

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
September 10, 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 Deputy Mayor Cogle.

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 Mike Finelli.

Absent: none

Sharon Cooper, Rick Management Consultant/Public Entity Advocates – gave a surplus check back to the town for 2001, 2002, 2008, 2009 & 2010 years.

Minutes 4.09.19, 5.14.19, 5.22.19, 6.19.19 and 7.17.19

Mr. Pennington made a motion to approve 4.9.19 minutes as written. Mr. Norton seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes

Mr. Norton made a motion to 5.14.19 minutes as written. Mr. Cogle seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Absent: Mayor Giordano

Motion carries with four (4) affirmative votes

Mr. Cogle made a motion to 5.22.19 minutes as written. Mr. Norton seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Absent: Mrs. Kelsey

Motion carries with four (4) affirmative votes

Mr. Pennington made a motion to 6.19.19 minutes as written. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Absent: Mr. Norton

Motion carries with four (4) affirmative votes

Mr. Norton made a motion to 7.17.19 minutes as written. Mayor Giordano seconded the motion with roll call as follows:

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

Nays: None recorded
Abstain: None recorded
Absent: Mrs. Pennington and Mr. Cogle
Motion carries with three (3) affirmative votes

Consent Agenda:

Resolution 19-75

Title or Subject: APPOINTMENT

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

Melissa Beyer-Full time Police Administrative Assistant/Matron, work week consisting of 37.5 hours at a rate of \$ 45,000.00 per annum effective September 23, 2019.

Mr. Cogle made a motion to approve Resolutions 19-75 as written. Mr. Pennington seconded the motion with roll call as follows:

Ayes: Mayor Giordano, Mrs. Kelsey, Mr. Pennington, Mr. Norton, and Mr. Cogle
Nays: None recorded
Abstain: none recorded
Motion carries with five (5) affirmative votes

DEPARTMENT REPORTS:

Tax Collector - Posted

Construction/Zoning – Reports were submitted.

Environmental – Sept 29 at County Hazards Waste cleanup

Treasurer – Report submitted

Recreation/Green Acres – Report submitted. Lining of the fields cost to come out of trustee account. Discussion to continue. No gym time for basketball. Working with school. Golf Outing October 4

Police – Report has been submitted. Speed monitoring on Alphano Rd.

Emergency Services – First Aid Squad Nick gave a report. Fire Department Clyde Snyder gave a report. Next breakfast October 6.

DPW – Report was submitted.

Municipal Clerk – Working with school board for history and pictures for school anniversary.

Land Use Board – meeting next week

Seniors – Meeting on Thursday.

Board of Education – nothing to report.

PROFESSIONAL REPORTS:

Attorney Parikh: report submitted. Wireless Edge discussed. Resolution 19-74 was read:

Resolution 19-74

RESOLUTION OF THE TOWNSHIP OF INDEPENDENCE MEMORIALIZING THE IMMEDIATE SUSPENSION WITHOUT PAY OF THE CHIEF OF POLICE

WHEREAS, New Jersey Attorney General’s Policy and Procedures (the “Attorney General Guidelines”) state that any complaint against a law enforcement executive must be referred to the County Prosecutor’s Office; and

WHEREAS, the Warren County Prosecutor’s Office opened an investigation (hereinafter “the Investigation”) relating to certain actions of the Chief of Police, Keith Aiello, which occurred on February 9, 2019 and into February 10, 2019; and

WHEREAS, as a result of the Investigation, on February 13, 2019, pursuant to Resolution 2019-22, Chief Aiello was placed on an administrative leave with pay pending the outcome of the Investigation; and

WHEREAS, on September 5, 2019, the Appointing Authority received notice that the Warren County Prosecutor's Office completed its Investigation Report stemming from the Chief's conduct on February 9 and 10, 2019; and

WHEREAS, in its Report, the Warren County Prosecutor's Office determined that on February 9, 2019 through February 10, 2019, Chief Aiello violated in significant ways, numerous Independence Township Police Policies, Independence Township Policies, and various New Jersey motor vehicle laws in connection with his operation of a Township owned vehicle during the early morning hours of February 10, 2019 ; and

WHEREAS, the foregoing violations create a risk to the safety, health and order of the public and constitute the second occasion wherein the Warren County Prosecutor's Office sustained the allegation that Chief Aiello operated his Township owned vehicle in a manner that posed a threat to the safety of the community; and

WHEREAS, the Warren County Prosecutor's Office also determined that Chief Aiello failed in his duty to cooperate with the Internal Affairs Investigation conducted by the Warren County Prosecutor's Office and likewise failed in his duty to answer questions completely and truthfully and attempted to influence others to not take action with regard to his own conduct; and

WHEREAS, as a result of the foregoing, the Warren County Prosecutor's office sustained the allegation that Chief Aiello violated Independence Township Police Procedures and Policies, Township Policies and Attorney General Guidelines pertaining to honesty, integrity, truthfulness and cooperation during investigations; and

WHEREAS, the Chief of Police is the highest-ranking officer in the Department, and has an obligation to set an example for those officers below him in rank; and

WHEREAS, the example to be set is that law, policy and procedure must be followed, and integrity and honesty shall be maintained within the Department; and

WHEREAS, the Appointing Authority has found it appropriate to immediately suspend Chief Aiello, without pay, pending the outcome of removal proceedings.

NOW, THEREFORE, BE IT RESOLVED that the Chief of Police, Keith Aiello, will be placed on an immediate suspension without pay as of September 17, 2019, pending the outcome of further disciplinary proceedings. Pursuant to N.J.A.C. 4A:2-2.5(b) the Chief has the opportunity to contest the suspension without pay, and if so chooses, shall do so by submitting in writing why that should not occur by 12:00 PM Monday, September 16, 2019.

Mr. Norton made a motion to approve Resolutions 19-74 as written. Mr. Cogle seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: Mr. Pennington

Motion carries with four (4) affirmative votes

Engineer Finelli: Report Submitted. Johnson Road project.

OLD BUSINESS: none

NEW BUSINESS:

Warren County Household Hazardous Waste Collection – September 29, 2019
Correspondence Carol Obser – Route 46 and County Route 611 (Hope Road)

PUBLIC COMMENT: Courtney Wenthen-nice to see everyone at the Field of Dreams

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

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

ADJOURNMENT: A motion was made by Mr. Cogle to adjourn the meeting at 9:20 p.m. Mr. Norton seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

Respectfully submitted,

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