

**Independence Township Committee
Regular Meeting Agenda
March 12, 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: Mr. Stuber, Mrs. Kelsey, Mayor Giordano

Department Reports:

Chief Harchar, ITVFD, stated that the fire department had fourteen (14) calls the majority of the calls were for trees on wires. The fire department is looking for new members and fundraising.

Mr. Joe King, DPW Assistant Supervisor stated that there was salt delivered. The parking lot at field of dreams was opened and they began working at the fields today making the soccer and lacrosse fields.

Chief Prell stated that his reports were submitted there were 6 arrests this month there were four DWIs and two domestic related calls. The movie was in town earlier this week so the department was busy assisting them on set with traffic. Everything went really well.

Ms. Dena Hrebenak stated that she received a call from the people handling the set and that they were extremely pleased with how the Township handled everything.

Ms. Daria Bracuti, GMRSD representative stated that the School Board will be introducing the budget for the upcoming year.

Ms. Hrebenak stated that there was a Fireman’s Relief Association for Jacob Schilling all items are in order and that she would need a motion to approve her signing the application.

Mr. Stuber made a motion to approve the Clerk signing the Fireman’s relief association application, which was seconded by Mrs. Kelsey.

Ayes: Mr. Stuber, Mrs. Kelsey, Mayor Giordano

Nays: None

Abstain: None

Absent: Mrs. Gesumaria, Mr. Pennington

Ms. Hrebenak stated that she spoke with Mr. Finelli today and that if the township moves forward with doing the Ryan Road project completely there would be a \$240,000 shortfall, so Mr. Finelli is suggesting that the road project be split in two as we did with Russling Road. If the Committee is in agreement a motion is needed.

Mr. Stuber made a motion to split the Ryan Road project into two parts, which was seconded by Mrs. Kelsey.

Ayes: Mr. Stuber, Mrs. Kelsey, Mayor Giordano

Nays: None

Abstain: None

Absent: Mrs. Gesumaria, Mr. Pennington

Consent Agenda:

24-24

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Independence County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren

NOW, THEREFORE, BE IT RESOLVED by the Township of Independence, County of Warren, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Great Meadows Municipal Alliance grant for fiscal year 2025 in the amount of:

GCADA Grant	\$1,611.00
Cash Match	\$402.75
In-Kind	\$1,208.25
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution 24-25

SELF-EXAMINATION OF BUDGET RESOLUTION
[as required by DCA]

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Independence has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2024 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Independence that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY

SAFE AND SECURE COMMUNITIES PROGRAM

RESOLUTION OF PARTICIPATION #24-26

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

WHEREAS, the Township of Independence wished to apply for funding of approximately \$ 22,575.00 with a match of \$162,237.50 for an approximate project total cost of \$184,812.50 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 24-2112 for the period 8.11.23 to 8.10.24
2. The Attorney General will receive funds on behalf of the applicant.
3. The Department of Law & Public Safety, Office of the Attorney General shall be responsible for the receipt and review of the applications for said funds.
4. The Department of Law & Public Safety, Office of the Attorney General shall initiate allocations to each applicant as authorized.

No. 24-27

Date of Adoption: March 12, 2024

Title: Tricky Tray & 50/50 Raffle

WHEREAS, Tiger Football Club, Corp is registered by the State of New Jersey to operate legalized games of chance, (181-5-43254) and,

WHEREAS, they have submitted applications for a 50/50 Raffle to be held on April 27, 2024 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 2024-05 (50/50) and RA# 2024-06 (Tricky Tray) be issued to Tiger Football Club Corp.

No: 24-28

Date of Adoption: March 12, 2024

Title or Subject: Salaries 2024

Be It Resolved by the Independence Township Committee that the following salaries shall be paid to Township employees, effective January 1, 2024 unless otherwise noted.

Administration	
Mayor	\$ 8,306
Deputy Mayor	\$ 4,245
Township Committee Member	\$ 3,546
Municipal Clerk/Registrar	\$ 98,196
Administrator	\$ 12,205
Tax and Finance	
Chief Financial Officer	\$ 41,714
Tax Collector	\$ 28,559
Tax Assessor	\$ 29,717
Payroll Clerk	\$ 3,438
F/T Clerical	\$ 40,000
Municipal Court	
Judge	\$ 19,730
Court Administrator	\$ 16,292
Violation Clerk (2)	\$ 17.58/hr.
Violation Clerk	\$ 16.47/hr.
Filing Clerk	\$ 16.47/hr.
Public Works	
Assistant Supervisor	\$ 27.17/hr.
Truck Driver 1	\$ 32.28/hr.
Truck Driver 2	\$ 25.08/hr.
Truck Driver 3	\$ 24.61/hr.

