

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
March 8, 2016 6:30 p.m.

This is a regular meeting of the Township Committee of Independence Township, Warren County, New Jersey. This meeting was called to order by Mayor Robert Giordano at 6:35 p.m. with the following announcement: "Adequate notice of this meeting was given in accordance with the Open Public Meetings Act by providing a schedule of regular meetings to the Star Gazette and The Express Times, posting a copy thereof on the Township bulletin board and filing a copy thereof in the office of the Municipal Clerk." The Pledge of Allegiance to the American Flag was led by Mayor Giordano.

ROLL CALL:

Present: Mayor Robert Giordano, Glenn Cogle, Carmen Feula, Bonnie Kelsey (7:05 pm), Deputy Mayor Glenn Williams, and Deborah Hrebenak. Also present was Attorney Leslie Parikh and Engineer Michael Finelli.

Absent: None recorded

BUDGET 2016: Mayor Giordano thanked the Committee for attending several budget sessions. The surplus was kept at \$670,000 with the total budget is \$4,184,322. This is an increase of 2.3 cents.

Resolution 16-29: 2016 Municipal Budget – see attached

A motion was made by Mr. Cogle to adopt this budget for 2016 as presented. Mr. Williams seconded the motion with roll call as follows:

Ayes: Mr. Feula, Mr. Cogle, Mr. Williams, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

Mr. Williams stated that there was a lot of time spent and a hard effort was made by all involved. Public comment will be heard at the next meeting.

MINUTES: The Minutes of the August 11, 2015 and December 1, 2015 were approved as written with a motion by Mr. Feula. Mr. Williams seconded the motion with roll call as follows:

Ayes: Mr. Feula, Mr. Williams, and Mayor Giordano

Nays: None recorded

Abstain: Mr. Cogle because of absence.

Motion carries with three (3) affirmative votes.

The Minutes of the July 14, 2015, September 8, 2015, November 4, 2015, November 10, 2015, January 30, 2016, and March 1, 2016 meetings were approved as written with a motion by Mr. Cogle. Mr. Feula seconded the motion with roll call as follows:

Ayes: Mr. Feula, Mr. Cogle, Mr. Williams, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

CONSENT AGENDA:

Resolution 16-27: Self-Exam of the Township 2016 Budget

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.S.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 thru 7.5, the Township of Independence 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 Township meets the necessary conditions to participate in the program for the 2016 budget year, so

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Independence that in accordance with N.J.A.C. 5:30-7.6a & b 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 nondisbursement 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 40A:4-45.3 et seq. are fully met. (Complies with the "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. 5:30-4 and 5:30-5.
4. That 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 be forwarded to the Director of the Division of Local Government Services.

Approved:

Vote recorded as follows:

Approved: 3.8.2016

Ayes: Feula, Kelsey, Williams, Cogle, Giordano

Resolution 16-28: Appropriation Transfers

WHEREAS, there appears to be insufficient funds in one or more reserve budget appropriations to meet the demand thereon for the balance of the reserve year; and

WHEREAS, there appears to be a surplus in one or more reserve budget appropriations over and above the demand deemed to be necessary for the balance of the reserve year;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Independence Warren County, New Jersey that in accordance with the provision of R.S. 40A: 4-58. that the Treasurer be and is hereby authorized and directed to make the following transfers:

	FROM	TO
Utilities o/e	\$3,500.00	
Legal O/E		\$1,500.00
Land Use Board O/E		\$1,000.00
Building & Grounds O/E		\$1,000.00
TOTALS	\$3,500.00	\$3,500.00

Resolution 16-30: RESOLUTION ESTABLISHING STIPEND FOR KEITH AIELLO AS INTERIM TOWNSHIP POLICE CHIEF

WHEREAS, a vacancy has occurred in the position of Township Police Chief as a result of the retirement of Chief Dennis Riley; and

WHEREAS, the Independence Township Committee has determined to appoint Keith Aiello as Interim Police Chief until a test is scheduled and the result of that test is known for the purpose of certifying the individual(s) eligible to be appointed as the new Police Chief of the Independence Township Police Department; and

WHEREAS, the Independence Township Committee has determined to pay Keith Aiello a stipend of \$500 per month for each and every month he serves as Interim Police Chief until the new permanent Police Chief is appointed;

NOW, THEREFORE, be it resolved on this 8th day of March 2016 that a stipend of \$500 per month is hereby authorized to be paid to Keith Aiello effective with the month of July 2016 and each and every month thereafter until a permanent Police Chief is sworn in which monthly payment shall be in addition to the salary and benefits he receives as a Sergeant in the Independence Township Police Department pursuant to the Township's current PBA contract.

Resolution 16-31: Independence First Aid Squad Tricky Tray Raffle

WHEREAS, Independence First Aid Squad is registered by the State of New Jersey to operate legalized games of chance, (253-10-20060) and,

WHEREAS, they have submitted an application for a Tricky Tray to be held on May 7, 2016 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 424 is issued to Independence First Aid Squad.

