

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
December 12, 2017 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 Star Gazette 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: Mayor Robert Giordano, Deputy Mayor Cogle, Carmen Feula, Bonnie Kelsey, Mike Pennington, and Debi Hrebenak. Also present Engineer Michael Finelli
Absent: None

Sharon Cooper, Insurance Agent Charter Partners. Sharon spoke to the Township Committee regarding the options with exposures.

Clara Kott, Environmental Commission Member – Presentation Serving the Township since August 8, 1983 appointment made by Mayor Ralph Flanders. Not in attendance.

Minutes Approval: 10.17.2017 and 11.08.2017

Mr. Feula made a motion to approve 10.17.2017 and 11.08.2017 minutes as written. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Cogle, Mr. Feula, Mr. Pennington Ms. Kelsey and Mayor Giordano
Nays: None recorded
Abstain: None recorded

Motion carries with five (5) affirmative votes.

Minutes Approval: 10.10.2017

Mr. Feula made a motion to approve 10.10.2017 minutes as written. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Cogle, Mr. Feula, Mr. Pennington Ms. Kelsey
Nays: None recorded
Abstain: Mayor Giordano

Motion carries with four (4) affirmative votes.

Presentation to Committeeman Carmen Feula for service and dedication to the Township of Independence. A clock was presented to Mr. Feula by Mayor Giordano. The committee spoke on his behalf and thanked him for his service and dedication. Retired Police Chief Dennis Riley thanked Committeeman Feula for all his support. Mr. Feula thanked everyone for their kind words and the experience to service on the township committee.

Consent Agenda:

Resolution 17-78

RISK MANAGEMENT CONSULTANT

WHEREAS, the Township of Independence has resolved to join the Public Alliance Insurance Coverage Fund ("PAIC") following a detailed analysis; and

WHEREAS, the Bylaws of PAIC require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

WHEREAS, the Bylaws indicate that PAIC shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee;

NOW THEREFORE, BE IT RESOLVED that the Township of Independence does hereby appoint Sharon Cooper of Public Entity Advocates as its Risk Management Consultant in accordance with the Fund's Bylaws.

Resolution 17-79

PUBLIC ALLIANCE INSURANCE COVERAGE FUND RESOLUTION FOR RENEWAL OF MEMBERSHIP

WHEREAS, Independence Township, hereafter referred to as "**Public Entity**" is a member of the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**"; and

WHEREAS, said renewal membership terminates as of January 1, 2018 at 12:01 a.m. standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

WHEREAS, the **Local Unit** is afforded the following types of coverages:

- Workers' Compensation
- Package (property, boiler & machinery, crime, auto & general liability including Police Professional)
- Public Officials Liability
- Excess Liability
- Auto & General Liability (including Police Professional)
- Public Officials Liability
- Environmental Impairment Liability

WHEREAS, the **Public Entity** desires to renew said membership.

Now **THEREFORE, BE IT RESOLVED** as follows:

1. The **Public Entity** agrees to renew its membership in the **Fund** for a period of three years beginning January 1, 2018, and ending January 1, 2021 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently existing or as from time to time amended by the **Fund** and/or the Department of Banking and Insurance.
2. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage Fund the **Public Entity** must purchase all types of coverages offered by the **Fund** which are applicable to the **Public Entity**.
3. The **Public Entity hereby** appoints Deborah M. Hrebenak the **Public Entity's** Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the **Fund** the **Public Entity's** renewal of its membership.

Resolution 17-80

**PUBLIC ALLIANCE INSURANCE COVERAGE FUND
INDEMNITY AND TRUST RENEWAL AGREEMENT**

THIS AGREEMENT, made this 12 day of December, 2017, in the County of Warren, State of New Jersey, by and between the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**", and the Governing Body of Township of Independence, hereinafter referred to as "**Public Entity**"; and

WHEREAS, the **Fund** seeks to provide its members with insurance coverage; and

WHEREAS, two or more public entities have collectively formed a joint insurance fund as is authorized and described in N.J.S.A. 40A:10-36 *et. seq.* and the regulations promulgated pursuant thereto; and

WHEREAS, the **Public Entity** has resolved to renew said membership.

