

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
July 14, 2015 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: Mayor Robert Giordano, Deputy Mayor Glenn Williams, Glenn Cogle, Carmen Feula, Bonnie Kelsey, Debi Hrebenak. Also present were Attorney Leslie Parikh and Engineer Michael Finelli

Absent: None recorded

RECREATION COMMISSION APPOINTMENTS – Temporary Basis

David Sawicki – unexpired term Re expiring 12/31/2017
James O'Donnell – unexpired term Rothman expiring 12/31/2016
John Cummins – unexpired term Russack expiring 12/31/2016
Allison Kitchen – unexpired term Bishop expiring 12/31/2015
Dan Stroessenreuther – unexpired term Tagliareni 12/31/2015
Matthew DeGregoris – Alt. 1 unexpired term Sawicki 12/31/2015
Cathleen Rafalko – Alt. 2 – unexpired term Danza 12/31/2016

Mayor Giordano made the above appointments to be served on a temporary basis.

MINUTES: A motion was made by Mr. Feula to approve the Minutes of regular meetings held on 4-7-15, 4-14-15, and 5-05-15 as written. Mr. Cogle seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

A motion was made by Mr. Feula to approve the Executive Session Minutes of 1-06-15, 1-31-05, 03-03-15, 3-10-15, 4-07-15, 4-14-15, 5-05-15, and 5-12-15 as written. Mr. Cogle seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

CONSENT AGENDA:

Resolution 15-52: 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, 2015, 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, 2015.

Resolution 15-53: 50/50 Raffle Easter Seals

WHEREAS, Easter Seals New Jersey Inc. is registered by the State of New Jersey to operate legalized games of chance, (114-4-19531) and,

WHEREAS, they have submitted an application for a Raffle to be held on August 5, 2015 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 414 be issued to Easter Seals New Jersey Inc.

Resolution 15-54: Renewal of Liquor Licenses 3015-2016

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, 2015 thru June 30, 2016:

Retail:

Top Of The Hill Entertainment LLC	2112-33-003-004
Grow With Map, Inc.	2112-44-009-003
Peggy Stalford Chapter 7 Trustee for John H Helgesen III	2112-32-002-005
Independence Township Vol. Fire Dept.	2112-31-010-001
Niles, LLC	2112-33-005-008
Stage Dolls	2112-33-006-009

Resolution 15-55: Liquor License Person to Person Transfer

WHEREAS, an application has been filed for a Person-To-Person Transfer of Plenary Retail Consumption License Number 2112-33-001-010, heretofore issued to Giller Peter 1 for premises located at 86 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 July 14, 2015, the transfer of the aforesaid Plenary Retail Consumption License to Zoeyes LLC, 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 Zoeyes LLC, effective July 14, 2015."

A motion was made by Mr. Cogle to adopt Resolutions 15-52 through and included 15-55 as written. Deputy Mayor Williams seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

DEPARTMENT REPORTS:

Tax Collector - submitted

Construction/Zoning – report received by email.

Environmental – Minutes were received.

Treasurer – No report

Recreation/Green Acres – Nothing to report.

Police – Report has been submitted. Chief Riley mentioned that he received a call from Mark Kelly and he is awaiting one more engineers report for the Municipal Building concerning the gas line and the DPW garage. He should have it by the end of this week.

Emergency Services – No report.

DPW – Report was submitted.

Municipal Clerk - Nothing extra to report.

Land Use Board – Mr. Feula stated that a subcommittee has been formed to draft an ordinance to address farmland being moved into wetlands mitigation.

Seniors – Mrs. Walter gave a report.

Board of Education – Mr. Williams attended the last meeting. Spoke with the superintendent about the preliminary regionalization studies that are being initiated again.

Water Issues: Miss LaMont – Bad storms have caused water coming out of the pipe shooting straight up into the air – it has created a dam and now the dirt and rocks are coming onto her property. It created revenue in her driveway. The only suggestion is to build up on the berm on her side of revenue – most of it is out of the Township's right-away. Allen Shimshook noted that a neighbor kept filling in the pipe and he extended that pipe which channeled the water further into the property. They could remove the extended pipe and that may help.

