

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
January 8, 2019 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 Matt Lyons and Engineer Michael Finelli.

Absent: None recorded

Introduction of Freehold Director Jason Sarnoski

CONSENT AGENDA:

Resolution 19-13

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Animal Control Services Agreement

THIS AGREEMENT, made this January 1, 2019 between Township of Independence and Animal Control Timothy Norton, ACO and

WHEREAS, the Recipient has heretofore funded the expenses of its animal control officer; and
WHEREAS, the Provider has entered into a professional contract for the provision of Animal Control Services; and

WHEREAS, the Recipient and the Provider has arrived at an agreement whereby the Recipient will pay a contractual amount to the Provider, the Provider in turn assuming the aforementioned Animal Control Services.

NOW, THEREFORE, IT IS AGREED between the parties that this Agreement shall be entered into to memorialize the payment of the costs attributable to Animal Control Services:

1) Services to be provided

- a) The Provider shall provide Animal Control Services as required by New Jersey Statute and township ordinances of the Township of Independence, as well as for boarding of animals at Happy Tails Inn. The Animal Control Officer shall be authorized to enforce (including the issuance of summonses) animal control ordinances and licensing requirements of the Township of Independence.
- b) The Provider shall provide for the investigation of wild and possible rabid animals and removal and disposal as necessary.
- c) The Recipient shall pay the contractor for those services according to the schedule set forth below.

2) Term of Agreement

- a) The agreement shall commence on the first of the month following the date of certification as a licensed animal control officer of the contractor retained by the Provider.
- b) The contract shall continue for one year (1/1/2019-12/31/19) following the date of commencement.

3) Manner of Payment

- a) The Recipient shall reimburse the Provider the following amounts for services to be provided within the Township of Independence:

Type	Hours	Cost
Monthly Minimum (Includes up to 5 call outs)		\$450.00
Non-Emergent Response	8 am to 8 pm	\$75.00
Non-Emergent Response	8 pm to 8 am	\$100.00
Per Transport		\$25.00
Per hour for second person assistance		\$25.00
Monthly Rate (3 or fewer call outs)		\$350.00

- b) The Recipient shall reimburse for the boarding of non-reclaimed pets at the per day rates set forth below:

Type	Size	Cost
Cats	All	\$8.00
Dogs	Small to Medium	\$10.00
Dogs	Medium to Large	\$12.00
Dogs	Large to X-Large	\$15.00

IN WITNESS WHEREOF, the Township and Contractor have caused these presents to be signed and attested to by their respective officer and the respective deal to be affixed hereto the date and year first above written.

ACO Animal Control Officer


Timothy Norton, ACO

Township of Independence


Robert M. Giordano, Mayor

ATTEST:


Deborah Hrebenak, RMC
Township Clerk/Administrator

Resolution 19-14

2000
19-14

2018 APPROPRIATION RESERVES TRANSFERS

WHEREAS, there appears to be insufficient funds in the below listed account(s) to meet the demands thereon for the balance of the current year, and

WHEREAS, there appears to be a surplus in the below listed account(s) over and above the amount deemed necessary for the balance of the current year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Independence that, in accordance with the provisions of N.J.S.A. 40A: 4-5B, part of the surplus in the account(s) heretofore mentioned be and same are hereby authorized as transfers to the account(s) mentioned as being insufficient, and

BE IT FURTHER RESOLVED, that the Finance Officer is hereby directed to make the following transfers:

FROM	AMOUNT	TO	AMOUNT
Municipal Clerk O/E	\$ 1,000.00	Vehicle Maintenance	\$ 5,000.00
Tax Collector O/E	\$ 2,000.00	Utilities O/E	\$ 7,000.00
Public Works S/W	\$ 9,000.00		
TOTAL	\$ 12,000.00	TOTAL	\$12,000.00

ATTEST:

Deborah M. Hrebenak
Deborah M. Hrebenak
Municipal Clerk/Administrator

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF INDEPENDENCE

Robert M. Giordano
Robert M. Giordano
Mayor

Resolution 19-15

Title or Subject: APPOINTMENT

BE IT RESOLVED by the Township Committee of the Township of Independence the following appointment is hereby made:

Derek Macchia-Chief Financial Officer appointment to a 4 Year Term beginning 1.01.2019 ending 12.31.2022.

