567	200.00	Buttzville UMC Youth Group
11568	200.00	Buttzville UMC Cemetery
11569	200.00	Buttzville UMC UMW
11570	50.00	CenturyLink
11571	747.66	CenturyLink
11572	189.16	C&M Auto Parts
11573	100.11	Comcast
11574	200.00	Communities Altering the Stray
11575	10.00	Culligan
11576	50.00	Cynthia Sturla
11577	404.84	J.C. Ehrlich Co., Inc.
11578	40.76	Elizabethtown Gas
11579	18.99	Elizabethtown Gas
11580	50.00	Evelyn Stanley
11581	104.59	Fisher Elevtrical Contractors
11582	6,680.00	Florio, Perrucci, Steinhardt
11583	49.14	Gary W. Gray Trucking
11584	200.00	Girl Scout Troop 94411
11585	200.00	Girl Scout Troop 94476
11586	200.00	Girl Scout Troop 94967
11587	200.00	Girl Scout Troop 5014
11588	200.00	Girl Scout Troop 94330
11589	200.00	Girl Scout Troop 94884
11590	200.00	Girl Scout Troop 94339
11591	26.29	Hope Township
11592	99.00	Institute for Professional Dev.
11593	24.99	Jackie Hammel
11594	1,999.59	JCP&L
11595	1,958.33	Jersey Srt Stained Glass
11596	70.00	Kathleen Reinalda
11597	3,375.00	Maser Consulting, P.A.
11598	17,512.50	M.L. Ruberton Construction Inc.
11599	62.50	Moore Wallace North America
11600	150.00	Mr. John, Inc.
11601	3,242.00	N. Matera & Sons LLC
11602	107.00	NJ League of Municipalities
11603	949.74	NJ American Water Company
11604	16.34	NJN Publishing
11605	200.00	Patricia Mannon

11606	144.00	Pitney Bowes
11607	14,119.84	Precision Building & Constr
11608	55.00	QC Laboratories
11609	424.00	Riverbend Advertiser
11610	10,963.00	R.J. Doerr Col, LLC
11611	315.00	Robert Blease, DVM
11612	1,105.70	Robert Pallotta
11613	61.49	Sanico Inc.
11614	291.11	Signs & Safety Devices LLC
11615	165.00	S&L Equipment Rental, Inc.
11616	381.11	Smith Motor Company
11617	241.90	Staples Credit Plan Dept. 31
11618	29.00	TCTA of NJ
11619	200.00	Troop 94529
11620	122.15	Verizon Wireless
11621	550.00	Vital Communications
11622	15.00	Warren County
11623	200.00	White Twsp. School
11624	200.00	White Twsp. School Class Trip
11625	200.00	White Twsp. School Fundraiser
11626	548,495.00	White Twsp. Board of Education
11627	200.00	White Twsp. 8 th Grade Class
11628	375.00	William Gold, Esq.
11629	570.98	Xerox Corporation
Total Paid:	\$636,500.39	

CURRENT FUND MANUAL CHECKS

2051	159.00	Caesars
2052	24,439.12	Payroll Account
2053	14,588.68	Payroll Account

CAPITAL ACCOUNT

1402	3720.35	Maser Consulting
1403	22,322.67	Tilcon New York Inc.

BANK OF AMERICA ESCROW ACCOUNT

2418	1850.00	K&A Paving Contractors
2419	3750.00	Finelli Consulting Engineers
2420	32,353.62	Tilcon New York Inc.
2421	803.75	Maser Consulting P.A.

2422	218.75	Maser Consulting P.A.
2423	437.50	Maser Consulting P.A.
2424	1306.50	Maser Consulting P.A.
2425	95.00	Maser Consulting P.A.
2426	75.00	William Gold, Esq.
2427	262.50	William Gold Esq.
2428	187.50	William Gold Esq.
2429	569.80	Hatch Mott MacDonald

SEWER ACCOUNT

1171	1800.00	Warren County (PR) MUA
1172	80,253.00	Warren County (PR) MUA
1173	4850.00	Nisivoccia LLP
1174	50.00	Vital Communications

ANIMAL CONTROL ACCOUNT

1086	\$9.00	NJ Department of Health & Senior Services
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BONDS

634543	\$757.50	Maser Consulting P.A.
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GRAVEL PIT ESCROWS

174	\$186.00	Maser Consulting P.A.
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TOTAL ALL FUNDS.....\$831,545.63

On motion by Mrs. Mackey, seconded by Mr. Herb 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, October 13, 2011, 10:30pm.

Pending or Threatened Litigation
(Rodata)
(Garden State Landscaping)

Contract Negotiations
(PCFA)

Discussion of September 8, 2011 Executive Minutes

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. Herb, the meeting was re-opened to the public at 11:00pm. Motion passed.

OTHER MATTERS

Motion made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable roll call vote to authorize Attorney Tipton to prepare and send a letter to the resident at 450 Buckhorn Drive regarding the drainage pipe on the property. Herb – yes, Mackey – yes, Race – yes. Motion carried.

Motion made by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote to approve the September 8, 2011 Executive Session Meeting Minutes as presented. Herb – yes, Mackey – yes, Race – yes. Motion carried.

The clerk was asked to get the attendance records for the Zoning and Planning Boards in anticipation of the 2012 appointments.

ADJOURNMENT

Being no further business to come before the Committee, the meeting was adjourned at 11:05pm on motion by Mrs. Mackey, seconded by Mr. Herb and carried by unanimous favorable vote.

Respectfully Submitted,

Kathleen R. Reinalda, RMC
Township Clerk