

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

Absent: none

Consent Agenda:

Resolution 18-82

Title or Subject: APPOINTMENTS/ADJUSTMENTS

BE IT RESOLVED by the Township Committee of the Township of Independence the following appointments/adjustments are hereby made:

David Diehl-Zoning Officer added duties include Inspection Officer (ref. Ordinance 2018-04) Vacant and Abandoned Properties at a rate of \$ 6,500.00 per annum effective 9.01.2018.

Resolution 18-83

A RESOLUTION OF AWARD, RESURFACING OF MT. RASCAL ROAD

Be it resolved, that on October 9, 2018 the Township Committee of the Township of Independence adopted this resolution to award unit bid prices for individual construction items to perform the necessary construction to complete the Resurfacing of Mt. Rascal Road, a New Jersey Department of Transportation Local Aid funded project with a total project grant award in the amount of \$130,000.

Be it further resolved, that the Township Committee of the Township of Independence does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$113,909.18. The award is made to the Morris County Cooperative Pricing Council vendor, Tilcon New York, which included the following items and unit prices:

ITEM NO.	DESCRIPTION UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
1,2	2" Hot Mix Asphalt (HMA) 12.5M64	1614	TN	\$62.12	\$100,261.68
3	Milling 2" Thick	5150	SY	\$2.65	\$13,647.50
TOTAL					\$113,909.18

Be it further resolved, that the Township Committee of the Township of Independence does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process

with a total cost of \$2,781.00. The award is made to the Morris County Cooperative Pricing Council vendor, Denville Line Painting, Inc, which included the following items and unit prices:

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
4	4" Yellow Traffic Stripes, EPOXY method		9,270	LF	\$0.30	\$2,781.00
TOTAL						\$2,781.00

Be it further resolved, that the Township Committee of the Township of Independence does hereby award unit prices for individual construction items based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$53,005.00. The award is made to the Morris County Cooperative Pricing Council vendor, Road Safety Systems, LLC, which included the following items and unit prices:

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
5	Beam Guide Rail,		1,275	LF	\$30.00	\$38,250.00
6	Flared Guide Rail Terminal		3	EA	\$2,200.00	\$6,600.00
7	Remove Existing Guide Rail		1,631	LF	\$5.00	\$8,155.00
TOTAL						\$53,005.00

Resolution 18-84

Approval to submit a Grant application and execute a grant agreement with the New Jersey Department of Transportation for the Resurfacing of Russling Road, Section 2 project.

WHEREAS, Independence Township, Warren County, New Jersey has given Finelli Consulting Engineers the approval to submit this grant on the behalf of the Township of Independence,

NOW, THEREFORE, BE IT RESOLVED that Committee of the Township of Independence formally approves the grant application for the above stated project,

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2019-Resurfacing of Russling Road Section 2 Project-00325** to the New Jersey Department of Transportation on behalf of the Township of Independence.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Independence and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 18-85

Approval to submit a Grant application and execute a grant agreement with the New Jersey Department of Transportation for the Resurfacing of Johnson Road Improvements project.

WHEREAS, Independence Township, Warren County, New Jersey has given Finelli Consulting Engineers the approval to submit this grant on the behalf of the Township of Independence,

NOW, THEREFORE, BE IT RESOLVED that Committee of the Township of Independence formally approves the grant application for the above stated project,

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2019-Johnson Road Improvements Project-00326** to the New Jersey Department of Transportation on behalf of the Township of Independence.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Independence and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 18-86

RESOLUTION OF THE TOWNSHIP OF INDEPENDENCE, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND UPDATING THE PERSONNEL POLICIES AND PROCEDURES MANUAL WHICH INCORPORATES THE EMPLOYEE HANDBOOK THEREIN

WHEREAS, the Township of Independence seeks to update its Personnel Policies and Procedures Manual to conform with the current policies of the Township.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Independence, in the County of Warren, that the Township of Independence Policies and Procedures Manual is updated as follows:

1. Modification to Section One to add Protections Against Discrimination and Accommodation for Breastfeeding Employees
2. Modification to Section Two regarding the Communication Media Policy/Social Media
3. Modification of Sick Leave Section Three to set forth new legislation for paid sick leave as set forth in N.J.S.A. 34:11D-1 *et seq*
4. Modification to Section Five to clarify that Rice notices are not only required when there is *discussion* regarding the appointment, termination, terms and conditions of employment, performance evaluation or discipline of any current or prospective officer of employee in closed session but also when the Township intends to *act* on these enumerated matters. Additional language has been added to clarify this expansion of when Rice notices are required to be issued. Second, the policy has been amended to clarify that only the municipal governing body or a "public body" of the local unit (as that term is defined by OPMA) are required to provide Rice notices. Third, changes have been made to update the criminal background checks in accordance with State legislative amendments.

BE IT FURTHER RESOLVED that a copy of the updated Township of Independence Personnel Policies and Procedures Manual is on file with the Clerk's office; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Township Administrator for distribution to all Township employees.

Deputy Mayor Cogle made a motion to approve Resolutions 18-82 thru 18-86 as written. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mrs. Kelsey, Mr. Pennington, Mr. Cogle 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. VAP – 228 Route 46 was discussed

Environmental – No report.

Treasurer – Report submitted.

Recreation/Green Acres – Report submitted.

Police – Report submitted.

Emergency Services – First Aid Squad Nick Vasquez gave a report. Fire Department Ryan Snyder gave a report.

DPW – Report was submitted.

Municipal Clerk: Everything is running well. Animal Control Official was discussed

Land Use Board – No report

Seniors – Meeting still on Thursdays

Board of Education – Mr. Norton gave a report. 11/1 meet the candidate at the school

PROFESSIONAL REPORTS:

Attorney Parikh: Report submitted. Letter from Mr. Robinson – Liberty Square.

Mr. Norton made a motion to denied the deed restriction of 100 acres for Liberty Square. Deputy Mayor Cogle seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes

Engineer Finelli: Report submitted. Cell Tower – received a phone call from wireless edge. Mt. Rascal Road Grant was discussed. Senior Center Grant was discussed.

Old Business

Second Reading Ordinance 2018-07

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED SALARIES AND COMPENSATION

Deputy Mayor Cogle made a motion to open up discussion on this ordinance to the Public. 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.

As there were no comments, a motion was made by Mr. Norton to close the public hearing. 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.

A motion was made by Deputy Mayor Cogle to adopt Ordinance 2018-07 as written. 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.

NEW BUSINESS: none

PUBLIC COMMENT: Mrs. Carvino had a question on recreation and 206 Route 46 house. Mr. Cullen had a question on the adult basketball program.

BILLS: A motion was made by Mr. Norton to pay the bills as presented. 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.

EXECUTIVE SESSION: 8:20 pm – 10:10 pm

The following Resolution was approved at 8:20 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:

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 10:10 p.m. to exit the executive session, seconded by Mrs. Kelsey followed by a 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

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 Mayor Giordano to adjourn the meeting at 9:42 p.m. Deputy Mayor Cogle 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.

Respectfully submitted,

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