Now, THEREFORE, it is agreed as follows:

1. The **Public Entity** hereby renews its membership in the **Fund** for a three (3) year, beginning January 1, 2018 and ending January 1, 2021 at 12:01 a.m. eastern standard time.
2. The **Public Entity** hereby ratifies and reaffirms the bylaws and other organizational and operational documents of the **Fund** and as from time to time amended and altered by the **Fund** and/or Department of Banking and Insurance in accordance with the applicable statutes and regulations as if each and every one of said documents were executed contemporaneously herewith.
3. The **Public Entity** agrees to be a participating member of the **Fund** for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage Fund the **Public Entity** must purchase all types of coverages offered by the **Fund** which are applicable to the **Public Entity**.
5. In consideration of renewal of membership in the **Fund**, the **Public Entity** agrees that for those types of insurance in which it participates, the **Public Entity** shall jointly and severally assume and discharge the liability of each and every member of the **Fund** all of whom, as a condition of membership in the **Fund**, shall execute a verbatim counterpart to this Agreement. By execution hereof the full faith and credit of the **Public Entity** is pledged to the punctual payment of any sums which shall become due to the **Fund** in accordance with the bylaws thereof, this Agreement or any applicable statute or regulation.
6. If the **Fund**, in the enforcement of any part of this Agreement, shall incur necessary expense or become obligated to pay attorney's fees and/or court costs, the **Public Entity** agrees to reimburse the **Fund** for all such reasonable expenses, fees and costs on demand.
7. The **Public Entity** and the **Fund** agree that the **Fund** shall hold all monies paid by the **Public Entity** to the **Fund** as fiduciaries for the benefit of **Fund** claimants all in accordance with applicable statutes and/or regulations.

8. The **Fund** shall establish and maintain Trust Accounts in accordance with N.J.A.C. 11:15-2.13 and such other statutes and regulations as may be applicable.
9. Each **Public Entity** that becomes a member of the **Fund** shall be obligated to execute this Agreement.
10. The Fund Commissioner designated in the Resolution to Renew Membership is hereby authorized to execute the Agreement to renew membership.

Resolution 17-81

RESOLUTION APPOINT J. EDWARD PALMER AS JUDGE OF INDEPENDENCE TOWNSHIP MUNICIPAL COURT

WHEREAS, the Township of Independence has established a Municipal Court;
and

WHEREAS, a Judge must be appointed to preside over same; and

WHEREAS, the J. Edward Palmer, Esq. a licensed New Jersey Attorney has heretofore served in that capacity; and

WHEREAS, it is necessary to adopt this resolution reflecting that fact;

NOW, THEREFORE, be it resolved on this 12th. day of December 2017 that pursuant to N.J.S.A. 2B:12-4(A) that J. Edward Palmer is hereby appointed as Judge of the Independence Township Municipal Court for a term of three (3) years effective January 1, 2018.

Resolution 17-82

Title or Subject: Approval of Kennel License-Happy Tails Inn, Pet Resort

BE IT RESOLVED by the Township Committee of the Township of Independence, County of Warren and State of New Jersey, the Kennel license is hereby issued to Timothy Norton t/a Happy Tails Inn, Pet Resort, 69 Route 46 East, Hackettstown New Jersey, the license commences on January 1, 2018 and terminates on December 31, 2018.

Resolution 17-83

**Title or Subject: Approval of Limousine License
(ESQ Chauffered Services LLC)**

WHEREAS, Matthew J Gleason, DBA: ESQ Chauffeured Services LLC has submitted an application for a Limousine License in accordance with the Code of the Township of Independence, Chapter 354, and

WHEREAS, Matthew J Gleason is qualified for the license and all the necessary fees and proof of insurance have been submitted, and

NOW, THEREFORE BE IT RESOLVED by the Independence Township Committee that a Limousine License is hereby issued to Matthew J Gleason, DBA: ESQ Chauffeured Services LLC., effective date January 1, 2018.

Resolution 17-84

Title or Subject - APPROPRIATION TRANSFERS

WHEREAS, there appears to be insufficient funds in one or more current budget appropriations to meet the demand thereon for the balance of the current year; and

WHEREAS, there appears to be a surplus in one or more current budget appropriations over and above the demand deemed to be necessary for the balance of the current year;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Independence Warren County, New Jersey that in accordance with the provision of R.S. 40A: 4-58, that the Treasurer be and is hereby authorized and directed to make the following transfers:

	FROM	TO
Clerk s/w	\$3,000.00	
Police s/w	\$3,500.00	
Road s/w	\$3,000.00	
Legal o/e		\$5,000.00
Police o/e		\$1,500.00
Building & Grounds o/e		\$3,000.00
TOTALS	\$9,500.00	\$9,500.00

