

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
September 13, 2022 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 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, Mrs. Kelsey, Mayor Giordano, Mr. Pennington, and Dena Hrebenak, RMC. Also, present Mike Finelli, Engineer and Leslie Parikh, Attorney.

Absent: none

Minute Approval: 8.9.22

A motion was made by Mrs. Kelsey to approve minutes 8.9.22 as written. Mayor Giordano seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

CONSENT AGENDA:

Resolution 22-54

Resolution Opposing the Proposed Increases to the State Health Benefits Program

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHBP, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider the calendar year premium levels for the Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

WHEREAS, subsequent news accounts has Department of Treasury noting "rates for active members and early retirees would likely be increase between 12-20% across the various plans for the upcoming year"; and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation, and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Independence in the County of Warren call up the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions; and

BE IT FURTHER RESOVLED, that the governing body of the Township of Independence in the County of Warren urge the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, and New Jersey State League of Municipalities.

Resolution 22-55

2022-23 Municipal Alliance 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 \$2,650.00 from the State of New Jersey, Special Legislative Grant and wishes to amend its 2022-23 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 2022-23 in the amount of \$2,650.00 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 \$2,650.00
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: 2022-23 Municipal Alliance 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.

Resolution 22-56

Title: 50/50 Raffle

WHEREAS, GMRSD PTO is registered by the State of New Jersey to operate legalized games of chance, (224-5-39333) and,

WHEREAS, they have submitted an application for a 50/50 Raffle to be held on 10.21.2022 rain date 10.28.2022 and 1.13.2022 rain date 1.20.2022 and all fees have been paid,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, that RA# 2022-04 be issued to GMRSD PTO.

Resolution 22-57

EXEMPT PROPERTIES

WHEREAS, certain residents who are a disabled vet or serviceperson are entitled to Exempt Status and the taxes now Exempt.

WHEREAS, the exempt status of these properties make it necessary to cancel all or a portion of taxes and refund any payments made

WHEREAS, the total of 2022/ part of 3rd and all of 4th quarter taxes to be cancelled. The amount is \$ 4,899.25.

WHEREAS, the total 2022/part of 3rd quarter taxes to be refunded is \$2,367.07

ASSESSED TO	PROPERTY LOCATION	BLOCK/LOT	AMOUNT
Joseph Bennett	7 Odessa Drive	23.02/19	\$2,367.07

THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Independence, that the Tax Collector is hereby authorized to cancel 2022 Taxes Receivable for the amount of \$4,899.25

Resolution 22-58

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF ALLAMUCHY AND THE TOWNSHIP OF INDEPENDENCE, COUNTY OF WARRREN, STATE OF NEW JERSEY PURSUANT TO N.J.S.A. 40A:65-1, et seq.

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., the Township of Independence (the “Township”) and the Township of Allamuchy may enter into a contract to share services; and

WHEREAS, the Township of Allamuchy will be paving Bountiful Drive which is situated between the two Townships, the Township of Independence has agreed to reimburse Allamuchy for the cost of the asphalt and the fuel adjustments, necessary to complete paving in the portion that is located within the Township borders; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Independence, in the County of Warren, that the Township of Independence hereby authorizes Township of Allamuchy to perform the paving of the portion of road that is within the Township borders and send billing as per the Shared Services Agreement (attached hereto as Exhibit A); and,

IT IS FURTHER RESOLVED, that the Mayor and the Clerk are authorized to sign the Shared Services Agreement in substantially the same form as attached hereto.

Resolution 22-59

SURPLUS PROPERTY

WHEREAS, the Township Committee of the Township of Independence, Warren County has been made aware that there are certain items of personal property in the possession of the Township that is not now or reasonably in the future needed for Township purposes; and

Tax Collector – Report submitted via email.
Construction/Zoning – Reports submitted via email.
Environmental – Nothing to report
Treasurer – Report posted
Recreation/Green Acres – All going well. Ice Cream social was great.
Police – Report submitted via email
Emergency Services – Chief Snyder reported on breakfast and money raffle. Chief Vasquez submitted report. October movie night
DPW – DPW Supervisor gave a report. Discussed Ryan Road with Mike Finelli
Municipal Clerk: two items for executive session.
Land Use Board – couple of application to be review at next meeting.

PROFESSIONAL REPORTS:

Attorney Parikh: report submitted. One item for executive session. Landlord registration ordinance.

Engineer Finelli: report submitted. Woodmont was discussed. Flyer of layout.

