

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
January 9, 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, Tim Norton and Debi Hrebenak. Also present were Attorney Leslie Parikh and Engineer Michael Finelli.

Absent: None recorded

CONSENT AGENDA:

**Resolution 18-19 RESOLUTION FOR MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM**

A RESOLUTION AUTHORIZING THE TOWNSHIP OF INDEPENDENCE
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

RESOLUTION NUMBER 18-19

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Hunterdon County Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on JANUARY 9, 2018 the governing body of the TOWNSHIP OF INDEPENDENCE, County of WARREN, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the TOWNSHIP OF INDEPENDENCE

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the MAYOR is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Resolution 18-20

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: see attached documentation.

<u>Block</u>	<u>Lot</u>	<u>Name/Address</u>	<u>Reason</u>	<u>Total</u>
6.02	149	HMUA 424 Hurley Drive Hackettstown, NJ 07840	Tax Sale Charges	\$ 938.79
6.01	811	HMUA 424 Hurley Drive Hackettstown, NJ 07840	Tax Sale Charges	\$ 417.98
4	22 C0027	HMUA 424 Hurley Drive Hackettstown, NJ 07840	Tax Sale Charges	\$ 99.73
Total to be refunded				<u>\$ 1,456.50</u>

Resolution 18-21

**INDEPENDENCE TOWNSHIP COMMITTEE
RESOLUTION NO. 18-21**

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO TAKE THE NECESSARY ADMINISTRATIVE ACTION TO CANCEL PROPERTY TAXES ON BLOCK 19.01, LOT 18, ANN COLEMAN, 2 WOODWARD TERR, A WIDOW OF A 100 PERCENT TOTALLY AND PERMANENTLY DISABLED UNITED STATES VETERAN

WHEREAS, NJSA 54:4-3.30 provides, in pertinent part, that the dwelling house and the lot whereas the same is erected of any citizen or resident of this State, now or hereafter honorable discharged from active service in time of war from any branch of the Armed Forces of the United States who has been or shall be declared by the United States Veterans Administration to be 100 percent permanently disabled may make claim for exemption from real estate taxation of such person's real and personal property; and

WHEREAS, Ann Coleman of 2 Woodward Terrace in the Township of Independence has submitted an application for real estate tax exemption as a widow of a 100 percent permanently and totally disabled veteran and has submitted documentation from the Department of Veterans Affairs office in Newark, NJ confirming said 100 percent permanent and total disability as of July 2010; and

WHEREAS, Mrs. Coleman's aforementioned real estate has been deemed totally exempt as of December 5, 2017, as a result of the foregoing by the Township of Independence Tax Assessor; and

WHEREAS, the Tax Collector, has requested that the necessary administrative action be taken to cancel the taxes on this property from December 5, 2017 through December 31, 2017 to the Township of Independence through the calendar year 2018; and

WHEREAS, the request was duly considered by the Township Committee as its regular meeting held on January 9, 2018 at which time the Township Committee deemed the recommendation to be proper and justified;

NOW, THEREFORE, BE IT RESOLVED on this 9th day of January, 2018 that the request of the Tax Collector, has been granted to make the necessary administrative action to cancel the taxes on this property from December 5 through December 31, to the Township of Independence and for calendar year 2018, for Ann Coleman, a widow of a 100 percent totally and permanently disabled veteran; and

BE IT FURTHER RESOLVED that the Township Tax Collector is hereby authorized to process the cancellation in said amount following receipt of a true copy of this resolution.

Deputy Mayor Cogle made a motion to approve Resolutions 18-19, 18-20, and 18-21 as written. Mr. Norton seconded the motion with roll call as follows:

Ayes: Mr. Cogle, Mrs. Kelsey, Mr. Pennington, Mr. Norton, and Mayor Giordano
Nays: None recorded
Abstain: None recorded

Motion carries with five (5) affirmative votes

DEPARTMENT REPORTS:

Tax Collector - Posted

Construction/Zoning – Reports were submitted.

Environmental – No meeting in December

Treasurer – Budget meeting on January 27th and February 3rd

Recreation/Green Acres – John Cummins gave a report. Spring Online registration only for softball and volleyball. Basketball is going well. 2 Tournaments to be held at the fields. Speed bumps at the field entrance. Working with DPW. Looking into a Centenary intern

Police – Report has been submitted.

Emergency Services – First Aid Squad Nick Vasquez gave a report. Fire Department Adam Cavanagh – 3 members to fire academy. Sunday is breakfast at the firehouse.

DPW – Report was submitted.

Municipal Clerk: Dog licenses are being issued. Several residents came in before December 31 to pre-pay their 2018 taxes

Land Use Board – Wireless Edge no planning board approval per Tara apply for waiver of site plan. New attorney for board

Seniors – 7-8 seniors attending on Thursday.

Board of Education – Meeting in December. Director of Security approved from Jan 1 – June 30. With a payment of \$13,000.

PROFESSIONAL REPORTS:

Attorney Parikh: Discussion on the Wireless Edge Cell Tower. Working with Suez on sale of IMUA.

