

**Independence Township Committee
Regular Meeting Agenda
July 8, 2025
7:00 pm**

Call to Order, Flag Salute, Open Public Meetings Act

Roll Call: Mrs. Gesumaria, Mr. Pennington, Mr. Stuber, Mrs. Kelsey, Mayor Giordano

AWARDS: SOCCER

Mayor Giordano explained that Independence Recreation Division 5 soccer team coached by Matt Hirsch placed 1st in their division for the spring season.

All members of the team were presented with a trophy.

Department Reports:

Chief Harchar, ITVFD, reported that Bingo will begin on August 6, 2025 and that there will be a breakfast in October. The Fire Department has 5 new members that have graduated the Fire Academy. The Annual Money Raffle will be held in October and tickets will be available soon.

Melissa Shurack, Recreation Director, stated that all is quite right now other than fall sports starting up.

Consent Agenda:

**INDEPENDENCE TOWNSHIP, WARREN COUNTY
RESOLUTION 25-50**

Approval to submit a Grant application and execute a grant contract with the New Jersey Department of Transportation for the Townsbury Road Resurfacing project.

WHEREAS, Independence Township, Warren County, New Jersey has given Finelli Consulting Engineers a division of UTRS the approval to submit this grant on the behalf of the Township of Independence,

NOW, THEREFORE, BE IT RESOLVED that Committee of the Township of Independence formally approves the grant application for the above stated project,

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2026- Townsbury Road, Resurfacing Project -**

00078 to the New Jersey Department of Transportation on behalf of the Township of Independence.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Independence and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

INDEPENDENCE TOWNSHIP, WARREN COUNTY
RESOLUTION 25-51

Approval to submit a Grant application and execute a grant contract with the New Jersey Department of Transportation for the Cemetery Road Resurfacing, Section 1 project.

WHEREAS, Independence Township, Warren County, New Jersey has given Finelli Consulting Engineers, a division of UTRS the approval to submit this grant on the behalf of the Township of Independence,

NOW, THEREFORE, BE IT RESOLVED that Committee of the Township of Independence formally approves the grant application for the above stated project,

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2026- Cemetery Road, Resurfacing Section 1-00077** to the New Jersey Department of Transportation on behalf of the Township of Independence.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Independence and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 25-52

RESOLUTION OF INDEPENDENCE TOWNSHIP, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING THE SICK LEAVE POLICY CONTAINED IN THE TOWNSHIP'S PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the Township of Independence seeks to update and clarify its Sick Leave Policy contained in the Personnel Policies and Procedures Manual to conform with the law of the State of New Jersey and the current practices of the Township and; and

WHEREAS, the Township's Sick Leave Policy contained in Section III of the Personnel Policies and Procedures Manual states in relevant part that "[a]t the end of each calendar year, an employee's unused sick time is added to the allotment for the following year. This accumulation continues indefinitely, and employees will be paid for one-half of their

accumulated unused sick days up to a maximum of \$15,000.00, at the time the employee resigns in good standing or retires from employment....” and

WHEREAS, N.J.S.A. 11A:6-19.2, provides that payments for accrued sick leave may not be made annually or upon resignation, but only at retirement; and

WHEREAS, given the foregoing, the Township of Independence wishes to amend its Personnel Policies and Procedures Manual accordingly.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Independence, in the County of Warren, that the Township Policies and Procedures Manual be updated to delete in its entirety and replace “Section Three: Sick Leave Policy” with the following:

Sick Leave Policy:

DEFINITIONS

“Sick leave” shall mean paid leave that may be granted to an employee for any of the reasons set forth in N.J.S.A. 34:11D-1:

- (1) time needed for diagnosis, care, or treatment of, or recovery from, an employee’s mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
- (2) time needed for the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member’s mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;
- (3) absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member: medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence; services from a designated domestic violence agency or other victim services organization; psychological or other counseling; relocation; or legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence;
- (4) time during which the employee is not able to work because of a closure of the employee’s workplace, or the school or place of care of a child of the employee, by order of a public official due to an epidemic or other public health emergency, or because of the issuance by a public health authority of a determination that the presence in the community of the employee, or a member of the employee’s family in need of care by the employee, would jeopardize the health of others; or

- (5) time needed by the employee in connection with a child of the employee to attend a school related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability

"Part-time Employee" shall mean a permanent employee that typically works 25 hours or less per week.

"Seasonal Employee" shall mean an employee that is employed for 120 calendar days or less during the calendar year.

All other definitions set forth in N.J.S.A. 34:11D-1 are incorporated herein by reference.

Full-time employees are entitled to fifteen (15) working days of sick leave per calendar year. Sick leave is to be used as set forth above pursuant to N.J.S.A. 34:11D-1. Sick leave may be taken in half or full day increments, no less. Employees absent on sick leave for five or more consecutive working days must submit a doctor's verification of illness or injury. If an employee is attending to an immediate family member, doctor's verification of that individual is required. An employee will not be permitted to return to work until the verification is received.

a. Accumulation and Payment of Accumulated Time upon Retirement.

i. **Employees hired prior to December 31, 2009.**

The retiring employee will be entitled to be paid at retirement for the value of either (a) the value of their accumulated sick days as of December 31, 2009, provided that their accumulated sick days as of the date of their retirement is equal or great than the number of accumulated sick days as of December 31, 2009; or (b) one-half the value of their accumulated sick days as of the date of retirement up to a maximum of \$15,000.00 whichever is greater.

An employee who has been terminated or discharged shall not be entitled to payment for unused sick leave. Should an employee voluntarily sever their employment with the Township, they shall not receive monetary compensation for any unused sick time that they have accrued.