ORDINANCE:

ORDINANCE 2022-10 First Reading

ORDINANCE 2022-10

ORDINANCE OF THE TOWNSHIP OF INDEPENDENCE ESTABLISHING A BUSINESS INSURANCE REGISTRATION REQUIREMENT

WHEREAS, Governor Murphy signed P.L. 2022, c.92. on August 5, 2022, which requires business owners and rental unit owners to maintain certain liability insurance policies and to register the compliant certificate of insurance with the municipality annually in which the business or rental units are located; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Independence, in the County of Warren and State of New Jersey, as follows:

SECTION 1. Section 381 of the Code of the Township of Independence, entitled “Business Insurance Registration”, is added as follows:

SECTION 381 BUSINESS INSURANCE REGISTRATION

Section 381-1 Business insurance registration required. It is unlawful for any owner of a business, owner of a rental unit or units, or the owner of a multi-family home of four or fewer units, one of which is owner occupied, to operate within the Township without first registering its certificate of insurance demonstrating compliance with Section 1 of P.L. 2022, c. 92 and paying the registration fee required herein.

Section 381-2. Entities covered by this Chapter. The following entities are required to register their certificate of insurance under this Chapter:

- a. Businesses, which shall mean, any person intending to sell or dispose of or to offer to sell or dispose of any goods, wares, merchandise or render any services for fees within the Township. This shall include businesses operating on a temporary basis within the Township such as peddlers, solicitors, and transient vendors pursuant Section 293.
- b. Owners of single rental dwelling units.
- c. Owners of multiple dwelling rental units.
- d. Owners of multi-family homes that include rental units, even where one unit is owner-occupied.

Section 381-3. Registration official. The clerk shall accept, approve, and file registration applications, and collect registration fees hereunder.

Section 381-4 Registration Fees; Expiration; Renewal. The registration fees of this chapter shall be \$15.00 annually. Registrations shall expire on December 31 of each year. Renewals must be submitted by December 1 of each year. After the effective date

of this Section, entities covered under this Section shall be required to register by December 1, 2022 and such registration shall be valid for the 2023 calendar year.

Section 381-5. Application and insurance requirements.

An application for a business insurance registration shall be accompanied by the required fee and shall be made to the Township Clerk upon forms provided by the Clerk. It shall contain the following information:

- a. Name and address of the applicant. If the applicant is a corporation, the name and address of its registered agent.
- b. The address of the rental dwelling units or business as applicable. If the registration applies to a transient or temporary business, a general description of the time frame for operation and area where the business will be operated
- c. A description of the nature of the business and the goods, property or services to be sold or supplied.
- d. A certificate of insurance reflecting the following amounts of insurance in compliance with P.L. 2022, c. 92.
 - i. Except as provided in subsection ii. of this section, the owner of a business or the owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
 - ii. The owner of a multifamily home which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

Section 381-6. Violations and penalties.

Any person who violates the terms of this Chapter shall pay the license fee plus a fine of not less than \$500.00 but no more than \$5,000.00 plus court costs.

SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. This Ordinance shall take effect after passage and publication in the manner provided by law

A motion was made by Mr. Pennington to adopt Ordinance 2022-10 for First Reading. Mrs. Gesumaria seconded the motion with roll call as follows:

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

Second reading and public hearing will be on October 11, 2022.

OLD BUSINESS: none

NEW BUSINESS: Mr. Robert Best – Land Use Board has resigned. Mr. Glenn Cogle resigned from the Township Committee. Mayor Giordano will take over the responsibility of the Department of Public Works.

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

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

Nays: None recorded

Abstain: None recorded

PUBLIC COMMENT: Mr. Wiseman asked about the landlord registration ordinance. A couple of members of the Fire Department went to Kentucky and donated the 1991 fire truck to a flood department along with over \$1,900 in gift cards.

EXECUTIVE SESSION: 7:46 pm – 8:27 pm

The following Resolution was approved at 7:46 p.m. to enter Executive Session with a motion by Mrs. Gesumaria, seconded by Mrs. Kelsey and followed by a unanimous roll call.

WHEREAS: N.J.S. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, County of Warren, State of New Jersey, as follows:

The public shall be excluded from discussion of the hereinafter specified subject matters;

The general nature of the subject matter to be discussed is as follows:

Litigation

It is anticipated at this time that the above matter will be made public upon completion of the matter discussed.

ROLL CALL:

Present: Mrs. Gesumaria, Mrs. Kelsey, Mayor Giordano, Mr. Pennington, and Dena Hrebenak, RMC., Leslie Parikh, Esq.

A motion was made by Mr. Pennington at 8:27 p.m. to return to regular session, seconded by Mrs. Kelsey.

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

Nays: None recorded

Abstain: None recorded

ADJOURNMENT: A motion was made by Mrs. Gesumaria to adjourn the meeting at 8:27p.m. Mrs. Kelsey seconded the motion, which was carried by all.

Respectfully submitted,

Dena M. Hrebenak, RMC
Municipal Clerk/Administrator