Construction/Zoning	
TACO	\$ 13,772
Construction Official	\$ 12,330
Construction Official - Green	\$ 6,678
Building Subcode	\$ 11,585
Building Subcode - Green	\$ 8,347
Electrical Sub Code Official / Electrical Inspector	\$ 6,990
Electrical Sub Code Official / Electrical Inspector – Green	\$ 6,678
Plumbing Sub Code Official / Plumbing Inspector	\$ 6,319
Plumbing Sub Code Official / Plumbing Inspector – Green	\$ 6,678
Fire Subcode	\$ 6,846
Fire Subcode – Green	\$ 5,008
Zoning Official	\$ 16,746
Vacant and Abandoned Property Stipend	\$ 7,430
Land Use Board Administrator	\$ 9,802
Recreation/Seniors	
Recreation Director	\$ 21,969
Public Safety	
Chief of Police	
Clerk-Typist	\$ 48,448
Police Matron Call Out	\$ 57.86/2 hr
Matron Hrs, After Call Out	\$ 23.15/hr.
Emergency Management Coordinator Stipend	\$ 2,977
911 Coordinator	\$ 1,719

Mrs. Kelsey made a motion to approve the Consent Agenda as presented, which was seconded by Mr. Stuber.

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

Introduction 2024 Budget Resolution 24-29

Mayor Giordano explained the 2024 Budget and asked Mr. Macchia, CFO to go through the budget information.

Mr. Stuber made a motion to introduce the 2024 Budget, which was seconded by Mrs. Kelsey.

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

- **Ordinance:**

First Reading

ORDINANCE NO. 2024-03

**ORDINANCE REGULATING AND PERMITTING
COMMERCIAL, TELEVISION, MOVIE, AND STILL FILMING
ON PUBLIC PROPERTY WITHIN THE TOWNSHIP OF INDEPENDENCE**

WHEREAS, the Township Committee desires to encourage filming within the Township in an organized, efficient, and controlled manner in order to protect the safety, health and welfare of all persons.

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-62.1, the Committee held a public hearing on this ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Independence, the County of Warren, that a Chapter of the Code of the Township of Independence (the “Code”), entitled “Filming,” is hereby added as follows:

SECTION 1. A Chapter of the Township Code entitled “Filming” is hereby added as follows:

§ ___-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CREW -- Actors, extras, crew and all other persons who will participate in the filming.

FILMING -- The taking of still or motion pictures, or any incidental activities in connection therewith, using film, videotape or similar recording equipment, for commercial or educational purposes, intended for viewing on television or in theaters or for institutional use or for advertising purposes, any portion of which activity occurs on public lands.

PUBLIC LANDS -- Any and every public street, highway, sidewalk or square, public park or playground or other public place within the Township which is within the jurisdiction and control of the Township.

§ ___-2. Film Commission.

There shall be a three-member Film Commission established, consisting of the Mayor, Chief of Police, and one member of the Township Committee appointed by the Mayor, or their designees, which is hereby authorized to issue permits or to direct the Administrator to issue permits for filming or performing incidental activities in connection therewith on public lands.

§ ___-3. Permit required; applications; information.

- A. No person, firm or corporation shall film or permit filming or any activity in connection therewith within the Township of Independence on public land or which affects public land without first obtaining a permit therefor from the Township Film Commission, which permit shall set forth the location of such filming and the date or dates when filming shall take place.
- B. Applicants shall apply for a permit at least thirty (30) business days before filming commences. However, this thirty (30) day period may be waived by the Township Film Commission or its designee.
- C. If inclement weather prevents filming on the dates specified in the permit, the Township Film Commission may issue a new permit at no additional fee.
- D. Permit forms shall be obtained from the office of the Township Clerk during normal business hours. Applications for such permits shall be in a form approved by the Township Clerk and shall be accompanied by a permit fee as set forth in § ___-7 hereof.
- E. With each permit, the applicant shall provide the following information:
 - 1) The number of members of the filming crew.
 - 2) The estimated number and description of types of all vehicles to be used by the crew, including vehicles used for transportation.
 - 3) A description of arrangements for parking for crew and work vehicles.
 - 4) A description of sanitary arrangements to be made for crew and bystanders.
 - 5) A description of crowd control measures.
 - 6) A description of all location areas for filming or incidental activities.
 - 7) A description of cleanup methods to be used.
 - 8) A description of any special electrical requirements and the methods of satisfying those requirements, including all electrical permits required.
 - 9) Such information necessary to establish that the applicant can comply with the rules and regulations set forth in § ___-4 hereof.
 - 10) Proof of insurance coverage as follows: combined single limit liability limits of \$1,000,000 and aggregate coverage in the amount of \$2,000,000. The Township of Independence shall be named as an additional insured under the applicant's policy.
 - 11) An agreement in writing to indemnify and save harmless the Township of Independence from any and all liability or damages from the use of such public lands for such filming.

- 12) Such other information as required by the Film Commission necessary to protect the health, safety and welfare of the residents of the Township.

§ ___-4. Bond required.

Prior to the issuance of the permit, the applicant shall post a cash bond in the amount of \$2,500 to assure that the applicant has fully complied with all the terms and conditions of the permit and to reimburse the Township for property damage. The posting of the bond shall not be in lieu of providing liability insurance. The cash bond will be returned to the applicant, without interest, within 30 days after the applicant has notified the Township, in writing, that it has completed filming, unless the Township has unsatisfied claims against the applicant, in which case the Township will hold the bond, or a part thereof, until all claims against the applicant are satisfied.

§ ___-5. General Regulations.

