

**INDEPENDENCE TOWNSHIP COMMITTEE**  
**Meeting held at the Municipal Building, Great Meadows, NJ.**  
**May 10, 2016                      7:00 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 7:01 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:** Glenn Cogle, Carmen Feula, Bonnie Kelsey (7:05 pm), Deputy Mayor Glenn Williams, Mayor Robert Giordano and Debi Hrebenak. Also present was Attorney Leslie Parikh and Engineer Michael Finelli.

**Absent:** None recorded

**AWARD:** Chief Riley presented Patrolman Somogyi with the Patriot Award for his dedication to duty

**Warren County Freeholder Deputy Jason Sarnoski:** Mayor Giordano asked Mr. Sarnoski to attend this meeting to address concerns over Kempco Corporation trying to turn our meadows into a swamp. The Freeholder board is also concerned about this. As this is a State project on State parklands regulated by the DEP, the County does not have jurisdiction. There is concern for the health of the community and the cost to maintain it. The Freeholder Board will assist in any way they can. Discussion ensued as to a resolution being drawn by the County.

**Public Comment:** Harry Noble – He does not feel the Community needs to be worried about this. Mr. Cogle stated that he is concerned because of the loss of farmland. Mr. Feula agreed. Susan Cullen asked how she can obtain this information from the DEP.

**DEPARTMENT REPORTS:**

Tax Collector - Posted

Construction/Zoning – Reports were submitted by email.

Environmental – Mr. Noble was present and stated that water testing has been concluded. Shredding was also completed.

Treasurer – Nothing to report.

Recreation/Green Acres – John Cummins stated that everything is going well. Warren County Girls Softball Tournament will be held this Sunday. We are working through some issues with food vendors. Relay for Life on May 20<sup>th</sup> – May 25<sup>th</sup>. Baseball equipment will be donated to make room in the storage area. \$1875 has been raised through sponsorships. Field Hockey sign-ups will start next month.

Police – Report has been submitted.

Emergency Services – Nothing to report.

DPW – Report was submitted. John Cummins noted that the DPW has worked very well with the Rec Committee in maintaining the fields. Mr. Shimchook stated his concerns about car racing in the parking lot at the Field of Dreams. Carmen Feula noted that there are damaged trees along the road. Mr. Shimchook will take care of this.

Municipal Clerk: Working on finalizing the security system.

Land Use Board – Nothing to report.

Seniors – Seniors will meet on May 26<sup>th</sup> at 9 am.

Board of Education – Mr. Williams gave a report.

**PROFESSIONAL REPORTS:**

Attorney Parikh: Nothing to discuss at this time. The sale of the property will take place at the conclusion of this meeting tonight.

Engineer Finelli: Very little is happening. The report is short with most of the items showing no change from last month. Mr. Williams noted concerns over construction on Johnson Road. This should be handled by a site plan before the Land Use Board. Engineer Finelli stated that Kevin Smith went out to the site and determined that this construction is not in any violation of land use laws. Sight distance, however, is an issue and the driveway should be moved to a different location. The DEP is involved with this.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**Introduce Ordinance 2016-04 for First Reading:**

***BOND ORDINANCE TO AUTHORIZE FUNDING FOR THE CONSTRUCTION COSTS AND OTHER ASSOCIATED COSTS (INCLUDING WITHOUT LIMITATION LEGAL, ARCHITECTURAL, ENGINEERING AND FINANCING COSTS) OF IMPROVEMENTS TO MUNICIPAL ROADS (RIDGE ROAD AND SHADES OF DEATH ROAD), IMPROVEMENTS AND RENOVATIONS TO THE MUNICIPAL BUILDING, AND PURCHASE OF FIRE DEPARTMENT EQUIPMENT, AS FURTHER DESCRIBED IN SAID ORDINANCE, BY THE TOWNSHIP OF INDEPENDENCE, WITH A TOTAL NEW APPROPRIATION OF \$275,000, CONSISTING OF A DOWN PAYMENT OF \$15,000 AS REQUIRED BY LAW, AND BONDS OR NOTES WHICH SHALL BE GENERAL OBLIGATIONS OF THE TOWNSHIP IN THE AMOUNT OF \$260,000.***