Miss Carr – Explained her water problem that has been going on for about 3 years now. A river of water extends across her back yard flooding her basement and flooding her well and yard. Comes down from Ridge Road and washes down her driveway. Can this water be diverted? Mr. Feula, Mr. Cogle, and Mr. Shimshook will look at both properties to see if something can be done.

Harry Knoble – He is interested in purchasing the property adjacent to his. It is owned by the Township. The property was accessed by the Township's tax assessor in 2014 showing the sheds at \$7500, the land \$11,600 with a total value of \$19,400. There are storage trailers on the property. This is not a buildable lot. Attorney Parikh will look at the options for the sale of this property.

PROFESSIONAL REPORTS:

Attorney Parikh: Nothing to Report.

Engineer Finelli: Engineer Finelli has submitted a report and noted that Russling Road has been on hold.

A question arose as to an application from Mr. Rogers to the Land Use Board. Ms Hrebenak stated that Ricky Rogers got all approvals from the Land Use Board.

OLD BUSINESS: None

NEW BUSINESS:

Ordinance 2015-14: Introduction/First Reading

AN ORDINANCE OF THE TOWNSHIP OF INDEPENDENCE, COUNTY OF WARREN, STATE OF NEW JERSEY, DISOLVING THE INDEPENDENCE TOWNSHIP RECREATION COMMISSION, AND IN IT'S PLACE AND STEAD, CREATING THE INDEPENDENCE TOWNSHIP RECREATION COMMITTEE

WHEREAS, the Independence Township Committee ("Township Committee") has evaluated the continued need for a Recreation Commission; and

WHEREAS, the Township Committee has determined that there is no longer a need for a Recreation Commission and that it would be in the best interests of the Township to establish a Recreation Committee to effectively oversee the recreational needs of the residents of the Township; and

WHEREAS, the Township Committee is now desirous of dissolving the Recreation Commission and establishing in its place a Recreation Committee.

NOW, THEREFORE, BE IT ORDAINED by the Committee of the Township of Independence, County of Warren, State of New Jersey, as follows:

Section 1

The Title of Chapter 76 of the Township Code is amended to read as follows: "Recreation Committee"

Chapter 76

The existing Chapter 76 of the Township Code is repealed in its entirety, and the following new Chapter 76 is adopted in its place and stead as follows:

§ 76-1 Committee created; title; membership; term; vacancies;

- A. Pursuant to the authority vested in the Committee of the Township of Independence, there is hereby established a Recreation Committee to be known as the "Independence Township Recreation Committee" which shall consist of at least five (5) members, but not more than nine (9) members, as determined and appointed by the Mayor upon the advice and consent of the Township Committee, one of whom shall be a member of the Township Committee and one of whom shall be a member of the Board of Education. All members of the Independence Township Recreation Committee shall be residents of Independence Township. The members of said Independence Township Recreation Committee shall serve without compensation.
- B. The Recreation Committee shall annually designate one of the members to serve as Chairman and presiding officer of the Recreation Committee. The terms of office of the first Recreation Committee members shall be for one, two or three years and thereafter, the terms of office of Recreation Committee members shall be for staggered three year terms. The members of the Recreation Committee shall serve at the will of the Township Committee. Township Committee may remove any member of the Recreation Committee with or without cause, upon written notice and after a hearing at which the member shall be entitled to be heard in person by the Township Committee.
- C. The Recreation Committee may adopt bylaws for its administration and

establish rules and regulations for its activities; provided, however, that such bylaws, rules, and regulations shall be subject to the approval of the Township Committee.

