

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
June 14, 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 (7:10 pm), Deputy Mayor Glenn Williams, Mayor Robert Giordano and Debi Hrebenak. Also present was Attorney Tara St. Angelo and Engineer Michael Finelli.

Absent: None recorded

Sgt. Dave Aber Award: Mary Jo Harris of the Family Guidance Center spoke first. She is the Community Coalition Coordinator for the Coalition for Healthy & Safe Communities of Warren County. She spoke of the program and introduced Helen Carey who explained the award being presented to Sgt. Aber. The Committee members thanked Mrs. Carey for sharing the story of the death of her son. Chief Riley stated that if anyone has any unused drugs in their home, he will take them and bring them to Warren County.

CONSENT AGENDA:

Resolution 16-48: Approval of Fire Department Member (Joseph G. Mahal)

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

Whereas, Joseph G Mahal 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 Joseph G Mahal is hereby approved as a member of the Independence Volunteer Fire Department.

Resolution 16-49: Extension of Third Quarter Taxes

WHEREAS, the date of the mailing of the Independence Township tax bills cannot be determined at this time, and

WHEREAS, NJSA 54:4-66.3 provides that no interest shall be charged for a minimum of 25 days after tax bills are mailed or otherwise delivered,

NOW, THEREFORE BE IT RESOLVED by the Independence Township Committee as follows:

No interest shall be charged on 3rd quarter taxes, due August 1, 2016, if payment of said taxes is received by Independence Township on or before the 25th day after the date of a mailing as certified by the Tax Collector to the Municipal Clerk and provided further, however, that if any such payment is not received on or before the 25th day, interest at the usual rate will be charged from August 1, 2016.

Resolution 16-50: Tricky Tray – Hackettstown Community Hospital Foundation

WHEREAS, Hackettstown Community Hospital Foundation is registered by the State of New Jersey to operate legalized games of chance, (181-4-31694) and,

WHEREAS, they have submitted an application for a Tricky Tray Raffle to be held on 9.24.16 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 431 be issued to Hackettstown Community Hospital Foundation.

Resolution 16-51: Appointment OEM Coordinator – Sgt. Keith Aiello

BE IT RESOLVED by the Township Committee of the Township of Independence the following appointment is hereby made:

Keith Aiello-Office of Emergency Management Coordinator, at a rate of \$ 2,571.00 per annum. For a three (3) Year Term of office, commencing May 1, 2016 thru May 1, 2019

Resolution 16-52: Refund of Driveway Bond – Joel & Cheri Larsen Blk 17, Lot 59.06

WHEREAS, Joel & Cheri Larsen, posted a driveway bond for Block 17, Lot 59.06, 5 Laurel Court with the Township of Independence; and

WHEREAS, the Township Engineer has inspected the driveway and recommends the release of the driveway bond,

NOW, THEREFORE BE IT RESOLVED by the Independence Township that the driveway bond is refunded to Joel & Cheri Larsen in the amount of \$ 1,200.00

Resolution 16-53: 2016-2017 Renewal Liquor License

WHEREAS, the renewal applications for the following liquor licenses have been submitted to the Municipal Clerk with the proper fees, and

WHEREAS, Clearance certificates from the State Division of Taxation have been received by the Municipal Clerk for all of the licenses, and

WHEREAS, the Chief of Police has not indicated the need for special restrictions on any of the establishments,

NOW, THEREFORE, BE IT RESOLVED by the Independence Township Committee, that the following liquor licenses be renewed for the period of July 1, 2016 thru June 30, 2017:

Retail:

Zoey’s LLC	2112-33-001-012
Nykuns Store Inc The	2112-33-004-002
Top Of The Hill Entertainment LLC	2112-33-003-004

Club:

Independence Twp Vol Fire Dept	2112-31-010-001
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A motion was made by Mr. Cogle to approve Resolutions 16-48 through and including 16-53 as written. Mr. Feula seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

Mayor Giordano announced that there will be no workshop meetings for July, August, and September. They may have to have a special meeting to renew certain licenses.

DEPARTMENT REPORTS:

Tax Collector - Posted

Construction/Zoning – Reports were submitted by email.

Environmental – A meeting was held with Kenco Properties. The outcome is not known at this time.

Treasurer – Report is posted.

Recreation/Green Acres – John Cummins stated that everything is going well. A movie night will be held on September 9th. The 5K run went well with 150 participants. No field applications for the summer at this point. The basketball program was discussed. Dan Stroessenreuther stated that the decision the Committee made last year concerning the recreation program has worked out very well. Mr. Cogle asked about where the additional parking will be located.

Police – Report has been submitted. Chief Riley noted his concern over the entrance to the park. Discussion ensued as to the installation of speed bumps.

Emergency Services – Nothing to report.

DPW – Report was submitted. Mr. Cogle noted that they are trying to get Ridge Road completed. Mr. Cogle complimented the department for how nice the municipal building looked with the plantings for Election Day.

Municipal Clerk: Nothing to report.

