

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
April 10, 2018 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 Cogle, Bonnie Kelsey, Mike Pennington, and Debi Hrebenak. Also present were Attorney Leslie Parikh and Engineer Michael Finelli.

Absent: Tim Norton

2018 Budget Adoption

A motion was made by Deputy Mayor Cogle to open the public session for discussion of 2018 Budget. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Cogle, Mrs. Kelsey, Mr. Pennington, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

As there were no comments, a motion was made by Deputy Mayor Cogle to close the public hearing. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Cogle, Mr. Pennington, Mrs. Kelsey, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

A motion was made by Mr. Pennington to adopt the 2018 Budget as written. Deputy Mayor Cogle seconded the motion with roll call as follows:

Ayes: Mr. Cogle, Mrs. Kelsey, Mr. Pennington, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

Resolution 18-41

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the "Municipal Clerk" pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments

and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and **WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S.52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Independence, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Deputy Mayor Cougle made a motion to approve Resolutions 18-41 as written. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Cougle, Mrs. Kelsey, Mr. Pennington, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes

Recognition to Kevin Lifer, CFO – retirement

Proclamation for Older American Month – May

CONSENT AGENDA:

Resolution No. 18-40

Title or Subject: Approval of Fire Department Member (Peter Appleby)

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

Whereas, *Peter Appleby* 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 *Peter Appleby* is hereby approved as a member of the Independence Volunteer Fire Department.

Resolution No. 18-42

Title: Raffle – 50/50

WHEREAS, Independence Township Volunteer Fire Dept.is registered by the State of New Jersey to operate legalized games of chance, (224-9-21561) and,

WHEREAS, they have submitted an application for a Raffle to be held on October 18, 2018 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 450 be issued to Independence Township Volunteer Fire Dept.

Resolution No. 18-43

Title: Raffle Tricky Tray

WHEREAS, Hackettstown Elks Lodge #2331 is registered by the State of New Jersey to operate legalized games of chance, (181-6-38909) and,

WHEREAS, they have submitted an application for a Tricky Tray Raffle to be held on October 7, 2018 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 451 be issued to Hackettstown Elks Lodge #2331

Resolution No. 18-44

Title: Raffle 50/50

WHEREAS, Hackettstown Elks Lodge #2331 is registered by the State of New Jersey to operate legalized games of chance, (181-6-38909) and,

WHEREAS, they have submitted an application for a 50/50 Raffle to be held on October 7, 2018 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 452 be issued to Hackettstown Elks Lodge #2331.

Resolution No. 18-45

Title: Raffle - ATV

WHEREAS, Independence Township Volunteer Fire Dept.is registered by the State of New Jersey to operate legalized games of chance, (224-9-21561) and,

WHEREAS, they have submitted an application for a Raffle to be held on September 9, 2018 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 453 be issued to Independence Township Volunteer Fire Dept.

Resolution No. 18-46

Title or Subject: Tax Refund

WHEREAS, the Tax Collector recommends to the Township Committee that the necessary administrative action be taken to authorize a refund of the following:

NOW, THEREFORE BE IT RESOLVED by the Independence Township Committee, that the following refunds be made:

<u>Block</u>	<u>Lot</u>	<u>Name/Address</u>	<u>Reason</u>	<u>Total</u>
8	18.02	US BKCUST for PC7 Firsttrust BK 50 South 16 th St. – Ste 2050 Philadelphia, PA 19102	Lien Redemption TSC #17-00007 Premium	\$10,305.96 \$5,100.00
6.01	904 C0504	US BKCUST for PC7 Firsttrust BK 50 South 16 th St. – Ste 2050 Philadelphia, PA 19102	Lien Redemption TSC #17-00005 Premium	\$6,207.06 \$5,100.00

4	15	US BKCUST for PC7 Firsttrust BK 50 South 16 th St. – Ste 2050 Philadelphia, PA 19102	Lien Redemption TSC #17-00002 Premium	\$17,353.30 \$100.00
4	22 C0027	US BKCUST for PC7 Firsttrust BK 50 South 16 th St. – Ste 2050 Philadelphia, PA 19102	Lien Redemption TSC #17-00003	\$183.10
Total to be refunded				\$44,349.42

Deputy Mayor Cougle made a motion to approve Resolutions 18-40, 18-42 thru 18-46 as written. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Cougle, Mrs. Kelsey, Mr. Pennington, and Mayor Giordano
 Nays: None recorded
 Abstain: Mr. Pennington on Resolution 18-40, 18-42, and 18-45
 Motion carries with four (4) affirmative votes

DEPARTMENT REPORTS:

Tax Collector - Posted
Construction/Zoning – Reports were submitted.
Environmental – Spring Clean Up and shredding event in May. County Electronic - April 15
Treasurer – Posted
Recreation/Green Acres – Report submitted.
Police – Report has been submitted. Working with DOT on traffic detour.
Emergency Services – First Aid Squad Nick Vasquez gave a report. Fire Department Shawn Snyder gave a report.
DPW – Report was submitted.
Municipal Clerk: May 1st workshop meeting on hold due to Clerks Convention. Meeting on April 20 in Hope.
Land Use Board – Meeting schedule. Cell Tower discussed.
Seniors – Working on grant for building. Warren County Senior Meeting on May 24.
Board of Education – Next meeting April 24.

PROFESSIONAL REPORTS:

Attorney Parikh: Wireless Edge needs a D-1 variance from the Land Use Board. Towing Ordinance and Impound Lot Ordinance were discussed. Ordinances to be reviewed. Marijuana Ordinance also discussed.

Engineer Finelli: Discussion on the Wireless Edge Cell Tower. Surveying Mt. Rascal road for grant. Warren County Municipal Charitable Conservancy Trust Grant was discussed.

Mayor Giordano made a motion for Mike Finelli to move ahead with the senior center building grant. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Cougle, Mrs. Kelsey, Mr. Pennington, and Mayor Giordano
 Nays: None recorded
 Abstain: None recorded
 Motion carries with four (4) affirmative votes

NEW BUSINESS: Municipal Judge Palmer is retiring as of July 2018.

PUBLIC COMMENT:

Mr. Spuckes and Mr. & Mrs. Foglia spoke regarding 6 Rose Lane property regarding motor cross track, noise and mud running down Rose Lane. Call Warren County Soil regarding disturbance. Zoning Officer did make several visits. This is private road.

Mrs. Case spoke about a property located on Roosevelt Lane. Empty house with no windows or doors. Zoning issue.

Mr. Feula thanked the DPW on the great job on the roads during the snow storms along with the fire department, first aid squad and police department. He also thanked the committee on working on the budget with little increase to the tax payers.

BILLS: A motion was made by Mrs. Kelsey to pay the bills as presented. Deputy Mayor Cougle seconded the motion with roll call as follows:

Ayes: Mrs. Kelsey, Mr. Cougle, Mr. Pennington, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

EXECUTIVE SESSION: 8:55 pm – 9:20 pm

The following Resolution was approved at 8:55 p.m. to enter Executive Session with a motion by Deputy Mayor Cougle, seconded by Mrs. Kelsey and followed by a unanimous roll call

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/Personnel

It is anticipated at this time that the above matter will be made public upon completion of the matter discussed.

A motion was made by Deputy Mayor Cougle at 9:20 p.m. to exit the executive session, seconded by Mrs. Kelsey followed by a roll call as follows:

Ayes: Mrs. Kelsey, Mr. Cougle, Mr. Pennington, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes

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

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

Ayes: Mr. Cougle, Mrs. Kelsey, Mr. Pennington, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with four (4) affirmative votes.

Respectfully submitted,

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