Resolution 16-32: Independence First Aid Squad 50/50 Raffle

WHEREAS, Independence First Aid Squad is registered by the State of New Jersey to operate legalized games of chance, (253-10-20060) and,

WHEREAS, they have submitted an application for a 50/50 Raffle to be held on May 7, 2016 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 425 be issued to Independence First Aid Squad.

A motion was made by Mr. Cogle to adopt Resolutions 16-27, 16-28, 16-30, 16-31, and 16-32 as read. Mr. Feula seconded the motion with roll call as follows:

Ayes: Mr. Feula, Mr. Cogle, Mr. Williams, and Mayor Giordano

Nays: None recorded
Abstain: None recorded
Motion carries with four (4) affirmative votes.

DEPARTMENT REPORTS:

Tax Collector – Reports were submitted

.Construction/Zoning – Reports were submitted.

Environmental – No report.

Treasurer – Budget was just done and the audit is complete. It will be ready for the April 5th meeting.

Recreation/Green Acres – John Cummins stated that no improvements to the Field of Dreams will be done without authorization. The fields are in use this spring through June. 61 participants in the softball program. \$875 from sponsors towards banners for the fields. Looking forward to a busy spring season.

Police – Report has been submitted. Chief Riley stated that they provided food to 2176 people. There was a monetary fine of \$30,000 to the State of NJ for Stage Dolls and the status of the license was discussed.

Emergency Services – Ms Hrebenak stated that new badges with photos will be issued from the County.

DPW – Report was submitted. Mr. Cogle announced that the new dump truck has arrived. It will make it safer for the operators.

Municipal Clerk: Regular meeting will be on April 5th at the same time. June 14th at 7 pm the school board will present Chief Riley with an award. As this is the date for our regular meeting, the June meeting will be held on June 8th.

Land Use Board – Mr. Feula stated that the Board is quiet.

Seniors – Nothing to report.

Board of Education – Nothing to report.

AWARDS: Chief Riley presented awards for dedication and lifesaving efforts as follows:

Life Saving Award: Sgt. Aiello, Sgt. Aber, Officer Somogyi, Officer Golluscio
Patriot Award: Sgt. Aiello, Officer Stocker
Exceptional Service Award: Officer Prell
Chief's Achievement Award: Officer Prell

PROFESSIONAL REPORTS:

Attorney Parikh: Report has been submitted. Nothing further just look over the by-laws for the Rec Committee. There will be a very short Executive Session tonight.

Engineer Finelli: Report has been submitted and will be reduced for next month. Roosevelt Avenue – met with County Planning Dept. concerning the parking lot and this will be started soon. Waste Water Management Plan – well aware of where they left off at the end of last year. Different options were discussed. The new regulations are moving forward and slated for adoption in June. These regs will allow for a partial WMP. The one problem with this is Liberty Square. There has been a lot of contact and the bottom line is that Art Robinson cannot get his HPAA permit unless they can submit a site specific amendment. He is not ready to get this permit. Mr. Robinson has not come in for site plan approval as of yet.

OLD BUSINESS: *Second Reading and Public Hearing of Ordinance 2016-01: Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (NJSA 40A:4-45.14.)*

A motion was made by Mr. Feula to open the meeting for public discussion on Ordinance 2016-01. Mr. Cogle seconded the motion with roll call as follows:

Ayes: Mr. Feula, Mr. Cogle, Mrs. Kelsey, Mr. Williams, and Mayor Giordano
Nays: None recorded
Abstain: None recorded

Motion carries with five (5) affirmative votes.

As no comments were heard, a motion was made by Mr. Cogle to close the public hearing. Mayor Giordano seconded the motion with roll call as follows:

Ayes: Mr. Feula, Mr. Cogle, Mrs. Kelsey, Mr. Williams, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

A motion to adopt Ordinance 2016-01 was made by Mr. Cogle. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Feula, Mr. Cogle, Mrs. Kelsey, Mr. Williams, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

NEW BUSINESS: *Introduce on First Reading Ordinance 2016-02:*

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED SALARIES AND COMPENSATION

Be It Ordained by the Township Committee of the Township of Independence, the following salary ranges, being established for Township employees for the year 2016.