Engineer Finelli: Working with Wireless Edge on the cell tower.

Mrs. Kelsey made a motion to approve Mike Finelli to complete the Storm Water Management Plan. Mayor Giordano seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes

Deputy Mayor Cogle made a motion to have the Mayor sign off on section A-1 Woodmont TWA Application. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes

OLD BUSINESS: None

NEW BUSINESS: Appointments to the Land Use Board:

Robert Best	4 Yr. Term	Exp. 12/31/21
Don Engels	4 Yr. Term	Exp. 12/31/21
Geoffrey Cullen, Alt. 1	2 Yr. Term	Exp. 12/31/19
Mark Rafalko	2 Yr. Term	Exp. 12/31/19

Introduction Ordinance 2018-01:

**CALENDAR YEAR 2018
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A.. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Governing Body of the Township of Independence in the County of Warren finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and the citizens; and

WHEREAS, the Governing Body hereby determines that a 1.0 percent increase in the budget for said year, amounting to \$29,897.38 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation

in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Township of Independence, County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Independence shall, in accordance with this ordinance and N.J.S.A. 40A:40-45.14, be increased by 3.5% amounting to \$104,641.01, and that the CY 2018 municipal budget for the Township of Independence be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote thereon, be filed with said Director within 5 days after such adoption. Take notice, the foregoing Ordinance was introduced and passed on first reading by the Independence Township Committee at the regular monthly meeting on January 9, 2018 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 February 13, 2018 at the Independence Township Administrative Offices , 286B Route 46, Great Meadows, NJ 07838

A motion was made by Deputy Mayor Cogle to adopt Ordinance 2018-01 for First Reading. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded.

Motion carries with five (5) affirmative votes.

Second reading and public hearing will be on February 13, 2018

PUBLIC COMMENT: Robert Pace and Geoffrey Cullen discussed the Great Meadows Regional School District. Stan Prater from JCP&L working being done on Petersburg Road.

BILLS: A motion was made by Mr. Norton to pay the bills as presented. Deputy Mayor Cogle seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

EXECUTIVE SESSION: 8:05 pm – 8:50 pm

The following Resolution was approved at 8:05 p.m. to enter Executive Session with a motion by Deputy Mayor Cogle, seconded by Mr. Norton 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 Cogle at 8:50 p.m. to exit the executive session, seconded by Mrs. Kelsey followed by a roll call of all ayes.

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

The Mayor recommended to appoint Mike Finelli as the Certified Public Works Manager. A motion was made by Deputy Mayor Cogle to appoint Mike Finelli as the Certified Public Workers Manager (CPWM), seconded by Mrs. Kelsey with a roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes

RESOLUTION#18-A

RESOLUTION AUTHORIZING THE APPOINTMENT OF MARIE KENYA AS THE ACTING TAX COLLECTOR FOR THE TOWNSHIP OF INDEPENDENCE.

WHEREAS, N.J.S.A. 40A:9-141 requires that municipalities appoint a Tax Collector; and

WHEREAS, the Township of Independence is in immediate need of a Tax Collector and as such, the Committee has decided to appoint an Acting Tax Collector until such time as a permanent Tax Collector may be duly appointed; and

WHEREAS, the Township Committee desires to appoint Marie Kenya, a Certified Tax Collector, as Acting Tax Collector, effective January 10, 2018, to serve on a part-time basis; and

WHEREAS, the Township Committee and Ms. Kenya will agree upon a work schedule which will be posted in the Clerk's office; and

WHEREAS, the appointment of Ms. Kenya shall terminate on February 3, 2018 unless otherwise extended by the Township Committee; and

WHEREAS, Ms. Kenya shall be paid \$35.00 per hour; and

WHEREAS, Ms. Kenya will receive no health benefits, and no sick, vacation, holiday or compensatory time; and

WHEREAS, the Chief Financial Officer determined that there are sufficient funds available to pay for these services.

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

1. Marie Kenya is hereby appointed as the Acting Tax Collector effective January 10, 2018 until such time as a permanent Tax Collector may be duly appointed; and
2. Ms. Kenya will be paid \$35.00 per hour, but receive no health benefits, and no sick, vacation, holiday or compensatory time.
3. The Clerk is hereby directed to file a copy of this Resolution with the Director of the Division of Local Government Services.
4. This Resolution shall take effect immediately.

The Mayor recommended to appoint Marie Kenia as the interim Tax Collection. A motion was made by Deputy Mayor Cogle to appoint Marie Kenia as the interim Certified Tax Collector, seconded by Mrs. Kelsey with a roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes

Mr. Pennington questioned the Animal Control report. Mr. Norton clarified his question.

ADJOURNMENT: A motion was made by Mr. Norton to adjourn the meeting at 9:15 p.m. Deputy Mayor Cogle seconded the motion with roll call as follows:

Ayes: Mr. Cogle, Mr. Norton, Mrs. Kelsey, Mr. Pennington, 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