

**Independence Township Committee  
Regular Meeting Agenda  
May 13, 2025  
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: Mrs. Gesumaria, Mr. Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano**

**Minutes:**

**October 8, 2024  
December 10, 2025  
January 7, 2025  
January 25, 2025-Budget  
January 25, 2025-Affordable Housing  
February 11, 2025  
March 11, 2025**

**Mrs. Gesumaria made a motion to approve the minutes as presented, which was seconded by Mrs. Kelsey.**

**Ayes: Mrs. Gesumaria, Mr. Pennington, Mr. Stuber, Mrs. Kelsey (withholding January 7, 2025), Mayor Giordano**

**Nays: None**

**Absent: None**

**Abstain: Mrs. Kelsey (January 7, 2025)**

**Department Reports:**

**Joe King, CPWM explained that everything is going well.**

**Melissa Shurack, Recreation Director, stated that everything is going well spring sports are starting to wind down, the seniors have 5 bus trips scheduled.**

**Chief Prell went through the arrest report that had four arrests listed.**

**Mrs. Kelsey made a motion to approve the engineer working on the mapping for all MS4 Infrastructure with the grant money from NJDEP, which was seconded by Mr. Stuber.**

**Mrs. Kelsey made a motion to approve the Municipal Aid grant applications being put through for Cemetery Road and Townsbury Road.**

**Consent Agenda:**

**RESOLUTION NO. 25-34**

**RESOLUTION AUTHORIZING ASSIGNMENT OF FINANCIAL AGREEMENT FOR  
BLOCK 6.02, LOT 3/ 922-930 ROUTE 517**

**WHEREAS**, on October 9, 2014, pursuant to Ordinance 2014-05 (as amended by Ordinance 2025-02), the Township Committee of the Township of Independence (the “Township Committee”) adopted the Redevelopment Plan for property designated as Block 6.02, Lot 3 on the Tax Maps of the Township of Independence, Warren County (the “Property”); and

**WHEREAS**, pursuant to Resolution 2014-05, adopted on October 9, 2014, the Township Committee designated Woodmont Independence Urban Renewal, LLC (“Woodmont”) as the redeveloper for the Property; and

**WHEREAS**, the Township of Independence (the “Township”) executed a Redevelopment Agreement with Woodmont dated January 12, 2016 (as amended by a Rider dated June 14, 2022) pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) regarding the Property as a residential apartment complex (the “Project”); and

**WHEREAS**, a Certificate of Substantial Completion has been issued by the Township for the Project pursuant to Section 2.02 of the Redevelopment Agreement; and

**WHEREAS**, the issuance of the Certificate of Substantial Completion released Woodmont from all obligations, responsibilities and liabilities under the Redevelopment Agreement; and

**WHEREAS**, however, the Rider to the Redevelopment Agreement sets forth Woodmont’s responsibilities regarding the deed-restricted affordable housing units in the Project and such responsibilities survive the issuance of the Certificate of Completion; and

**WHEREAS**, the Township entered into a Financial Agreement dated December 6, 2016 pursuant to the Long Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.) with Woodmont relating to the Project and Property; and

**WHEREAS**, by letter dated April 24, 2025 (attached hereto as Exhibit A), Woodmont advised that it sought to sell the Property and Project to Hackettstown Liberty Urban Renewal LLC (“Hackettstown Liberty”) and transfer its rights and obligations under the Financial Agreement and Redevelopment Agreement to Hackettstown Liberty; and

**WHEREAS**, N.J.S.A. 40A:20-10(a) requires the Township to consent to such assignment provided that the following conditions are met:

1. The assignee is a qualified urban renewal entity.
2. The assignee does not own another project subject to a long term tax exemption.
3. The assignor is not in default of the Financial Agreement.
4. The assignee executes an Assignment and Assumption Agreement

**WHEREAS**, the April 24, 2025 letter from Woodmont certified as to the required information; and

**WHEREAS**, Article VII of the Redevelopment Agreement and Section 8.01 of the Financial Agreement permit Woodmont to assign its rights under such agreements with the Township’s consent; and

**WHEREAS**, Woodmont has agreed to pay the Township an administrative fee associated with processing its request consistent with N.J.S.A. 40A:20-10(d) and signed a letter agreement to this effect (attached hereto as Exhibit B); and

**WHEREAS**, the parties desire to execute an Assignment and Assumption Agreement (the “Assignment and Assumption Agreement”) (attached hereto as Exhibit C) to memorialize the assignment of the Redevelopment Agreement and Financial Agreement and the Township’s consent thereto.