- D. A vacancy on the Recreation Committee occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

§ 76-2 Powers, Duties and Activities

The Recreation Committee shall provide for recreational opportunities for the residents of Independence Township. The Recreation Committee shall make nonbinding recommendations to the governing body as to community events, as well as with respect to enhancements and improvements to any Township owned property for recreational activities. These nonbinding recommendations may consist of fundraising, operations, crowd control, costs and other activities related to the management of community recreational events or projects. The Recreation Committee shall also perform the following functions:

- A. In conjunction with and under the supervision of the Recreation Leader/Director and Township Committee, supervise methods and arrangements for the proper maintenance and care of the lands and improvements on the Township Recreation fields and parks and all structures thereon now or hereafter owned by the Township.
- B. Advise the Recreation Leader/Director in the coordination of programs, the development of new initiatives, and the management of existing programs
- C. Recommend to the Township Committee a schedule of fees and charges to be made for the use of playground or recreational places for utilizing facilities, use of purchase of equipment and uniforms, participating in organized sports and activities and for such other purposes as may be deemed reasonable and proper by the Township Committee.
- D. Maintain communications with recreational organizations in order to coordinate the use of facilities, and establish consistent policies and cooperation among various groups.
- E. Develop guidelines for the recreational use of playgrounds and recreational facilities in the Township, consistent with rules governing the use thereof as may be adopted from time to time by the Mayor and Township Committee.
- F. Encourage and plan special entertainment activities for all the citizens of the Township throughout the year.
- G. Maintain communication with other municipal bodies to minimize duplication of efforts and to foster joint programs.
- H. The Recreation Committee may make recommendations to the Recreation Leader/Director as to the establishment of any new staff positions it deems necessary for the successful operation of the Township's recreation programs. The responsibility for the hiring of such employees shall be vested with the Township Committee. Any such employees shall be under the immediate supervision of the Recreation Leader/Director, who, in turn, shall be under the supervision of the Township Administrator and Township Committee.
- I. The Recreation Committee shall in all respects operate through and under the direction of the Township Committee in accordance with the administrative procedures and regulations of the Code of the Township of Independence. However, the Recreation Committee and its members shall have no power to take any action on behalf of the Township of Independence or to take any other action, other than what is set forth within this subsection.

Ayes: Deputy Mayor Williams, Mr. Cogle, Mr. Feula, Mrs. Kelsey, Mayor Giordano
Nays: None recorded
Abstain: None recorded
Motion carries with five (5) affirmative votes.

EXECUTIVE SESSION: 8:55 pm – 9:22 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 matters

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 8:55 p.m., seconded by Mr. Feula and followed by a roll call of all ayes.

A motion was made by Mr. Feula at 9:22 p.m. to exit the executive session, seconded by Mayor Giordano followed by a roll call of all ayes.

Mayor Giordano stated that the first item discussed was personnel (retirement of Recreation Leader) and the second was replacement of some of the police cars. 2012 Chevy Caprices will be out of warranty and to avoid further expenses it is feasible to trade these in for 2015 vehicles. A motion was made by Mr. Cogle that in order to avoid the liability as discussed that the Township lease the 2015 vehicles. Mr. Feula seconded the motion with roll call as follows:

Ayes: Deputy Mayor Williams, Mr. Cogle, Mr. Feula, Mrs. Kelsey, Mayor Giordano
Nays: None recorded
Abstain: None recorded
Motion carries with five (5) affirmative votes.

A motion was made by Mr. Cogle to hire Cory Kozimor for a part-time position with the Recreation Committee as leader at 20 hours per week, \$15 per hour. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Deputy Mayor Williams, Mr. Cogle, Mr. Feula, Mrs. Kelsey, Mayor Giordano
Nays: None recorded
Abstain: None recorded
Motion carries with five (5) affirmative votes.

ADJOURNMENT: A motion was made by Mr. Feula to adjourn the meeting at 9:25 p.m. Mrs. Kelsey seconded the motion with roll call as follows:

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

Motion carries with five (5) affirmative votes.

Respectfully submitted,

Deborah M. Hrebenak, RMC/CMR
Municipal Clerk