

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
August 11, 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 7:00 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, Carmen Feula, Bonnie Kelsey, Debi Hrebenak. Also present were Attorney Leslie Parikh and Engineer Michael Finelli

Absent: Glenn Cogle

MINUTES: A motion was made by Mayor Giordano to approve the Minutes of 7.31.15 as written. Mr. Feula seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

CONSENT AGENDA:

Resolution 15-58:

**Proclamation / Resolution Supporting the *Drive Sober or Get Pulled Over*
2015 Statewide Crackdown**

Whereas, approximately one-third of all fatal traffic crashes in the United States involve drunk drivers; and

Whereas, impaired driving crashes cost the United States almost \$50 Billion a year; and

Whereas, 27% of motor vehicle fatalities in New Jersey in 2013 were alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2015 Statewide Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from August 21 through September 7, 2015; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be is resolved that Independence Township declares it's support for the Drive Sober or Get Pulled Over 2015 Statewide Crackdown from August 21 through September 7,2015 and pledges to increase awareness of the dangers of drinking and driving.

A motion was made by Mr. Feula to adopt Resolution 15-58 as written. Mayor Giordano seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

DEPARTMENT REPORTS:

Tax Collector - submitted

Construction/Zoning – submitted

Environmental – George Ulmer stated water stream testing will be done, also reported problem with Pio Costa large pile of brush in flood zone; Elizabethtown Gas Company never charged Vienna United Methodist Church for Gas hook up; the Food Pantry feed 675 people so far this year, 470 bags prepared

Treasurer – No report

Recreation/Green Acres – Discussion on a joint Recreation Committee with Liberty Township more information to follow

Police – submitted

Emergency Services – No report.

DPW – submitted/Liberty Township will purchase Dump Truck for \$ 5,000

Municipal Clerk- submitted

Land Use Board – Mr. Feula spoke of Woodmont Properties

Seniors – Mr. Walter gave a report/reported a situation at the Food Pantry

Board of Education – Nothing to report.

PROFESSIONAL REPORTS:

Attorney Parikh: Report submitted/Executive Session requested

Engineer Finelli: Report Submitted/DOT Grant Application is due October 20, 2015 for 2016. Mr. Finelli needs approval to bid the Russling Road project.

A motion was made by Mr. Feula to approve the DOT Grant application for Mt. Rascal Road (Hackettstown End) and Russling Road (next section). Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

A motion was made by Mrs. Kelsey to approve Mr. Finelli to bid the Russling Road project. Mr. Feula seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

OLD BUSINESS:

Harry Noble-B 10/1 22.0239 Petersburg Road

Chief Riley to remove the confidential information with Warren County

Kelly Lamont-B1/1 05 93 Russling Road

Carmen and Glenn Cougle to discuss issues with homeowner

Ceri Carr-B 8/L 26

115 Mt. Rascal Road

Carmen and Glenn Cogle to discuss issues with homeowner

Second Reading/Public Comment

**Ordinance 2015-04
AN ORDINANCE OF THE TOWNSHIP OF
INDEPENDENCE, COUNTY OF WARREN,
STATE OF NEW JERSEY, DISOLVING THE
INDEPENDENCE TOWNSHIP RECREATION
COMMISSION, AND IN ITS PLACE AND STEAD,
CREATING THE INDEPENDENCE TOWNSHIP
RECREATION COMMITTEE**

A motion was made by Mr. Feula to open Ordinance 2015-04 for public discussion. Deputy Mayor Williams seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

Public comment-Mr. Cullen questioned how many members.

A motion was made by Deputy Mayor Williams to close the public hearing. Mr. Feula seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

A motion was made by Mr. Feula to adopt Ordinance 2015-04 as presented.

