

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
April 5, 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 6:30 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, Deputy Mayor Glenn Williams (6:45 pm), and Debi Hrebenak. Also present was Attorney Leslie Parikh and Engineer Michael Finelli.

Absent: None recorded

EXECUTIVE SESSION: 6:30 pm – 7:10 pm

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:

Personnel

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. Cogle to approve this Resolution at 6:30 p.m., seconded by Mrs. Kelsey and followed by a roll call of all ayes.

A motion was made by Mr. Feula at 7:10 p.m. to exit the executive session, seconded by Mrs. Kelsey followed by a roll call of all ayes.

Mr. Feula stated that he want to thank the police department for realizing the constraints that the Township Committee is working under with the budget. Concessions were made and an amendment was made to the police contract. A motion was made by Mr. Feula to enter into a contract with the Independence Township Police Department as amended for the next three (3) years. 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.

RESOLUTION 16-41 - 2016 BUDGET: The Budget was presented at the March 8th meeting. A motion was made by Mr. Williams to open the Budget for public discussion. 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.

Sue Cullen asked what the increase would be. As no further comments were heard, a motion was made by Mr. Williams to close the public hearing. 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.

A motion was made by Mr. Williams to adopt the 2016 Budget 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.

GMR Superintendent David C. Mango and Business Administrator Tim Havlusch – 2016 Budget Presentation: A visual presentation was given. There is declining enrollment in Great Meadows. Looking at creating revenue and utilizing current educator's certifications. As of the 10/15/2015 report – Liberty percentage is up and Independence is down. Liberty school tax rate would increase \$27; Independence would increase \$10.41. The final budget will be submitted to the County office after the May 9th Board of Education meeting. Mayor Giordano asked if there would be any change in the State funding.

Mayor Giordano made announcements concerning upcoming events.

Independence First Aid Squad Correspondence 3/31/2016: The squad wanted to thank the Township Committee for the consideration in the budget.

DEP Correspondence: Applicant NJDEP/North Jersey Resource Conservation & Development, B29 Lot 28: Extension is given for the project on Alphano Road.

MINUTES: The Minutes of the January 12, 2016 meeting were approved as written with a motion by Mr. Feula. 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.

The Minutes of the February 2, 2016 meeting were approved as written with a motion by Mr. Feula, seconded by Mayor Giordano with roll call as follows:

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

Nays: None recorded

Abstain: Mrs. Kelsey and Mr. Williams because of absence.

The Minutes of the February 9, 2016 meeting were approved as written with a motion by Mrs. Kelsey, seconded by Mayor Giordano 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.

Proclamation of Congratulations to Dylan Maney - Eagle Scout Project: Mayor Giordano read the proclamation dated April 5, 2016.

CONSENT AGENDA:

Resolution 16-33: Tonnage Grant

Tonnage Grant Application Resolution-2015

- 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 such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of The Township of Independence 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 Independence that Independence Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Nancy Mason CRP 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.

Resolution 16-34: 50/50 Raffle Independence First Aid Squad

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 December 3, 2016 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 426 be issued to Independence First Aid Squad.

Resolution 16-35: Tricky Tray Independence First Aid Squad

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 December 5, 2016 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 427 be issued to Independence First Aid Squad.

Resolution 16-36: Liquor License Person-to-Person Transfer

WHEREAS, an application has been filed for a Person-To-Person Transfer of Plenary Retail Consumption w/Broad Package Privilege License Number 2112-32-002-003, heretofore issued to Peggy E. Stalford, Chapter 7,Trustee(John H Helgesen, III Bankruptcy) for premises located at 133 Route 46, Hackettstown N.J. 07840;

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 applicant is 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 license business;

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Independence does hereby approve, effective April 5, 2016, the transfer of the aforesaid Plenary Retail Consumption w/Broad Package Privilege License to Vasyl Osadtsia, 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 Vasyl Osadtsia, effective April 5, 2016.”

Resolution 16-37: Salaries 2016

Be It Resolved by the Independence Township Committee that the following salaries shall be paid to Township employees, effective January 1, 2016 unless otherwise noted.

Administration	
Mayor	\$ 6,983
Deputy Mayor	\$ 3,570
Township Committee Member	\$ 2,980
Municipal Clerk/Registrar	\$ 82,585
Administrator	\$ 9,642
Tax and Finance	
Chief Financial Officer	\$ 39,523
Tax Collector	\$ 24,070
Tax Assessor	\$ 29,226

Payroll Clerk	\$ 2,891
P/T Clerical(1)	\$ 17.00/hr.
Municipal Court	
Judge	\$ 16,926
Prosecutor	\$ 8,107
Court Administrator	\$ 13,701
Court Clerk	\$ 623
Public Works	
Supervisor	\$ 85,740
Truck Driver	\$ 26.75/hr.
Laborer	\$ 25.18/hr.
P/T Laborer	\$ 15.00/hr.
P/T Building Janitor	\$ 15.61/hr.
Construction/Zoning	
Construction Official/ Bldg. Sub Code Official Building Inspector	\$ 22,523
P/T Clerical	\$ 13.26/hr.
Fire SubCode Official	\$ 3,378
Electrical Inspector	\$ 40.80/hr.
Plumbing Sub Code Official	\$ 6,755
Zoning Official	\$ 14,077
Land Use Board Administrator	\$ 8,446
Recreation/Seniors	
Recreation Director/Senior Coordinator	\$ 25.00/hr.
P/T Laborer	\$ 15.00/hr.
Recycling	
Recycling Coordinator	\$ 1,040
Public Safety	
Chief of Police	\$ 111,180
Clerk-Typist	\$ 43,297
Emergency Management Coordinator	\$ 2,571
911 Coordinator	\$ 1,445
Police	
Lieutenant	\$ 92,439.62
Sergeant 1 st . Class	\$ 90,056.53
Patrolman 1 st . Class	\$ 85,056.53
Patrolman 2 nd . Class	\$ 80,486.19
Patrolman 3 rd . Class	\$ 73,103.64
Patrolman 4 th . Class	\$ 68,248.52
Patrolman 5 th . Class	\$ 63,398.01
Patrolman 6 th . Class	\$ 50,844.94
Probationary	\$ 41,616.00

