

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
September 13, 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: Glenn Cogle, Carmen Feula, Bonnie Kelsey (6:55 pm), Deputy Mayor Glenn Williams (6:40 pm), Mayor Robert Giordano and Debi Hrebenak. Also present was Attorney Richard Cushing and Engineer Michael Finelli.

Absent: None recorded

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:

Litigation

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 6:35 pm., seconded by Mr. Feula and followed by a roll call of all ayes.

Mr. Williams and Mrs. Kelsey joined this executive session at 6:40 and 6:55 pm.

A motion was made by Mr. Cogle at 7:25 p.m. to exit the executive session, Mr. Feula seconded by followed by a roll call of all ayes.

Mr. Giordano stated that the executive session was to discuss litigation and no action will be taken at this time.

Mr. Cross, Asbury Road: A letter was received, dated September 9th, from Finelli's office. Engineer Finelli stated that he looked at the requirements for a driveway permit. The issue was the site distance. Mr. Cross, along with his engineer, replotted the plan (added the mirror and specs). It appears that the applicant will be able to accommodate the comments which would then allow for the issuance of the driveway permit. Discussion ensued as to warning signs and safety steps that should be taken during the building process. A motion was made by Mr. Feula to authorize Attorney Cushing to prepare a resolution to document the Committee's approval concerning the deviation from the driveway requirements noting the agreement with the neighbor to solve the line of sight issue. Also, to authorize Finelli's office to issue a conditional driveway permit

upon the submission of revised plans which would then give Mr. Cross the ability to start the building permit process. 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.

PROCLAMATION: National Domestic Violence Awareness Month, October 2016. Jess Mickley was present and thanked the Township for their support.

MINUTE APPROVAL: 3/8/16, 4/5/16, 5/10/16, 6/14/16, and 7/12/16.

The Minutes of the March 8, 2016 meeting were approved as written with a motion by Mr. Feula, seconded by Mrs. Kelsey 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.

The Minutes of the April 5, 2016 meeting were approved as revised with a motion by Mr. Cogle, seconded Mr. Feula 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.

The Minutes of the May 10, 2016 meeting were approved as written with a motion by Mr. Cogle, seconded by Mrs. Kelsey 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.

The Minutes of the June 14, 2016 meeting were approved as revised by motion of Mr. Cogle, seconded by Mrs. Kelsey 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.

The Minutes of the July 12, 2016 meeting were approved as written by motion of Mr. Cogle, seconded by Mrs. Kelsey 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.

CONSENT AGENDA:

Resolution 16-64: Resolution Authorizing the Township of Independence to Join the Warren County Prosecutor's Initiative Regarding the GXP Mapping Software.

BE IT RESOLVED, that the Township Committee of Independence Township hereby authorizes the Township of Independence to join the Warren County Prosecutor's initiative regarding the GXP mapping software program with a one-time expenditure not exceed \$1,500.

Resolution 16-65: Warren County Hazard Mitigation Plan

WHEREAS the Township of Independence, Warren County, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a *Hazard Mitigation Plan* (HMP) has been developed by the Mitigation Steering and Planning Committees;

WHEREAS the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the Warren County website so as to introduce the planning concept and to solicit questions and comments; and to present the HMP and request comments, as required by law, and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence:

1. The *Warren County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on April 29, 2016* by the Warren County Department of Public Safety/Office of Emergency Management is hereby adopted as an official plan of the Township of Independence; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Township of Independence departments identified in the HMP are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the HMP shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Township of Independence, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Warren County Deputy Public Safety Director and Deputy Office of Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Warren County Department of Public Safety/Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

Resolution 16-66: Authorizing a Master Public Works Shared Services Agreement for Sharing Public Works Equipment between Warren County and the Township of Independence.

WHEREAS, under the Uniform Shared Services & Consolidation Act N.J.S.A. 40A:65-1 et seq., the County of Warren is authorized to offer public works equipment

and public works employees provided by the County to the Township of Independence for public works services, general maintenance and other related services; and

WHEREAS, the County of Warren is desirous of providing those services to the Township of Independence in accordance with the terms of an agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Independence, County of Warren and State of New Jersey do hereby accept this offer and authorize the Mayor to execute the agreement provided by the Warren County Board of Chosen Freeholders.

Resolution 16-67: Appointment of Substitute Prosecutors

WHEREAS, Warren County Prosecutor Richard Burke has directed Independence Township Prosecutor Roger J Skoog to add all other Warren County Municipal Prosecutors as substitute Prosecutors in the event that the Municipal Prosecutor is unavailable, and

WHEREAS, Municipal Prosecutor Roger J Skoog has submitted a list of substitute Municipal Prosecutors for Independence Township including the following:

Chris Troxell
James Pfeiffer
Richard Ralph
James Sloan
Steve Siegel
James Janci

NOW, THEREFORE BE IT RESOLVED that the following individuals be appointed Substitute Prosecutors for the Township Of Independence.

