

**Independence Township Committee
Regular Meeting Agenda
February 14, 2024
7:00 pm**

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: Mrs. Gesumaria, Deputy Mayor Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano

Minute Approval:

Mrs. Gesumaria made a motion to approve the minutes for the Reorganization meeting held on January 2, 2024 and the Regular meeting held on January 11, 2024, which was seconded by Deputy Mayor Pennington.

Ayes: Mrs. Gesumaria, Deputy Mayor Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano

Nays: None

Abstain: None

Absent: None

Swearing In Police Chief:

Mayor Giordano conducted the swearing in of Chief Christopher Prell.

Presentation of Life Saving Award and Exceptional Service Award

Chief Prell presented the Life Saving and Exceptional Service Awards to Patrolman Julius Somogyi and the Life Saving Award to Gerritt Kinney.

- **Consent Agenda:**

**2024-01
CALENDAR YEAR 2024**

**MODEL 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 up 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 Township of Independence in the County of Warren finds it advisable and necessary to increase its CY 2024 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,

WHEREAS, the governing body hereby determines that a 1% increase in the budget for said year, amounting to \$36,003.86 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 Township of Independence, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Independence shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$126,013.51, and that the CY 2024 municipal budget for the Township of Independence be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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 included thereon, be filed with said Director within 5 days after such adoption.

**RESOLUTION #2024-21
OF THE GOVERNING BODY
OF THE TOWNSHIP OF INDEPENDENCE**

WHEREAS, Patrick Koster has participated in the Boy Scouts of America, a national organization founded in 1910 for the purpose of assisting young people develop

character, citizenship and physical and mental fitness through training in wood, field and handicraft activities and community service; and

WHEREAS, Patrick Koster has graduated within the organization by achieving successive ranks and merit badges through his successful completion of activities intended to foster the purpose of the Boy Scouts of America, and has attained the high rank of Eagle Scout as a result; and

WHEREAS, the Governing Body of the Independence Township finds and declares that Patrick Koster has brought honor to his community, his family and himself through his attainment of the high rank of Eagle Scout and has distinguished himself as an example to others of what it means to be a Scout;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Independence Township does hereby recognize and congratulate Patrick Koster on his attainment of the high rank of Eagle Scout; does commend to him continued participation in civic and scouting activities as a means of fulfilling his status as an Eagle Scout; and does extend to him best wishes in all of his future endeavors.

No. 24-22

Date of Adoption: February 15, 2024

Title: Tricky Tray & 50/50 Raffle

WHEREAS, Independence Township Fire Department is registered by the State of New Jersey to operate legalized games of chance, (224-9-21561) and,

WHEREAS, they have submitted applications for a Tricky Tray Raffle to be held on April 19, 2024 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 2024-01 (Tricky Tray) and RA#2024-02 (50/50) be issued to Independence Township Fire Department.

No. 24-23

Date of Adoption: February 15, 2024

Title: Tricky Tray & 50/50 Raffle

WHEREAS, Domestic Abuse and Sexual Assault Crisis Center of Warren County is registered by the State of New Jersey to operate legalized games of chance, (31-4-29993) and,

WHEREAS, they have submitted applications for a 50/50 Raffle to be held on April 19, 2024 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 2024-03 (50/50) and RA# 2024-04 (Tricky Tray) be issued to Domestic Abuse and Sexual Assault Crisis Center.

Mr. Stuber made a motion to approve Resolutions 24-20 through 24-23, which was seconded by Mrs. Gesumaria.

Ayes: Mrs. Gesumaria, Deputy Mayor Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordan
Nays: None
Abstain: Deputy Mayor Pennington (24-22)
Absent: None

Ordinance:

Second Reading

Mayor Giordano asked for a motion to open the floor for public comment on Ordinance 2024-01.

2024-01
CALENDAR YEAR 2024
MODEL 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 up 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 Township of Independence in the County of Warren finds it advisable and necessary to increase its CY 2024 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,

WHEREAS, the governing body hereby determines that a 1% increase in the budget for said year, amounting to \$36,003.86 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 Township of Independence, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Independence shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$126,013.51, and that the CY 2024 municipal budget for the Township of Independence be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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 included thereon, be filed with said Director within 5 days after such adoption.

Mrs. Gesumaria made a motion to open the floor for public comment on Ordinance 2024-01, which was seconded by Deputy Mayor Pennington.

Ayes: Mrs. Gesumaria, Deputy Mayor Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano
Nays: None
Abstain: None
Absent: None

Mayor Giordano opened the floor for public comment; seeing none Mayor Giordano asked for a motion to close the floor for public comment.

Mr. Stuber made a motion to close the floor for public comment, which was seconded by Deputy Mayor Pennington.

Ayes: Mrs. Gesumaria, Deputy Mayor Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano
Nays: None
Abstain: None
Absent: None

Mayor Giordano asked for a motion to approve the passage of Ordinance 2024-01.

Mrs. Gesumaria made a motion to approve the passage of Ordinance 2024-01, which was seconded by Deputy Mayor Pennington.

Ayes: Mrs. Gesumaria, Deputy Mayor Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano
Nays: None
Abstain: None
Absent: None

Mayor Giordano asked for a motion to open the floor for public comment on Ordinance 2024-02.

ORDINANCE NO 2024-02

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF NORTHWEST NEW JERSEY, LLC. TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWNSHIP OF INDEPENDENCE, WARREN COUNTY, NEW JERSEY

PURPOSE OF THE ORDINANCE.

The Township hereby grants to Comcast renewal of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets alleys, sidewalks, easements, public ways and public places in the Township, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus, and equipment as may be necessary for the construction, operation, and maintenance in the Township of a cable television and communications system.

Deputy Mayor Pennington made a motion to open the floor for public comment on Ordinance 2024-02, which was seconded by Mrs. Gesumaria.

Ayes: Mrs. Gesumaria, Deputy Mayor Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano
Nays: None
Abstain: None
Absent: None

Mayor Giordano opened the floor for public comment;

Mr. Robert Pace stated that he has been very pleased with Comcast and that their service is exceptional.

Mayor Giordano asked for a motion to close the floor for public comment.

Mr. Stuber made a motion to close the floor for public comment, which was seconded by Mrs. Gesumaria.

Ayes: Mrs. Gesumaria, Deputy Mayor Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano
Nays: None
Abstain: None
Absent: None

Mayor Giordano asked for a motion to approve the passage of Ordinance 2024-02.

Mrs. Gesumaria made a motion to approve the passage of Ordinance 2024-02, which was seconded by Mrs. Kelsey.

Ayes: Mrs. Gesumaria, Deputy Mayor Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano

Nays: None

Abstain: None

Absent: None

Bill List:

Mr. Stuber made a motion to approve the Bill List as presented, which was seconded by Mrs. Gesumaria.

Ayes: Mrs. Gesumaria, Deputy Mayor Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano

Nays: None

Abstain: None

Absent: None

Public Comment:

Mathew Goerke inquired if the committee had researched cleaning the path at the Field of Dreams when it snows.

Adjournment:

Mrs. Gesumaria made a motion to adjourn 7:32 pm, which was seconded by Mr. Stuber.