Resolution 16-38: Lienholder Refund

The Tax Collector recommends to the Township Committee that the necessary administrative action be taken to authorize a refund to the following lienholder.

Block	Lot	Lien #	Name/Address	Lien Amount	Interest	Premium	Total Refund
29	36	2013-04	FWDSL & Associates LP 17 W Cliff St Somerville, NJ 08876	\$17,913.96	\$4,110.21	\$15,000.00	\$ 37,024.17
29	55	2015-03	FWDSL & Associates LP 17 W Cliff St Somerville, NJ 08876	\$ 4,622.80	\$ 167.06	\$ 100.00	\$ 4,889.86
Total amount to be refunded							\$ 41,914.03

Resolution 16-39: Approval Fire Department Member – Ryan Snyder

WHEREAS, there is a need for members on the Independence Volunteer Fire Department; and

Whereas, *Ryan Snyder* has made application for membership to the Fire Department and has been approved by the Membership Committee; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Independence, that *Ryan Snyder* is hereby approved as a member of the Independence Volunteer Fire Department.

Resolution 16-40: Appointment Centenary College Internship – Nicklaus Richter

BE IT RESOLVED by the Township Committee of the Township of Independence the following appointments/adjustments are hereby made:

Whereas the Township Committee recognizes the importance and the need for additional staffing in the Township of Independence Recreation Office to assist the Recreation Administrator, this is Centenary College Internship Program, that Nicklaus Richter, be appointed to serve as the Intern for the Recreation Department for 2016.

Resolution 16-42: Tricky Tray Allamuchy Township Education Foundation

WHEREAS, **Allamuchy Township Education Foundation** is registered by the State of New Jersey to operate legalized games of chance, (3-5-38546) and,

WHEREAS, they have submitted an application for a Tricky Tray to be held on May 20, 2016, and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 428 is issued to Allamuchy Township Education foundation.

Resolution 16-43: Annual Audit 2015

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the "*Municipal Clerk*" pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S.52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Independence, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

A motion was made by Mr. Williams to adopt Resolutions 16-33 through and including 16-40, 16-42 and 16-43 as read. 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.

DEPARTMENT REPORTS:

Tax Collector - Posted

Construction/Zoning – Reports were submitted.

Environmental – Clean-up on April 30th and May 1st.

Treasurer – Budget and Audit are done.

Recreation/Green Acres – John Cummins stated that \$1625 have come in through sponsorships to help maintain the fields. Positive feedback has been received on what is being done.

Police – Report has been submitted.

Emergency Services – Ms Hrebenak stated that the County has updated the system for street addresses.

DPW – Report was submitted.

Municipal Clerk: Just moving forward with the dog licenses. May 26th at the Senior Center is the presentation for the outstanding senior award by the County. The furnace/air conditioning unit cracked today.

Land Use Board – Mr. Feula stated that the Board unanimously denied the Kenco proposal and read the reasons why. A complaint was received concerning the lack of maintenance on the Roes Island property. Attorney Parikh will look into it.

Seniors – Nothing to report.

Board of Education – Presentation done earlier.

PROFESSIONAL REPORTS:

Attorney Parikh: Van Campen deed should be complete. She will be working with John Cummins on the by-laws and should have them ready for the next meeting.

Engineer Finelli: His report has been reduced. WMP status has not changed since last month. DOT grant award notices came out last week and we did not receive a grant.

OLD BUSINESS: *Second Reading and Public Hearing for Ordinance 2016-03: Salaries and Compensation:*

A motion was made by Mr. Cogle to open the meeting for public discussion on Ordinance 2016-03. 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.

As no comments were heard, a motion was made by Mr. Cogle to close the public hearing. 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 motion to adopt Ordinance 2016-03 was made by Mrs. Kelsey. 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.

NEW BUSINESS: None

PUBLIC COMMENT: Cindy Neumann asked about the operation of Stage Dolls. Joe Mailloux commented on the positive change to the Recreation program and the school budget. He also stated that he has no problem with the Committee. Susan Cullen asked about the recycling program. Jeff Cullen stated that he did in fact hear the president of the BOE make comments against this Committee.

BILLS: A motion was made by Mrs. Kelsey to pay the bills as presented. 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.

EXECUTIVE SESSION: 8:50 pm – 9:30 pm

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 Mrs. Kelsey to approve this Resolution at 8:50 p.m., seconded by Mr. Cogle and followed by a roll call of all ayes.

A motion was made by Mr. Cogle at 9:30 p.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. Williams to adjourn the meeting at 9:35 p.m. Mrs. Kelsey 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