- A. The holder of a permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Township of Independence Police Department with respect thereto.
- B. The holder of a permit shall conduct filming in such a manner so as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities upon public lands and limit to the extent possible any interference with normal public activity on such public lands.
- C. The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for removing all equipment, debris and other rubbish from the filming location upon the completion of filming or the expiration of the permit, whichever comes first. If the Township Film Commission determines that the filming will produce excessive debris and other rubbish, the Township Film Commission may require the posting of a letter of credit, bond or other performance guaranty in addition to the bond required pursuant to § ___-4 herein to cover possible costs incurred.
- D. Filming shall take place within the hours agreed upon by the Township Film Commission and the film company.
- E. Each film location shall have an off-duty Township of Independence police officer, or a police officer approved by the Township of Independence Police Chief, at the film location, the cost of which shall be paid by the film company, unless the Chief shall determine that no officer is necessary. The Township Film Commission, upon advice of the Township Police Chief, reserves the right to require more than one police officer be on-site during filming.

The applicant shall submit a Request for Quasi Public Work form which can be obtained in the office of the Clerk.

The cost of said police officer(s) shall be paid by the applicant. In the event that any type of pyrotechnics is part of the filming, the Township Film Commission may require the presence of a fire inspectors and/or fire apparatus, the cost of which shall be paid by the applicant.

- F. No public street in the Township may be closed without the express permission of the Mayor and Committee. The applicant shall obtain the necessary permits for the closing and/or disruption of County and State roads and submit and necessary permits to the Township Film Commission or its designee.
- G. If any inspections such as fire, electrical, building or plumbing are required, the costs shall be paid by the film company. The Township Film Commission reserves the right, on a case-by-case basis, to require the approval of any Township Department or agency for activities which such Department or agency oversees or regulates.
- H. Copies of the approved permit shall be sent to the Township Police Department and Fire Department(s) and New Jersey Film Commission before filming takes place. The applicant shall permit the Fire Department(s) or other Township inspectors to inspect the site and the equipment to be used and shall comply with all safety instructions issued by the Fire Department(s) or other Township inspectors.

§ ___-6. Issuance of Permit.

- A. The Independence Film Commission or its designee will authorize the issuance of a permit to the applicant if it determines, based on the information supplied, that the applicant can provide adequate measures for parking, sanitary facilities, crowd control and cleanup; that the applicant will comply with the rules and regulations set forth in § __-5 hereof; the applicant received all other necessary governmental approvals and that filming will not unduly interfere with the use and enjoyment of private property or the public facilities of the Township and will not endanger the public's health, safety and welfare.
- B. The Township Film Commission may refuse to issue a permit whenever, in its sole judgment, based on the information submitted, it determines that:
 - 1) Filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.

- 2) The applicant has not established that it has provided adequate measures for parking, sanitary facilities, crowd control and cleanup or that the applicant has not received and submitted all other necessary government approvals.
- 3) The applicant has failed to establish that the filming would not unreasonably interfere with the use and enjoyment of adjoining properties; unreasonably impede the free flow of vehicular or pedestrian traffic; or otherwise endanger the public's health, safety or welfare.
- 4) The applicant has not shown that it can comply with the rules and regulations set forth in § -4 hereof.

§ ___-7. Fees.

Filming permit (includes first day of filming and includes nonrefundable filing fee of \$100)	\$500.00
Every day thereafter	\$300.00 per day Plus additional bond as referenced in § ___-4 and § ___-5(C) herein

§ ___-8. Violations and penalties; enforcement.

- A. Any person violating this chapter or rules and regulations contained herein shall be subject to a fine not to exceed \$2,000 or imprisonment for a term not to exceed 90 days, or both. Each day on which a violation of the Ordinance occurs shall be considered a separate and distinct violation subject to the imposition of a separate penalty.
- B. The Township Police Department are hereby designated as the enforcement agency responsible for the enforcement of this Ordinance. Additionally, the Engineer or his designee, in consultation with the Township attorney may issue a Stop Work Order or revoke the Filming Permit until such violation is abated.

§ ___-9. Exceptions.

The provisions of this chapter shall not apply to the filming of news stories or filming with a crew of four or fewer members;

§ ___-10. Appeals.

Any person aggrieved by a decision of the Township Film Commission denying or revoking a permit may appeal to the Township Committee. A written notice of the appeal setting forth the reasons for the appeal shall be filed with the Township Clerk within ten (10) calendar days of the Township Film Commission's decision. The Township Committee shall set the matter down for a hearing within thirty (30) calendar days of the day on which the notice of appeal was filed.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect upon final passage, publication, and filing, all in accordance with the law.

Mr. Stuber made a motion to introduce Ordinance 2024-03, which was seconded by Mrs. Kelsey.

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

Nays: None

Abstain: None

Absent: None

Bill List

Mrs. Kelsey made a motion to approve the bill list as presented, which was seconded by Mr. Stuber.

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

Nays: None

Abstain: None

Absent: None

Mr. Stuber made a motion to adjourn at 7:19 pm, which was seconded by Mrs. Kelsey.

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

Nays: None

Abstain: None

Absent: None