BE IT ORDAINED, by the Township Committee of the Township of Independence (the "Township"), in the County of Warren, New Jersey as follows:

**Section 1.** The Ridge Road/Shades of Death Road paving project, certain improvements and renovations to the Municipal Building, and the purchase of certain new Fire Department equipment, all in and for the Township, including all preliminary planning, analysis, design and financing, architectural and engineering costs and acquisition or transaction costs, as authorized by this ordinance, are hereby approved as general improvements to be made by the Township. For said purposes, this ordinance appropriates the sum of \$275,000, for project costs in connection with such projects, consisting of a down payment of \$15,000 and indebtedness of the Township of \$260,000.

**Section 2.** The Township Committee of the Township has ascertained and hereby determines that the purposes described in Section 1 and Section 3 hereof are not current expenses and are improvements which the Township may legally make as general improvements.

**Section 3.** The purposes herein referred to and hereby authorized and the purposes for the financing for which said obligations are to be issued, the appropriation made for and estimated costs as the maximum amount of money to be raised from all Township sources

for such purposes and the estimated amount of bonds and notes to be issued for such purposes are as follows:

**RIDGE ROAD/SHADES OF DEATH ROAD PAVING:** portions of these two roads of the Township to be paved in accordance with the plans and specifications provided by the Township Engineer, consisting of both Class B and Class C paving as provided in said plans, but using the shorter useful life of Class C paving pursuant to N.J.S. 40A:2-22(e)(2) for financing purposes only.

APPROPRIATION MADE HEREBY:	\$200,000
DOWN PAYMENT MADE HEREBY:	\$ 10,000
MAXIMUM AMOUNT OF BONDS OR NOTES:	\$190,000
ESTIMATED USEFUL LIFE:	5 years

**IMPROVEMENTS AND RENOVATIONS TO THE MUNICIPAL BUILDING, including without limitation a new HVAC system, furnace and security system and/or other similar improvements.**

APPROPRIATION MADE HEREBY:	\$56,240
DOWN PAYMENT MADE HEREBY:	\$ 3,240
MAXIMUM AMOUNT OF BONDS OR NOTES:	\$53,000
ESTIMATED USEFUL LIFE:	15 years

**PURCHASE OF EQUIPMENT FOR FIRE DEPARTMENT: purchase of new equipment, primarily but without limitation protective clothing (turnout gear) with a useful life of 5 years or more.**

APPROPRIATION MADE HEREBY:	\$ 18,760
DOWN PAYMENT MADE HEREBY:	\$ 1,760
MAXIMUM AMOUNT OF BONDS OR NOTES:	\$17,000
ESTIMATED USEFUL LIFE:	5 years

**Total for All Projects:**

<b>APPROPRIATION MADE HEREBY:</b>	<b>\$275,000</b>
<b>DOWN PAYMENT MADE HEREBY:</b>	<b>\$ 15,000</b>
<b>MAXIMUM AMOUNT OF BONDS OR NOTES:</b>	<b>\$260,000</b>
<b>WEIGHTED AVERAGE ESTIMATED USEFUL LIFE:</b>	<b>7.045 years</b>

For all projects, the amounts appropriated hereby include all preliminary planning, analysis, design and financing, architectural and engineering costs and acquisition or transaction costs, and any other related costs.

**Section 4.** The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$18,000.00 which is estimated to be necessary to finance the cost of such purpose, including accounting, legal expenses and architectural, engineering and other expenses, including interest on such obligations to the extent permitted by Section 40A:2-20 of the Local Bond Law of the State of New Jersey, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Additional amounts may be included in the various appropriations for architectural and engineering and other similar costs which are to be incurred as costs of said projects.