**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. Based upon the information provided by Woodmont that the transfer complies with the requirements of N.J.S.A. 40A:20-10(a), the Township hereby consents to the assignment by Woodmont of its rights and obligations under the Redevelopment Agreement and Financial Agreement in connection with the Property and Project. Such assignment will be effective upon Hackettstown Liberty's purchase of the Property and execution of the Assignment and Assumption Agreement.
2. The Mayor and Clerk are authorized to execute all documents necessary to effectuate the Assignment and Assumption described herein, including the Assignment and Assumption Agreement and the Escrow Agreement, in substantially the same form as attached hereto.
3. In the event any requirements of N.J.S.A. 40A:20-10(a) are not met, this Resolution shall be void and of no effect.
4. This Resolution shall take effect immediately.

Resolution 25-35

INDEPENDENCE TOWNSHIP COMMITTEE

2025 Recycling Tonnage 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 \$1,578.49 from the State of New Jersey, Special Legislative Grant and wishes to amend its 2025 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 2025 in the amount of \$1,578.49 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 \$1,578.49  
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: 2025 Recycling Tonnage 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.

Mrs. Gesumaria made a motion to approve the passage of Resolutions 25-34 and Resolution 25-35, which was seconded by Mr. Pennington.

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

#### **Resolution 25-36**

**A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE TOWNSHIP OF INDEPENDENCE TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPERTIES ON 916 ROUTE 517, BLOCK 6.01, LOT 3.01; 7 CANAL LANE, BLOCK 4, LOT 24; WATER STREET, BLOCK 17, LOT 28; 260-276 ROUTE 46, BLOCK 21, LOT 38; AND ANY OTHER TOWNSHIP OWNED PROPERTIES MEET THE STATUTORY CRITERIA FOR A "NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT" PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A :12A-1 ET. SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq., (the "Redevelopment Law") provides tools to assist municipalities encourage investment, development, and improvements of certain properties through programs of redevelopment; and

**WHEREAS**, the Redevelopment Law sets forth a specific procedure for designating an Area in Need of Redevelopment; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, prior to a municipal governing body making a determination as to whether a study area qualifies as an Area in Need of Redevelopment, the governing body must authorize the municipal planning board by resolution to undertake a preliminary investigation to determine whether the area meets the criteria set forth at N.J.S.A. 40A:12A-5 for designation of the area as an Area in Need of Redevelopment; and

**WHEREAS**, the Township Council of the Township of Independence wishes to direct the Planning Board of the Township of Independence to undertake a preliminary investigation to determine whether the following properties: 916 Route 517, Block 6.01, Lot 3.01; 7 Canal Lane, Block 4, Lot 24; Water Street, Block 17, Lot 28; 260-276 Route 46, Block 21, Lot 38; and any

Township owned properties on the Official Tax Map of the Township of Independence, County of Warren, qualifies as an Area in Need of Redevelopment without the power of condemnation (the “Non-Condensation Area in Need of Redevelopment”) pursuant to the Redevelopment Law.

**NOW, THEREFORE, BE IT RESOLVED** on this 13th day of May, 2025, by the Township Committee of the Township of Independence, County of Warren, State of New Jersey, that it hereby directs and authorizes the Planning Board of the Township of Independence (the “Planning Board”) to determine whether the properties : 916 Route 517, Block 6.01, Lot 3.01; 7 Canal Lane, Block 4, Lot 24; Water Street, Block 17, Lot 28; 260-276 Route 46, Block 21, Lot 38; and any Township owned properties (the “Study Area”), qualifies as a Non-Condensation Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq.