Resolution 17-85

RESOLUTION AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY

WHEREAS, Independence Township owns certain surplus personal property that is no longer needed for public use, specifically the following:

- One (1) Eleven foot (11”) snow plow
- Two (2) Truck Mounted Calcium Tanks

WHEREAS, pursuant to N.J.S.A. 40A:11-36(1) and (6), if the estimated fair value of the property to be sold does not exceed 15% of the bid threshold in any one sale, it may be sold at private sale without advertising for bids; and

WHEREAS, the statute bid threshold is \$36,000; and

WHEREAS, the estimated fair value of the above-referenced property is less than \$5,400.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Independence, County of Warren, State of New Jersey that the following vehicle are hereby declared to be surplus personal property of the Township:

- One (1) Eleven foot (11”) snow plow
- Two (2) Truck Mounted Calcium Tanks

BE IT FURTHER RESOLVED that the Property will be sold to Liberty Township, Warren County for the sum of \$ 200.00.

BE IT FURTHER RESOLVED that the Property will sold in its “as is” condition, without any warranties by the Township and the purchaser shall be

required to execute a Hold Harmless and Indemnification Agreement concerning use of the Property in a form to be approved by the Township Attorney.

Resolution 17-86

Title or Subject: APPOINTMENTS/ADJUSTMENTS

BE IT RESOLVED by the Township Committee of the Township of Independence that the following appointments/adjustments are hereby made:

Adam Cavanagh-full time DPW Truck Driver/Laborer, at a rate of \$ 21.00 per hour effective December 11, 2017.

Mr. Feula made a motion to approve Resolution 17-78, 17-79, 17-80, 17-82, 17-83, 17-84, 17-85 and 17-86 as written. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Cogle, Mr. Feula, Mr. Pennington Ms. Kelsey and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

Mr. Feula made a motion to approve Resolution 17-81 as written. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mr. Feula, Mr. Pennington Ms. Kelsey and Mayor Giordano

Nays: None recorded

Abstain: Mr. Cogle

Motion carries with four (4) affirmative votes

DEPARTMENT REPORTS:

Tax Collector – No report. Working with temporary Tax Collector. Tax sale Dec. 19

Construction/Zoning – Report submitted.

Environmental – No meeting in November or December 2017

Recreation/Green Acres – Report Submitted. Liberty girls' basketball joined us. Closed Field of Dreams complex, Replace toilet with hi flow. Speed bump in driveway of Field of Dreams complex, new signs regarding dogs and dog waste.

Police – Report submitted. 3 new officers were introduced. Officers Ortiz, Bozzone, and Meistrell. Officer Meistrell received the academic award for the class. Narcan was purchased.

Emergency Services – Assistant Chief Cavanagh gave a report on the fire department. 3 new members going to fire academy in January. Thanked everyone for attending the food and toy drive. Breakfast with Santa was a great turnout. Also attended with Ryan Snyder.

Captain Sickles gave a report and introduced the new captain for 2018 Nick Vazquez.

Volume of calls has increase for 2017.

DPW – Report submitted. New employee Adam Cavanagh was introduced.

Municipal Clerk: Report submitted.

Land Use Board – Report submitted. No Meeting in December. New attorney for board

Seniors – Mrs. Walter gave a report. 7 members. Going to GMMS for luncheon on 12/14. Went to a show and dinner at Hunterdon Hills in November.

Board of Education –Report submitted. Both Board of Ed need to approve merging of 7th and 8th grades before moving forward.

PROFESSIONAL REPORTS:

Engineer Mike Finelli: Report submitted. Working with Land Use Board to approval cell tower application. 2018 Tier A Stormwater Management requirement have changed for 2018. (23 items)

OLD BUSINESS:

None

NEW BUSINESS:

None

PUBLIC COMMENT:

Cindy Neuman regarding the dispensary for marijuana and asked the Chief regarding Narcan

BILLS: A motion was made by Mr. Feula to pay the bills as presented. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

ADJOURNMENT: A motion was made by Mayor Giordano to adjourn the meeting at 9:00 p.m. Mr. Feula seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Motion carries with five (5) affirmative votes.

Respectfully submitted,

Deborah M. Hrebenak, RMC
Municipal Clerk/Administrator