Land Use Board – Mr. Feula noted their opposition to the DEP's installation of vernal pools. Mr. Williams added comments concerning the Woodlands Project with the DEP. There is positive movement. Mr. Williams also shared thoughts on the Rogers Transfer project after a meeting with attorneys.

Seniors – Ms Hrebenak stated that a senior citizen meeting was held to give out awards.

Board of Education – Nothing to report. Cindy Neumann discussed the cost of an outsource program that is being considered by the Board. Mr. Cullen questioned the split of 60/40 for salaries versus 50/50 for benefits to Independence.

Mike Doyle: 65 Ridge Road, Blk 19.01, Lot 12 – Storm Water impacts from existing cross drains. Mr. Doyle explained the erosion issue. A curb was built and during significant rain, water runs right over it and he is afraid that the water will be heading toward his house and enters the basement. Engineer Finelli said that his involvement has been minimal but he has received forwarded information from Ms Hrebenak. Finelli suggested he do some deed research to see if there was any reference to these cross drains. He found that back in 1990 there was a subdivision of the property and clearly, in that deed, there was a drainage easement given to the Township. This is all he has done to this point. Another batch of photos was received yesterday and Engineer Finelli documented his finding and sent it to Mr. Doyle. The Township has the right to utilize those drains with wording which noted that no changes will be made to this “legal piping”. These pipes empty onto the Doyle property. Mr. Doyle was told that because of this easement, it is his problem to control the outpouring of the water. Discussion ensued as to wording for approval before the Planning Board 20 years ago. It was suggested that he meet with the Land Use Board secretary to go into the archive files. Joann George was the secretary of the Planning Board at the time of this approval. Chief Riley noted that he has reports concerning this issue. Mayor Giordano noted that they will try to help Mr. Doyle as much as they can. Engineer Finelli suggested that they go ahead with the resurfacing first and then meet to see if there are issues that need to be addressed. Mr. Feula will meet with Mr. Doyle to explain the Township's timeframe.

PROFESSIONAL REPORTS:

Attorney St. Angelo: Nothing to discuss at this time. Two items for executive session. Rec Committee by-laws should be rephrased concerning the employee otherwise the by-laws are fine. Disposal of old baseball equipment can be donated by a simple resolution as per the Local Public Contracts Law.

Engineer Finelli: Follow-up on Woodmont and Liberty Square. Letters were received from the DEP which solve some problems which we knew were out there. The new regs for Stormwater Management are getting closer to adoption.

Stormwater Pollution Prevention Plan is a requirement of the DEP. Updates were completed and a motion is needed to approve the SPPP drafted by Finelli Consulting dated June 2016. Mayor Giordano made the motion and it was seconded by Mr. Feula. Roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

Mr. Feula asked about the Owens Properties LLC letter. Engineer Finelli stated that this is a letter from Mr. Robinson to the Township basically stating that he needs to make a site specific amendment to the Independence Township WMP. This will continue to move the project forward. \$2,000 will need to be deposited into the escrow fund.

OLD BUSINESS: Second Reading/Public Hearing Ordinance 2016-04:

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.

A motion was made by Mr. Feula to open Ordinance 2016-04 for public discussion. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

Mr. Pace asked if Ridge Road will be paved. It was done approximately 5 years ago and Mr. Cummins believes that it was done with a DOT grant. The resurfacing should last 15 years however it is already falling apart. Engineer Finelli will look into this. Mr. Pace noted that whoever did the work on Russling Road did a great job.

A motion was made by Mr. Cogle 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. Cogle to adopt Ordinance 2016-04 as written. 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.

Mayor James Kern, Township of Pohatcong Resolution-Opposition to Motor Fuel Tax Increase. A motion was made by Mr. Feula to support the resolution presented by the Township of Pohatcong. Mr. Cogle seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

PAIC Survey of Township Facilities and Playground: Ms Hrebenak forwarded this over to Mr. Cummins. The Township does have to comply with this. Discussion ensued as to the contents of the survey.

PUBLIC COMMENT:

Mr. Case commented on the gas tax increase which is not dedicated. Mr. Cogle asked about the cost of the resolution to donate our baseball items. Attorney St. Angelo suggested they Google other township's resolution and copy them. Therefore, the resolution will be drawn by the Committee rather than the attorney's office.

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.

EXECUTIVE SESSION:

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. Williams to approve this Resolution at 9:05 p.m., seconded by Mrs. Kelsey 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 they were in Executive Session discussing the Township's COAH obligation. Outcome will be released as soon as it is known.

Civil Service Exam: Mr. Cogle made a motion that they do not offer training for the lieutenant position. Mr. Feula seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

Change in Police Contract: Capping for regular retirement. Mayor Giordano made a motion to accept the change as written. Mr. Cogle seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

Mayor Giordano stated that a meeting may have to be called before July 1st to renew licenses. Mr. Cogle and Mrs. Kelsey will not be available for the August meeting.

ADJOURNMENT: A motion was made by Mr. Cogle to adjourn the meeting at 10:00 p.m. 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.

Respectfully submitted,

Deborah M. Hrebenak, RMC/CMR
Municipal Clerk