**BE IT FURTHER RESOLVED**, that prior to the public hearing to be held by the Planning Board on the matter, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the property included therein, and appended to the map shall be statement setting forth the basis for the investigation; and

**BE IT FURTHER RESOLVED**, that the Planning Board shall specify a date for and give notice of the hearing for the purpose of hearing persons who are interested in or would be affected by the determination of the Study Area as a Non-Condensation Area in Need of Redevelopment; and

**BE IT FURTHER RESOLVED**, that the hearing notice shall set forth the general boundaries of the Study Area and state that a map has been prepared and can be inspected at the office of the Township Clerk, and that a copy of the notice shall be published in an official newspaper as previously designated by the Township Committee, once a week for two consecutive weeks, and the last publication shall not be less than ten (10) days prior to the date set for the hearing, and that a copy of the notice shall be mailed ten (10) days prior to the date set for the hearing to property owners of each parcel of property within the Study Area, and within 200-feet of the Study Area, according to the assessment records of the Township of Independence, as well as persons at their last known address, if any, whose names are noted on the assessment records as claimants of an interest of any such parcel; and

**BE IT FURTHER RESOLVED**, that the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area qualifies under the redevelopment criteria and that all objections to such determination and evidence in support of those objections, given orally or in writing, shall be received and made part of the public records; and

**BE IT FURTHER RESOLVED**, that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a resolution with supporting documentation.

Mr. Pennington made a motion to approve Resolution 25-36, which was seconded by Mrs. Gesumaria.

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

**Ordinance**

**Second Reading**

**Mayor Giordano asked for a motion to open the Public hearing for Ordinance 2025-05.**

**Mr. Stuber made a motion to opening the Public hearing for Ordinance 2025-05, which was seconded by Mayor Giordano.**

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

**Mayor Giordano stated that being there are no comments for the Public hearing he would like a motion to close the Public hearing.**

**Mrs. Kelsey made a motion to close the Public hearing for Ordinance 2025-05, which was seconded by Mr. Stuber.**

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

**INDEPENDENCE TOWNSHIP**

**ORDINANCE NO. 2025-05**

**ORDINANCE AMENDING CHAPTER 63 OF THE CODE OF THE TOWNSHIP OF INDEPENDENCE TO ESTABLISH A “JOBS IN BLUE” PROGRAM**

**WHEREAS**, the Township of Independence recognizes the need to enhance community safety and engagement; and

**WHEREAS**, the Township desires to provide opportunities for its law enforcement officers to supplement their income while maintaining a high level of professionalism and community interaction; and

**WHEREAS**, the Township believes that utilizing the skills and experience of its police officers in a structured, off-duty capacity can benefit the community; and

**WHEREAS**, the Township has determined that the establishment of a "Jobs in Blue" program for off-duty police officers is a viable and beneficial approach to achieving these goals;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township of Independence, New Jersey, hereby establishes a "Jobs in Blue" program for its off-duty police officers, subject to the following guidelines and regulations:

**SECTION 1.** Chapter 63 of the Township Code is hereby amended to add § 63-10 as follows:

**§ 63-10. Jobs in Blue Program. [Definitions.]**

**AUTHORIZED SERVICES or AUTHORIZED WORK** — The police services authorized by this section.

**NONPROFIT ORGANIZATION** — An organization that has been deemed by the United States Internal Revenue Service as a not-for-profit, tax-exempt organization, and presents a certification thereof.

**OFFICER** — A sworn police officer employed by the Township of Independence in its Police Department.

**SCHOOL DISTRICT** — The Great Meadows Regional School District.

**THIRD-PARTY CONTRACTOR** — Any business, organization, association, or individual, other than the Township of Independence or the Great Meadows Regional School District, whether public or private, that enters into a contract with the Township for the services of an officer or officers to provide security, traffic control and other police-related services for the third-party contractor's business, project or function.

**TOWNSHIP** — The Township of Independence.

**A. Authorization.**

- (1) Sworn officers employed by the Township in its Police Department may be authorized by the Chief of Police to provide security, traffic control and other police-related services to third-party contractors, nonprofit organizations and the School District during times when officers are not scheduled for a tour of duty by the Police Department; provided, however, that all such work performed and the arrangements therefor are made pursuant to this section. Special police officers may perform the services authorized by this section only when full-time officers are unavailable and when such an assignment would not otherwise interfere with a Special Police Officer's assigned duties.
- (2) Officers performing authorized services shall wear a Police-Department-issued uniform and shall use other Police Department equipment as the Chief of Police or the Chief's designee may authorize or require.
- (3) It is the express intention of this section that, to the extent permitted by law, officers who are injured while performing authorized services shall be entitled to the benefits provided by the Police and Firemen's Retirement System.