- ii. **Employees hired after December 31, 2009.** All full-time employees hired after December 31, 2009 shall be entitled to be paid for one-half of their accumulated sick days up to a maximum of \$15,000.00. Any and all additional sick days will be forfeited upon retirement. Payment shall be based on the employee's regular rate of pay at the time of retirement. To be eligible for payment for the accumulated sick days the retiring employee must provide the Township with written notice of the intention to retire at least three (3) months prior to their retirement. In addition, if deemed

necessary by the Township, payment of the accumulated sick leave can be deferred until the budget year following the year of retirement.

An employee who has been terminated or discharged shall not be entitled to payment for unused sick leave. Should an employee voluntarily sever their employment with the Township, they shall not receive monetary compensation for any unused sick time that they have accrued.

PART TIME EMPLOYEES

Part-time employees shall receive one hour of sick leave for every 30 hours worked. Part-time employees not covered by a collective bargaining agreement, are eligible for sick leave as set forth herein and to the extent required by N.J.S.A. 34:11D-1 et seq. Seasonal Employees (i.e. those hired for less than 120 consecutive calendar days in one calendar year) are not eligible for sick leave.

Existing part-time employees shall begin accruing sick leave time on October 29, 2018 and shall be able to use earned sick time as soon as it is accrued in at least half (1/2) day increments. New part-time employees shall be eligible to use earned sick leave beginning on the 120th calendar day after the employee commences employment.

Part-time employees shall be permitted to carry forward sick leave hours from one benefit year to the next. However, each part-time employee shall not be permitted to accrue, use in one benefit year, or carry forward from one benefit year to the next, more than 40 hours of earned sick leave.

Part-time employees shall not be entitled to compensation for unused sick time upon retirement. An employee, whether part-time or full-time, who has been terminated or discharged shall not be entitled to payment for unused sick leave. Should an employee voluntarily sever their employment with the Borough, or should they be terminated, they shall not receive monetary compensation for any unused sick time that they have accrued.

Notification

If an employee is absent for reasons that entitle him or her to sick leave, the employee shall notify the Clerk/Township Administrator promptly, but not later than fifteen (15) minutes after the employee's usual reporting time.

For absences of more than one (1) day, the employee must call in daily, unless a note from the employee's physician specifying the date of return has been submitted to the Clerk.

The failure to provide notice of intention to take sick leave or an unauthorized absence may result in a forfeiture of sick leave credit and may constitute cause for disciplinary action up to and including termination.

If an employee, or a member of their immediate family, fails to notify the department head or the Clerk after two (2) consecutive absences, the Township will assume that the employee has abandoned the job and treated the separation as a job abandonment resignation. In his or her

discretion, the Clerk may make an exception to this decision if the employee verifies an extreme situation that prevented him or her from contacting the Township.

Abuse of sick leave shall be cause for disciplinary action up to and including termination of employment.

Sick leave due to exposure to a contagious disease resulting in quarantine by a physician requires that the employee submit a certificate from the municipal Department of Health.

The Township requires any employee who requires additional leave after he or she has used all of his or her accrued sick days to provide a written statement from an attending physician before returning to duty.

Personal Appointments

Medical and dental, legal or other appointments should be made so as not to interfere with an employee's work day. Emergency appointments made during the work day should be reported to the Department Head as soon as possible. Employees may use sick time only for appointments related to a medical condition.

Unauthorized or unreported absences may result in an employee not being paid for the time away from work, or other disciplinary action.

Unionized Employees

Sick and terminal leave benefits for unionized employees shall be governed by the sick and terminal leave provisions incorporated in the collective bargaining agreement.

BE IT FURTHER RESOLVED that a copy of the updated Township of Independence Personnel Policies and Procedures Manual is on file with the Clerk's office; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Township Clerk for distribution to all Township employees.

RESOLUTION OF THE TOWNSHIP OF INDEPENDENCE

Warren County, New Jersey

No. 25-53

Date of Adoption: July 8, 2025

Title: Raffle 50/50 & Tricky Tray

WHEREAS, Avidd Community Services of NJ, Inc. is registered by the State of New Jersey to operate legalized games of chance, (104-5-41927) and,

WHEREAS, they have submitted applications for a 50/50 Raffle to be held on August 2, 2025 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 2025-08 (50/50) & RA#2025-09 (Tricky Tray) be issued to Avidd Community Services of NJ, Inc.

**RESOLUTION OF THE TOWNSHIP OF INDEPENDENCE TOWNSHIP
Warren County, New Jersey**

No. 25-54

Date of Adoption: July 8, 2025

Title or Subject: 2025-2026 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, 2025 thru June 30, 2026:

Retail:

BRS Hackettstown LLC

2112-44-009-004

25-55

WHEREAS, the Township Committee has determined the need for a Laborer/Truck Driver in the Department of Public Works; and;

WHEREAS, the Mayor and Township Committee have also determined that this position will be filled at a rate of \$25.35 an hour for forty hours per week; and

NOW, THEREFORE BE IT RESOLVED., that the Mayor and Township Committee have authorized the Township Administrator to proceed with the hiring process as needed.

Mr. Pennington made a motion to approve the passage of the Consent Agenda, which was seconded by Mrs. Gesumaria.

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

Nays: None

Absent: None

Abstain: None

Bill List

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

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

Nays: None

Absent: None

Abstain: None

Public Comment:

Mr. Tony Russack asked about the removal of the dead Ash trees along the roads and the storm drains that need to be repaired on the west bound side of Route 46.

Mrs. Cindy Neumann explained that she has had a good experience with JCP&L for tree removal.

Mrs. Kelsey made a motion to adjourn at 7:33 pm, which was seconded by Mr. Stuber and carried by all.