

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
June 14, 2022 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 Herald Times 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: Mr. Pennington, Mrs. Kelsey, Mayor Giordano, Mr. Cougle, and Dena Hrebenak, RMC. Also present were Leslie Parikh, Esq. and Mike Finelli, Engineer.

Absent: Mrs. Gesumaria

Minute Approval: 5.10.22

A motion was made by Mr. Pennington to approve minutes 5.10.22 as written. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: Mr. Cougle

Eagle Scout Patrick Koster – Spoke on his Eagle Scout project at the Field of Dreams. Adding a bench and sandbox at the playground area.

CONSENT AGENDA:

Resolution 22-41

**RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO
EXECUTE AN AMENDMENT TO THE REDEVELOPER’S AGREEMENT
WITH WOODMONT INDEPENDENCE URBAN RENEWAL, LLC**

WHEREAS, the Township of Independence (the “Township”) executed a Redevelopment Agreement with Woodmont Independence Urban Renewal, LLC (the “Redeveloper”) dated January 12, 2016 pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) and a Financial Agreement dated December 6, 2016 pursuant to the Long Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.); and

WHEREAS, pursuant to the above-referenced Agreements, the contemplated residential development contains 12 affordable rental units; and

WHEREAS, the Redevelopment Agreement does not address Redeveloper’s responsibilities to comply with income and bedroom distributions set forth in UHAC, COAH’s rule, and the Township’s affordable housing ordinances; and

WHEREAS, the Township of filed a Declaratory Judgment Action in the Superior Court of New Jersey, Warren County, in furtherance of the Supreme Court’s March 10, 2015, decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015); and

WHEREAS, the Court entered a Judgment of Compliance and Repose after a hearing on July 19, 2018 in favor of the Township setting forth certain conditions to be met; and

WHEREAS, one of those conditions was that the Township amend the Redevelopment Agreement to comply with income and bedroom distributions set forth in UHAC, COAH's rule, and the Township's affordable housing ordinances.

WHEREAS, the Parties acknowledge that Redeveloper is obligated to comply with income and bedroom distributions set forth in UHAC, COAH's rule, and the Township's affordable housing ordinances; and

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

1. The Mayor and Clerk are hereby authorized to execute the Rider to the Redevelopment Agreement attached hereto.
2. The Township Attorney is hereby authorized to file such Rider with the Superior Court in connection with the Township's Declaratory Judgment Action referenced herein.

This Resolution shall take effect immediately

Resolution 22-42

2022 Clean Communities Grant

WHEREAS, NJS 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Independence has received notice of an award of \$16,159.17 from the State of New Jersey, Special Legislative Grant and wishes to amend its 2022 Budget to include this amount as a revenue.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence in the County of Warren State of New Jersey hereby requests the Director and the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the amount of \$16,159.17 which is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
With Prior Written Consent of the Director of the
Division of Local Government Services:

State and Federal Revenues Off-set with
Appropriations: State of New Jersey Special Legislative Grant

BE IT FURTHER RESOLVED, that the sum of \$16,159.17
Be and the same is hereby appropriated under the caption of
General Appropriations:

- (a) Operations Excluded from CAPS

State and Federal Programs Off-Set by
Revenues: 2022 Clean Communities Grant

BE IT FURTHER RESOLVED, that the Township Clerk forward one certified copy of this resolution to the Director of Local Government Services for approval.

Resolution 22-43

Title or Subject: 2022-2023 Renewal Liquor Licenses

WHEREAS, the renewal applications for the following liquor licenses have been submitted to the Municipal Clerk with the proper fees, and

WHEREAS, Clearance certificates from the State Division of Taxation have been received by the Municipal Clerk for all of the licenses, and

WHEREAS, the Officer In Charge has not indicated the need for special restrictions on any of the establishments,

NOW, THEREFORE, BE IT RESOLVED by the Independence Township Committee, that the following liquor licenses be renewed for the period of July 1, 2022 thru June 30, 2023:

Club:	
Independence Twp Vol Fire Dept	2112-31-010-001
<i>Retail:</i>	
Zoey's LLC	2112-33-001-012
Nykuns Store Inc	2112-33-004-002
Top Of The Hill Entertainment LLC	2112-33-003-005
133 Route 46 LLC	2112-32-002-007
Grow with Map Inc.	2112-44-009-003

Resolution 22-44

Title or Subject: APPOINTMENT

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

Anna Maria McDougal-Certified Tax Assessor P/T position

Mr. Cogle made a motion to approve Resolutions 22-41 thru 22-44 as written. Mayor Giordano seconded the motion with roll call as follows:

Ayes: Mr. Pennington, Mr. Cogle, Mrs. Kelsey and Mayor Giordano
Nays: None recorded
Abstain: Mr. Pennington 22-43

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

DEPARTMENT REPORTS:

Tax Collector – Report submitted via email
Construction/Zoning – Reports submitted via email.
Environmental – Clean up went well

Treasurer – Report posted

Recreation/Green Acres – Spring sports coming to an end. Working on fall sports

Police – Report submitted via email

Emergency Services – Chief Vasquez spoke on number of calls, movie night last weekend, and July 9 Monsters, Inc. movie. Chief Snyder spoke on calls and no breakfast in July and August.

DPW – DPW Supervisor gave a report.

Municipal Clerk: Election went well. Everything going well.

Land Use Board – No meeting in May. Next meeting on Monday, July 20. 1 application to be reviewed.

PROFESSIONAL REPORTS:

Attorney Parikh: Spoke on targeting shooting guidelines and amended VAP ordinance.

Engineer Finelli: Spoke on Wastewater Management plan and Woodmont

OLD BUSINESS: none

NEW BUSINESS: none

PUBLIC COMMENT: Mrs. Farmer spoke about the person target shooting on Barkers Mill Rd.

EXECUTIVE SESSION: 7:40 pm – 8:00 pm

The following Resolution was approved at 7:40 p.m. to enter Executive Session with a motion by Mr. Cogle, 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

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. Cogle at 8:00 p.m. to return to regular session, seconded by Mr. Pennington followed by a roll call of all ayes

ADJOURNMENT: A motion was made by Mr. Cogle to adjourn the meeting at 8:00 p.m. Mr. Pennington seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Respectfully submitted,

Dena M. Hrebenak, RMC
Municipal Clerk/Administrator