

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

Absent: Mrs. Gesumaria

MINUTES:

October 11, 2022
November 1, 2022

Mr. Pennington a motion to approve Minutes October 11, 2022 and November 1, 2022 as written. Mayor Giordano seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

CONSENT AGENDA:

Resolution 22-65

Whereas, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, NJS 52:27D-124e et seq. provides for receipt of Uniform Construction Code Enforcement Fees by the municipality to provide for the operating costs to administer this act; and

WHEREAS, NJS 52:27D-124e et seq provides the dedicated revenues anticipated from the Uniform Construction Code Enforcement Fees trust fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFOR, BE IT RESOLVED, by the Governing Body of the Township of Independence, County of Warren, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Uniform Construction Code Enforcement Fees trust fund NJS 52:27D-124e et seq.
2. The Clerk of the Township of Independence, County of Warren is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Resolution 22-66

Title or Subject: Cancellation of Other Trust Fund Reserves

WHEREAS, there exists an amount in the Reserve for Developer’s Escrow for the Other Trust fund which has been outstanding for over one year; and

WHEREAS, the balances have been investigated and have been determined to no longer be valid:

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Independence, in the County of Warren, New Jersey, that the following reserve amounts be cancelled to Current Fund Operations:

Reserve for Developer’s Escrow	\$ 36,891.80
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Resolution 22-67

Title or Subject: Cancellation of Grant Balances

WHEREAS, there exists amounts in Grants Receivable that are no longer valid; and

WHEREAS, there exists amounts in Appropriated Grant Reserves that are no longer valid:

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Independence, in the County of Warren, New Jersey, that the following receivable amounts be cancelled to Current Fund Operations:

Municipal Alliance Grant Year 2019-2020	\$ 1,652.00
Municipal Alliance Grant Year 2020-2021	\$ 6,495.11
New Jersey DOT Trust Fund Authority: Johnson Road Improvements	\$ 5,793.13

NOW, THEREFORE, BE IT ALSO RESOLVED that the following appropriated reserve amounts be cancelled to Current Fund Operations:

Municipal Alliance Grant Year 2019-2020	\$ 1,951.91
Municipal Alliance Grant Year 2020-2021	\$ 6,513.31
New Jersey DOT Trust Fund Authority: Johnson Road Improvements	\$ 5,793.13

Resolution 22-68

**RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT
2023 Fund Year**

WHEREAS, Independence Township (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Warren and State of New Jersey, as follows:

1. Independence Township (Local Unit) hereby appoints Otterstedt Insurance Agency, Inc its Risk Management Consultant.
2. The Mayor (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year **2023** in the form attached hereto.

Resolution 22-69

STATEWIDE INSURANCE FUND

RESOLUTION APPOINTING FUND COMMISSIONER

2023 Fund year

WHEREAS, Independence Township (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Independence Township (Local Unit) that Dena Hrebenak (*entity’s elected official or employee*) is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2023**; and

BE IT FURTHER RESOLVED that Lt. Christopher Prell (second elected official or employee) is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2023**; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Resolution 22-71

RESOLUTION OF THE TOWNSHIP OF INDEPENDENCE AMENDING ITS AFFIRMATIVE MARKETING PLAN PURSUANT TO NEW JERSEY UNIFORM HOUSING AFFORDABILITY CONTROLS (U.H.A.C.) AND INDEPENDENCE TOWNSHIP’S COMMITMENT TO AFFIRMATIVE MARKETING OF AFFORDABLE HOUSING

WHEREAS, the Township of Independence has filed a Declaratory Judgment Action in the Superior Court of New Jersey, Warren County, in furtherance of the Supreme Court’s March 10, 2015, decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the “Supreme Court Decision”), which was assigned to the Honorable Thomas C. Miller P.J. Cv.; and

WHEREAS, in furtherance of compliance with the Court’s directives in the Declaratory Judgment Action, the Township adopted an Affirmative Marketing Plan in accordance with the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26-1, et seq. by resolution 18-47 dated May 8, 2018; and

WHEREAS, at a Compliance Hearing on July 19, 2018, the Court set forth certain conditions for the Township to meet in order for the Court to enter a Judgment of Compliance and Repeal; and

WHEREAS, pursuant to a memo dated March 6, 2022, the Court-appointed Special Master recommended changes to the affirmative marketing plan to include the New Jersey Housing Resource Center; and

WHEREAS, Fair Share Housing Center and the Special Master have consented to permitting the Township to employ additional online advertising in lieu of television or radio advertising.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Independence, County of Warren that its Affirmative Marketing Plan be amended to read as follows:

Affirmative Marketing Plan

- A. All affordable housing units in the Township of Independence shall be marketed in accordance with the provisions herein.
- B. The Township of Independence has a Prior Round Obligation and a Third Round Obligation covering the years from 1999-2025. This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low-, low-and moderate-income units, including those that are part of the Township's Prior Round Fair Share Plan and its current Fair Share Plan and those that may be constructed in future developments not yet anticipated by the Fair Share Plan.
- C. The Affirmative Marketing Plan shall be implemented by one or more Administrative Agent(s) designated by and/or under contract to the Township of Independence. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Administrative Agent.
- D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Township of Independence, shall undertake, at the minimum, all of the following strategies:
 1. Publication of an advertisement in at least one newspaper of general circulation within the housing region.
 2. Publication of an advertisement on the following websites:
 - Independence Township Municipal Website
 - New Jersey Housing Resource Center
 3. At least one additional regional marketing strategy using one of the other sources listed below.
- E. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Region 3 Housing Region in which the municipality is located and covers the entire

period of the deed restriction for each restricted housing unit. The Township of Independence is located in COAH Housing Region 2, consisting of Essex, Morris, Union and Warren Counties.