Resolution 19-16

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

SAFE AND SECURE COMMUNITIES PROGRAM

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the Township of Independence wished to apply for funding of approximately \$ 30, 000.00 with a match of \$ 108,811.00 for an approximate project total cost of \$138,811.00 for a project under the State of New Jersey Safe and Secure Communities Grant Program, and

WHEREAS, the Independence Township Committee has reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Independence for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Independence Township Committee that

1. As a matter of public policy, the Township of Independence wished to participate to the fullest extent possible with the Department of Law and Public Safety and

does accept grant number 19-2112 for the period 8.11.18 to 8.10.19

2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

Resolution 19-17

Title or Subject: APPOINTMENT

BE IT RESOLVED by the Township Committee of the Township of Independence that the following appointment is hereby made:

Ernest Kinney-Supervisor Public Work Certification No PL181664 New Jersey Civil Service Commission January 1, 2019.

Resolution 19-18

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>
1	67.07 Q0105	Colin Pascik 30 A Roosevelt Ave Hackettstown, NJ 07840	Tax Overpayment	\$4,067.70
6.01	640	Ronald J Denham, Jr. 640 Colby Ct Hackettstown, NJ 07840	Tax Overpayment	\$995.11
6.01	940 C0301	Ina Goodman 301 Tulsa Ct. Hackettstown, NJ 07840	Tax Overpayment	\$151.77
6.02	158	Dominic Cianci 158 Cameron Ct. Hackettstown, NJ 07840	Tax Overpayment	\$1,528.20
6.02	175	Eleanor Piotrowski 175 Durham Ct. Hackettstown, NJ 07840	Tax Overpayment	\$231.99
6.02	203	Laura Decker 203 Harvard Drive Hackettstown, NJ 07840	Tax Overpayment	\$98.24
8	9	Harry & Gale Fisher 12 Ridge Lane Hackettstown, NJ 07840	Tax Overpayment	\$1,435.12
23.03	5	Paresh & Nayana Parikh 17 Vassar Road Great Meadows, NJ 07838	Tax Overpayment	\$256.53
Total to be refunded				<u>\$8,764.66</u>

Deputy Mayor Cougle made a motion to approve Resolutions 19-13 thru 19-18 as written. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Cougle, Mrs. Kelsey, Mr. Pennington, Mr. Norton (abstain 19-13), 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 – Collection of plastic bags

Treasurer – Budget meeting on January 26th

Recreation/Green Acres – Report submitted. John Cummins asked about the budget.

Opening day for baseball is April 27

Police – Report has been submitted.

Emergency Services – First Aid Squad Ryan Snyder gave a report. Fire Department Ryan Snyder gave a report. Sunday is breakfast at the firehouse.

DPW – Report was submitted.

Municipal Clerk: Dog licenses are being issued. Working on budget.

Land Use Board – Meeting on Monday, January 14

Seniors – Meeting on Thursday.

Board of Education – Mr. Norton gave a report.

PROFESSIONAL REPORTS:

Attorney Lyons: Nothing to report

Engineer Finelli: Application was submitted for Wireless Edge. Mt. Rascal Road guard rail being installed.

OLD BUSINESS: Warren County Municipal & Charitable Conservancy Trust Fund Grant Agreement for the senior center was discussed.

Mrs. Kelsey made a motion to start the senior center project. Deputy Mayor Cougle seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes

NEW BUSINESS:

**Appointments for the Musconetcong River Management Council
Glenn Cougle and Harry Noble**

Introduction Ordinance 2019-01

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 2019 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 \$29,369.50 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 2019 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 \$102,887.75, and that the CY 2019 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.

A motion was made by Deputy Mayor Cogle to adopt Ordinance 2019-01 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 12, 2019

PUBLIC COMMENT: Mrs. Neumann asked about the new voting machine and school taxes. Freehold Jason Sarnoski spoke about open space budget.

BILLS: A motion was made by Deputy Mayor Cogle to pay the bills as presented. Mr. Norton 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: 7:45 pm – 9:10 pm

The following Resolution was approved at 7:45 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

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 Mr. Pennington at 9:10 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 and no action will be taken at this time.

ADJOURNMENT: A motion was made by Deputy Mayor Cogle to adjourn the meeting at 9:12 p.m. Mr. Norton 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