Administration	
Mayor	\$ 3,000 - 7,000
Deputy Mayor	\$ 2,000- 5,000
Township Committee Member	\$ 1,200 – 3,000
Municipal Clerk/Registrar	\$ 50,000 - 85,000
Administrator	\$ 8,000-10,000
Tax and Finance	
Chief Financial Officer	\$ 20,000 – 40,000
Tax Collector	\$ 18,000 – 40,000
Tax Assessor	\$ 20,000 – 40,000
Payroll Clerk	\$ 1,500 – 3,500
P/T Clerical	\$ 13.00-18.00/hr.
Municipal Court	
Judge	\$ 10,000 – 20,000
Prosecutor	\$ 6,000- 12,000
Court Administrator	\$ 10,000 – 25,000
Clerk	\$ 500- 1,000
Public Works	
Supervisor	\$ 60,000 – 90,000
Truck Driver	\$ 15.00 – 30.00/hr.
Laborer	\$ 15.00 – 26.00/hr.
P/T Laborer	\$ 12.00-16.00/hr.
Building Janitor	\$ 12.00-16.00/hr.
Building – Zoning	
Construction Official/Fire Sub-Code Inspector/Building Sub-Code Official	\$ 20,000 – 25,000
Fire Sub-Code Official	\$ 3,000-4,000
Electrical Inspector	\$ 5,500-7,000
Plumbing Inspector	\$ 6,000-7,000
Zoning Officer	\$ 7,000 –15,000
Land Use Board Administrator	\$ 7,500-10,000

Recreation	
Recreation Administrator/ Senior Coordinator	\$ 20.00-27.00/hr.
P/T Laborer	\$ 14-16.00/hr.
Recycling	
Recycling Coordinator	\$ 500-1,500
Public Safety	
Police Chief	\$ 85,000 –112,000
Clerk-Typist	\$ 25,000 – 50,000
Emergency Management Coordinator	\$ 1,000 – 3,000
911 Coordinator	\$ 1,000 – 1,450
Police	
Lieutenant	\$ 92,439.62-96,174.18
Sergeant/1 st . Class	\$ 90,056.53-93,694.81
Patrolman	\$ 50,844.94-88,492.81
Probationary	\$ 41,616.00-43,297.29

A motion was made by Mrs. Kelsey to introduce Ordinance 2016-02 for first reading. Mr. Cogle seconded the motion with roll call as follows:

Ayes: Mr. Feula, Mr. Cogle, Mrs. Kelsey, Mr. Williams, and Mayor Giordano
Nays: None recorded
Abstain: None recorded

Motion carries with five (5) affirmative votes.
Second reading and public hearing will be at the April 5th meeting.

John and Danielle Seek of 152 Alphano Rd. They have water issues on their property with storm water coming down the side of the mountain. This issue was brought to the Township’s attention several times. The culverts were cleared of debris and obstruction. Mr. Seek described the erosion which followed a heavy rain in February. The Township did a repair after this rain. The culvert at the top is still obstructed. Mr. Feula stated that he went to the property with Allen Shimshook and suggested that Mr. Seek install a swail. Our DPW cannot go on private property.

Dan Petry of 161 Petersburg Rd. He has water coming off mountain like a waterfall. Backyard has sink holes. Mr. Feula, Mr. Cogle, and Mr. Shimshook will take a look at it and Mr. Petry will come back to the April 5th meeting.

PUBLIC COMMENT: Cindy Neumann asked about Liberty Square being able to build with the Highlands Act. She also asked about when the speed machine sign will be put on her road. Mr. Cullen asked about a shared service for the township’s website, he also asked about the township’s attendance at the Board of Education meeting as the B of E members were blaming the increase of taxes on this township. Patrick Campbell stated that from a personal point of view he feels that our police department goes over and above for the residents. Mr. Cogle asked about the status of a piece of property across from Cochran Funeral Home – it is in the Highlands.

BILLS: A motion was made by Mrs. Kelsey to pay the bills as presented. Mr. Feula seconded the motion with roll call as follows:

Ayes: Mr. Feula, Mr. Cogle, Mrs. Kelsey, Mr. Williams, and Mayor Giordano
Nays: None recorded
Abstain: None recorded

Motion carries with five (5) affirmative votes.

A five (5) minute break was taken at this time.

EXECUTIVE SESSION: 8:15pm – 9:45pm

WHEREAS: N.J.S. 2:4-12, Open Public Meetings Act, 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 Independence, County of Warren, State of New Jersey, as follows:

The public shall be excluded from discussion of the hereinafter specified subject matters;

The general nature of the subject matter to be discussed is as follows:

Legal issues

It is anticipated at this time that the above matter will be made public upon completion of the matter discussed.

This Resolution shall take effect immediately.

A motion was made by Mr. Feula to approve this Resolution at 8:15p.m., seconded by Mr. Cogle and followed by a roll call of all ayes.

A motion was made by Mr. Cogle at 9:45p.m. to exit the executive session, Mr. Feula seconded by followed by a roll call of all ayes.

Mayor Giordano stated that legal issues were discussed and no action will be taken at this time.

ADJOURNMENT: A motion was made by Mr. Feula to adjourn the meeting at 9:55p.m. Mr. Cogle seconded the motion with roll call as follows:

Ayes: Mr. Cogle, Mr. Feula, Mrs. Kelsey, Mr. Williams, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

Respectfully submitted,

Deborah M. Hrebenak, RMC/CMR
Municipal Clerk/Administrator