Resolution 16-68: RESOLUTION IN SUPPORT OF REALIGNING THE WARREN COUNTY AGRICULTURE DEVELOPMENT AREA (ADA) IN INDEPENDENCE TOWNSHIP

WHEREAS, in order to enhance the agriculture industry in Independence Township and promote the viability same through farmland preservation, the Independence Township Committee supports the realignment of the Warren County Agriculture Development Area (ADA) within Independence Township. The proposed change will add approximately 66.25 acres of contiguous farmland assessed property to the County ADA.

The proposed area includes the following properties:

- Greco – Block 16, Lot 1 (consisting of approximately 34.96 acres)
- Greco – Block 17, Lot 56 (consisting of approximately 19.12 acres)
- Greco – Block 17, Lot 56.01 (consisting of approximately 10.16 acres)
- Greco – Block 17, Lot 56.06 (consisting of approximately 2.01 acres)

The impetus for modification is landowner interest in preserving the property (Block 16 Lot 1 and Block 17 Lot 56, Block 17 Lot 56.01, Block 17 Lot 56.06 in Independence Township). This 66.25-acre farm appears to meet the eligibility criteria for farmland preservation and the Warren County Land Preservation Department is currently assisting the landowner with a possible application to the State Agriculture Development Committee (SADC) Farmland Preservation Program. In order to proceed with this application, however, the property must be added to the County ADA.

THEREFORE, BE IT RESOLVED that Independence Township hereby adopts this resolution in support of adding the above referenced properties to the Warren County ADA.

Resolution 16-69: Liquor License Renewal Vasyl Osadtsia 2112-32-002-006

Title or Subject: Special Ruling To Permit Renewal of Inactive License Pursuant To NJSA 33:1-12.39 For The 2016-2017 and 2017-2018 License Term

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,

WHEREAS, the licensee has received a special ruling from the Director of ABC pursuant to NJSA 33:1-12.39 to issue a new license for license term 2016-2017, and

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

Retail:

Vasyl Osadtsia 2112-32-002-006

Resolution 16-70: Raffle License Knights of Columbus Sts. Peter & Paul Council 10322.

Title: 50/50

WHEREAS, Knights of Columbus, Council 10322 is registered by the State of New Jersey to operate legalized games of chance, (253-6-37671) and,

WHEREAS, they have submitted an application for a 50/50 to be held on December 11, 2016 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 433 be issued to Knights of Columbus, Council 10322.

A motion was made by Mr. Feula to approve Resolutions 16-64 through and including 16-70 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.

DEPARTMENT REPORTS:

Tax Collector - Posted

Construction/Zoning – Ms Hrebenak reported Zoning Officer Diehl sent a violation notice to Anlas/Weiss Partnership 221 RT. # 46, Block 22/ Lot 12 with multiple violations. John Cummins gave the background on this issue. The zoning officer is reviewing this. Issues with two other properties were discussed.

Recreation/Green Acres – John Cummins stated that Fall registrations have started and are available online. Movie night is being held and all programs are moving forward.

Police – Report has been submitted.

Emergency Services – In compliance with all regulations at this time. Rescue Squad has received their new rig.

DPW – Report was submitted. Fixing Roosevelt at this time and all projects are on schedule.

Municipal Clerk: Ms Hrebenak stated that they are working on the new website.

Land Use Board – Mr. Feula stated that he will discuss litigation in Executive Session.

Seniors – Mr. Cummins man stated that they have been meeting on a regular basis.

Board of Education – Ms Hrebenak stated that Mr. Mango is ready to meet with the Committee. Mr. Williams noted that GMR will get less funding this year as per an article in the Star Ledger.

PROFESSIONAL REPORTS:

Attorney Cushing: Report submitted by Attorney Parikh. Executive session is required.

Engineer Finelli: Report submitted.

OLD BUSINESS:

Second Reading/Public Hearing – Ordinance 2016-05 An Ordinance to Amend an Ordinance Entitled Salaries and Compensation. A motion was made by Mr. Feula to open the public hearing for Ordinance 2016-05. 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.

Hearing no comments, a motion was made by Mr. Feula to close the public hearing. 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.

A motion was made by Mr. Feula to adopt Ordinance 2016-5 as written. 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.

PUBLIC COMMENT:

Cindy Neumann stated that the County needs to clean up the PCFA building. Engineer Finelli will mention that to them.

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:

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WHEREAS, this public body is of the opinion that such circumstances presently exist:

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Litigation

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 8:30 pm., seconded by Mr. Cogle and followed by a roll call of all ayes.

A motion was made by Mr. Cogle at 9:00 p.m. to exit the executive session, Mr. Feula seconded by followed by a roll call of all ayes.

Mr. Giordano stated that the executive session was to discuss litigation and no action will be taken at this time.

ADJOURNMENT: A motion was made by Mr. Williams to adjourn the meeting at 9:05 p.m. 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.

Respectfully submitted,

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