**B. Program administration:**

- (1) The Jobs-in-Blue program shall be administered by the Chief of Police under general oversight from the Mayor, Police Commissioner and/or Township Administrator in accordance with the parameters established herein.

- (2) The Governing body, upon consultation with the Chief, shall hire a third-party vendor to manage the Jobs-in-Blue program. The PBA shall procure the services of a third-party vendor consistent with the provisions of the N.J. Local Public Contracts Law. The third-party vendor shall charge the fees established in Subsection F below, along with a modest administrative fee for its services approved by the governing body. Said fees shall be collected by the third-party vendor, at the time of the application, and be held in a trust account pending disbursement in accordance herein.
  - (3) The Chief shall upon implementation the Chief will establish a system to fairly and properly assign and disseminate the jobs to enable the Jobs-in-Blue program to be managed and administered jointly by the Township and the third-party vendor. Upon the hiring of the third-party vendor, the vendor shall execute a hold harmless agreement in the Township's favor which is acceptable to the municipal attorney. Such an agreement between the Township and the third-party vendor shall also include standards as to the third-party vendor's performance in administering the Jobs-in-Blue program, including the vendor's distribution of job assignments and fiduciary responsibilities for monies handled, collected and disbursed.
  - (4) The third-party vendor shall post a bond to ensure that it will properly bill and collect payment from third-party contractors and nonprofits, and make timely payments to the Township and police officers who worked the assignments, including attestation of payroll tax and withholding payments being timely made.
  - (5) The Chief shall also require the third-party vendor to keep a separate ledger for Township Jobs-in-Blue program transactions that is subject to inspection by the Township Administrator, CFO or auditor, along with forwarding monthly records of the Jobs-in-Blue service requests, officer assignments (including times and hours worked), use of Township police vehicles (by license plate or vehicle number) and vehicle job assignments, and all payroll records inclusive of mandatory federal and state withholdings, etc.
- C. Insurance. Third-party contractors and nonprofit organizations shall provide the Township with a certificate of insurance, naming the Township and the Statewide Insurance Fund as additional named insureds, and an indemnification agreement, as to the Township and the Statewide Insurance Fund. Said certificate of insurance shall indicate that the third-party contractor and nonprofit organization has sufficient workers' compensation insurance to meet the statutory requirements and general liability insurance in the amount of not less than \$1,000,000.
- D. Control of officers. The Chief of Police shall be responsible for directing and supervising officers who perform authorized work, and shall retain the discretion to manage 'jobs in blue' assignments so as not to adversely impact police operations, staffing, and/or overtime costs.
- E. Fees.
- (1) Hourly rate: \$95 per hour together with an administrative fee that covers the actual costs regarding mandatory state and federal contributions and the third-party vendor's modest charges for administering the Jobs-in-Blue program. The hourly rate shall be \$115 per hour if the job is requested with less than 72 hours notice.
  - (2) Police vehicle: \$25 per hour/per vehicle.
  - (3) Each job shall have a mandatory minimum charge equivalent to two hours per officer requested, which shall also be the nonrefundable cancellation charge if the party requesting services cancels the job. The cancellation fee shall be payable to the police officer(s) assigned to the job.

**SECTION 2. Severability.** Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 3. Repealer.** All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION 4. When Effective.** This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Mrs. Kelsey made a motion to adopt Ordinance 2025-05, which was seconded by Mr. Stuber.

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

Nays: None

Absent: None

Abstain: None

#### **Bill List**

Mr. Pennington made a motion to approve the bill list as presented, which was presented Mrs. Gesumaria.

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

Nays: None

Absent: None

Abstain: None

#### **Public Comment:**

Mayor Giordano opened the floor for public comment, seeing non the public comment portion was closed.

Mrs. Kelsey made a motion to adjourn at 7:49 pm, which was carried by all.