**Section 5.** It is hereby determined and stated that the amount of \$15,000 from the Capital Improvement Fund ("Reserve for Capital Improvements") of the Township is appropriated by this Ordinance to the payment of the cost of said purpose as the down payment required by Section 40A:20-11 of the Local Bond Law.

**Section 6.** To finance said purpose, bonds of the Township of an amount not exceeding \$260,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate or rates per annum as may hereafter be determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this Ordinance shall be determined by resolutions to be hereafter adopted.

**Section 7.** To finance said purpose, bond anticipation notes of the Township of an amount not exceeding \$260,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this Ordinance, the amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued.

**Section 8.** Each bond anticipation note issued pursuant to this Ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said notes shall be under the seal of the Township and attested by the Township Clerk, and shall be signed by the Mayor and by the Township Chief Financial Officer. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine all matters with respect to the issuance of notes authorized by this ordinance and also the power to sell said notes at private sale is hereby delegated to the Chief Financial Officer. Pursuant to law, the Chief Financial Officer shall report to the Township Committee in writing at its next meeting following the sale of any such notes, as to the terms of such sale, including the interest rate, maturity, identity of purchaser, and price paid (which shall not be less than the par amount).

**Section 9.** It is hereby determined and stated that the weighted average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable lives thereof computed from the date of said bonds authorized by this bond ordinance, is a period of not less than 7.045 years.

**Section 10.** It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of the Township, and that such statement so filed shows that the gross debt of the Township, and as defined in Section 40A:2-43 of the Local Bond Law, is increased by this Bond Ordinance by \$260,000 and that the issuance of the bonds and notes authorized by this Ordinance will be within all debt limitations prescribed by the Local Bond Law.

**Section 11.** While it is not specifically anticipated that amounts appropriated by this ordinance will be eligible for grant reimbursement, any funds that may in fact be received from the State of New Jersey, the County of Warren, or any of their agencies, or any funds received from the United States of America or any of its agencies, in aid of any of such purposes set forth above, shall be applied, to the extent permitted under applicable law, to the payment of the costs of such purpose, or, if bonds or bond anticipation notes have been issued, to the retirement thereof, and the amount of bonds and notes authorized hereby for such purpose shall be reduced accordingly.

**Section 12.** To the extent amounts for this project are not already provided for in a prior Capital Budget, Capital Budget Amendment or Temporary Capital Budget, a temporary capital budget for 2016 is hereby adopted (or, if a Capital Budget has already been adopted, it is hereby amended) containing such capital appropriation as shall conform with the provision of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the capital budget document(s) and capital program as approved by the Director, Division of Local Government Services are hereby approved and directed to be placed on file with the Township Clerk and available for public inspection.

**Section 13.** For purposes of Treasury Regulations Section 1.150-2, this Ordinance shall serve as the memorialization of the Municipality's official intent to authorize reimbursement of various capital expenditures and other types of expenditures set forth in Treasury Regulations Section 1.150-2(d)(3) paid or incurred by the Municipality for the purpose set forth herein prior to issuance of bonds or notes, from the proceeds of such obligations, when issued.

**Section 14.** This Ordinance shall take effect twenty days after the first publication thereof after final passage.

A motion was made by Mr. Feula to introduce Ordinance 2016-04 on 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.

Public hearing will be held on June 14<sup>th</sup>.

**PUBLIC COMMENT:**

John Cummins noted security concerns over Township personnel being alone in the Municipal Building after 2:30 pm. Robert Pace noted that he was able to get a copy of the school budget and has concerns. He was not able to state his concerns at the Board of Education meeting last night as the public comment portion was closed abruptly. Jeff Cullen stated that he was at the Board of Education meeting last night and it was very unprofessional. Mr. Williams made comments about the declining enrollment.

**BILLS:** A motion was made by Mr. Feula to pay the bills as presented. 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.

**ADJOURNMENT:** A motion was made by Mr. Cogle to adjourn the meeting at 8:15 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/Administrator