Deputy Mayor Williams seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

Resolution 15-59: Recreation Committee Members Term of Office

WHEREAS, the Code of the Township of Independence specifically, §76-1 et. seq, provides that the Recreation Committee shall consist of up to nine (9) Committee Members, all of whom shall be appointed by the Mayor upon the advice and consent of the Township Committee; and

WHEREAS, vacancies presently exist in the membership of the Township of Independence Recreation Committee; and

WHEREAS, since this is the initial appointing resolution for the Recreation Committee, it is appropriate to appoint Recreation Committee Members to varying terms in order to achieve the requirement of having staggered terms of the Township of Independence Recreation Committee Members;

NOW, THEREFORE, BE IT RESOLVED on this 11th day of August, 2015, by the Township Committee of the Township of Independence, County of Warren, State of New Jersey, that:

1. The balance of 2015 shall be considered a full year term.
2. The following are hereby appointed to serve one year terms as Committee Members of the Independence Township Recreation Committee, said terms to expire December 31, 2015:

**Cathleen Rafalko
Matthew DeGregoris**

3. The following are hereby appointed to serve two year terms as Committee Members of the Independence Township Recreation Committee, said terms to expire December 31, 2016:

Allison Kitchen
James O'Donnell

4. The following are hereby appointed to serve three year terms Committee Members of the Independence Township Recreation Committee, said terms to expire December 31, 2017:

David Sawicki
John Cummins
Dan Stroessenreuther

5. **Bonnie Kelsey** be and is hereby appointed to also serve as the ex officio member as a member of the Independence Township Committee , said ex officio term to run concurrent with his/her term as a member of the Township Committee.

6. **David Sawicki** is also hereby appointed to serve as Chairman and presiding officer of the Township Recreation Committee through December 2015, and thereafter the Township of Independence Recreation Committee shall annually designate one of its members to serve as Chairman and presiding officer of the Recreation Committee.

A motion was made by Mr. Feula to approve Resolution 15-59 as written. Deputy Mayor Williams seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

Ordinance 2015-05

AN ORDINANCE PROVIDING FOR THE APPROPRIATION OF \$430,000 FROM A NJDOT GRANT AND THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP OF INDEPENDENCE, COUNTY OF WARREN, STATE OF NEW JERSEY

A motion was made by Mr. Feula to open Ordinance 2015-05 for public discussion. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

As noted no comment from the public, a motion was made by Mr. Feula to close the public hearing. Deputy Mayor Williams seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

A motion was made by Mrs. Kelsey to adopt Ordinance 2015-05 as presented.

Mayor Giordano seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

NEW BUSINESS:

Introduce/First Reading Ordinance 2015-06

**AN ORDINANCE OF THE TOWNSHIP OF
INDEPENDENCE, COUNTY OF WARREN,
STATE OF NEW JERSEY, TO AMEND
PORTIONS OF CHAPTER 284 OF THE
TOWNSHIP OF INDEPENDENCE CODE**

WHEREAS, the Independence Township Committee (“Township Committee”) by Ordinance No. 2015-04, has dissolved the Recreation Commission and established in its place a Recreation Committee to oversee the recreational needs of the residents of the Township; and

WHEREAS, the Township Committee, by Ordinance No. 2015-04, has amended the Title of Chapter 76 of the Township Code to read “Recreation Committee”; and

WHEREAS, the Township Committee, by Ordinance No. 2015-04, has repealed Chapter 76 of the Township Code titled “Recreation Commission”; and

WHEREAS, the Township Committee, by Ordinance No. 2015-04, has adopted a new Chapter 76 setting forth the creation, powers, duties and activities of the Recreation Committee; and

WHEREAS, in light of Ordinance No. 2015-04, the Township Committee finds it necessary to amend portions of Chapter 284, titled “Parks and Recreation Areas” pertaining to the now obsolete Recreation Commission.

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

Chapter 284 of the Township Code, titled “Parks and Recreation Areas”, is amended as follows:

§284-1 Hours; discrimination.

- A. Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during designated hours. The opening and closing hours of the park shall be posted therein for public information and shall be determined from time to time by resolution of the Governing Body upon the advice and recommendation of the Recreation Committee.
- B. No persons shall, on the grounds of race, color, national origin, religion, age, sex or handicap, be excluded from participation and be denied the benefits of or be otherwise subjected to discrimination in any park facility, program or activity.

§284-2 Permits for special events.

Permits for special events in parks and recreation areas shall be obtained by application to the Recreation Committee or Township Clerk in accordance with the following procedures:

- A. The application shall set forth the following information:
 - 1. The name and address of the applicant.
 - 2. The name and address of the person, persons, corporation or association sponsoring the activity, if any.
 - 3. The day and hours for which the permit is desired.

4. The park or portion thereof for which the permit is desired.
 5. Any other information which the approving governing agency shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.
 6. Variances required from park rules and regulations.
- B. Standards for issuance of a use permit shall include the following things:
- (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.

§284-5 Public meetings or entertainment.

No persons shall call or hold any public meeting or give any concert or public entertainment of any kind within a Township park or recreation area without first having obtained written permission in advance from the Township Committee no later than 30 days before the proposed date of use.

§284-6 Loudspeakers.

No person shall use loudspeakers, public address systems or amplifiers within a Township park or recreation area without first having obtained written permission in advance from the Township Committee no later than 30 days before the proposed date of use.

§284-8 Rules and regulations.

A. (11) Drive or park any vehicle on any area except the paved park roads or parking areas or such areas as may on occasion be specifically designated as temporary areas by the Township.

A. (15) Swim, bathe or wash in any waters or waterways in any park, except in such waters and at such places as are specifically designated therefore and in compliance with such regulations as are herein set forth or may be hereinafter adopted;.

A. (17) Bring into or operate any boat, raft or other water raft, whether motor-powered or not, upon any waters, except at places designated for boating. Such activity shall be in accordance with applicable regulations as are now or will hereafter be adopted.

§284-9 Enforcements.

The Independence Township Police Department shall have the authority to eject from the park any person or persons acting in violation of this chapter and shall be authorized to seize or confiscate any property, thing or device in the park or used in violation of this chapter.

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon its passage and publication according to law.

Take notice, the foregoing Ordinance was introduced and passed on first reading by the Independence Township Committee at the regular monthly meeting on August 11, 2015 which Ordinance shall be given further consideration for final passage following a public hearing to be conducted thereon at its regular monthly meeting to be held on September 8, 2015 at The Independence Township Administrative Offices, 286-B Route 46, Great Meadows, New Jersey 07838.

Deputy Mayor Williams made a motion to adopt Ordinance 2015-06 on First Reading as written. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

Second reading and public hearing will be held on September 8, 2015.

Deputy Mayor Williams made a motion to have appraisal and Ordinance written to sell Block 10/Lot 22.02. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

Mr. Feula made a motion to have Dan Fielder do the appraisal for Block 10/Lot 22.02. Mayor Giordano seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

PUBLIC COMMENT: None at this time

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, Mrs. Kelsey, Deputy Mayor Williams, Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

EXECUTIVE SESSION: 8:25 pm – 8:45 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. Feula to enter into executive session at 8:25pm, seconded by Deputy Mayor Williams followed by a roll call of all ayes.

A motion was made by Deputy Mayor Williams at 8:45 p.m. to exit the executive session, seconded by Mayor Giordano followed by a roll call of all ayes.

Mayor Giordano stated personnel issues were discussed no action taken.

A motion was made by Deputy Mayor Williams to approve the purchase of the Rec Desk program in the amount of \$ 2,440.00 per the recommendation of Corey Kozimor. Mr. Feula seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

A motion was made by Mrs. Kelsey to begin the process of interviewing for a new Police Officer replacing Officer Marino. Mr. Feula seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

ADJOURNMENT: A motion was made by Deputy Mayor Williams to adjourn the meeting at 8:55 p.m. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

Respectfully submitted,

Deborah M. Hrebenak, RMC/CMR
Municipal Clerk