- F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
1. All newspaper articles, announcements and requests for applications for very low, low-, and moderate-income units shall appear in the Phillipsburg Free Press.
 2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
 3. The advertisement shall include a description of the:
 - a. Location of the units;
 - b. Directions to the units;
 - c. Range of prices for the units;
 - d. Size, as measured in bedrooms, of units;
 - e. Maximum income permitted to qualify for the units;
 - f. Location of applications;
 - g. Business hours when interested households may obtain an application; and
 - h. Application fees.
- G. Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:
1. Independence Township Municipal Building
 2. Independence Township Web Site
 3. Developer's Sales/Rental Offices
 4. Warren County Library Headquarters Branch, Belvidere, NJ
- Applications shall be mailed by the Administrative Agent and Municipal Housing Liaison to prospective applicants upon request. Also, applications shall be available at the developer's sales/rental office.
- H. The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Essex, Morris, Union and Warren Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers identified in Attachment A, Part III, Marketing, Section 3e of COAH's Affirmative Fair Housing Marketing Plan for Affordable

Housing in Region 2 (attached to and hereby made part of this Resolution) as well as the following entities: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, NORWESCAP, the Supportive Housing Association, the New Jersey Housing Resource Center and the Central Jersey Housing Resource Center.

1. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the counties of Essex, Morris, Union and Warren:

Welfare or Social Service Board (via the Director)
Rental Assistance Office (local office of DCA)
County Office on Aging

2. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all of the major employers within the region, as listed on Attachment A, Part III, Marketing, Section 3e (attached to and hereby made part of this Resolution).

3. In addition, specific notification of the availability of affordable housing units in Independence shall be provided to the following entities: Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002), the New Jersey State Conference of the NAACP, the Latino Action Network (P.O. Box 943, Freehold, NJ 07728, East Orange NAACP (P.O. Box 1127, East Orange, NJ 07019), Newark NAACP (P.O. Box 1262, Newark, NJ 07101, Morris County NAACP (P.O. Box 2256, Morristown, NJ 07962), and Elizabeth NAACP (P.O. Box 6732, Elizabeth, NJ 07206).

I. The following is a listing of community contact person(s) and/or organizations in *Essex, Morris, Union and Warren* Counties that will aid in the affirmative marketing program and provide guidance and counseling services to prospective occupants of very low-, low- and moderate-income units:

1. Central Jersey Housing Resource Center, 600 First Avenue, Suite 3, Raritan, NJ 08869

2. Northwest New Jersey Community Action Program, Inc. (NORWESCAP), 350 Marshall Street, Phillipsburg, NJ 08865

3. New Jersey Housing Resource Center, HRC@njhmfa.gov

J. A random selection method to select occupants of very low-, low- and moderate-income housing will be used by the Administrative Agent, in conformance with N.J.A.C. 5:80-26.16 (I). The Affirmative Marketing Plan shall provide a regional preference for very low-, low- and moderate-income households that live and/or work in COAH Housing Region 2, comprised of *Essex, Morris, Union and Warren* Counties. Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low-, low- and moderate-income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised, provided an agreement to this effect has been executed between the developer or landlord and the Township prior to the affirmative marketing of the units.

K. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low-, low- and moderate-income households; to place income eligible households in very low-, low- and moderate-income units upon initial occupancy; to provide for the initial occupancy of very low-, low- and

moderate-income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low-, low- and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C 5:80-26-1, *et seq.*

- L. The Administrative Agent shall provide or direct qualified very low-, low- and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
- M. All developers/owners of very low-, low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.
- N. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.
- O. The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, *et seq.*

3e. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)		
Essex County		
<input type="checkbox"/>	Newark Liberty International Airport	Newark Airport, Newark, NJ
<input type="checkbox"/>	Verizon Communications	540 Broad St Newark, NJ 07102
<input type="checkbox"/>	Prudential Financial, Inc.	751 Broad St Newark, NJ 07102
<input type="checkbox"/>	Continental Airlines	1 Newark Airport, Newark, NJ
<input type="checkbox"/>	University of Medicine/Dentistry	Office of Marketing & Media Relations 150 Bergen Street Room D347 Newark, NJ 07103
<input type="checkbox"/>	Public Service Enterprise Group	80 Park Plz Newark, NJ 07102
<input type="checkbox"/>	Prudential Insurance	751 Broad Street, Newark, NJ 07102-3777
<input type="checkbox"/>	Horizon Blue Cross & Blue Shield of NJ	3 Raymond Plz W Newark, NJ 07102
<input type="checkbox"/>	Newark Liberty International Airport	Newark Airport, Newark, NJ
<input type="checkbox"/>	Horizon Blue Cross & Blue Shield of NJ	540 Broad St Newark, NJ 07102
Morris County		

<input type="checkbox"/>	Atlantic Health System- Morristown Memorial Hospital	100 Madison Avenue Morristown, NJ 07962
<input type="checkbox"/>	AT&T	295 N Maple Ave, Basking Ridge, NJ and 180 Park Ave, Florham Park, NJ
<input type="checkbox"/>	US Army Armament R&D	21 Picatinny Arsenal, Picatinny Arsnl, NJ
<input type="checkbox"/>	Lucent Technologies	67 Whippany Rd, Whippany, NJ and 475 South St, Morristown, NJ and 5 Wood Hollow Rd, Parsippany, NJ and 24 Mountain Ave, Mendham, NJ
<input type="checkbox"/>	Pfizer	Morris Plains/Parsippany
<input type="checkbox"/>	Novartis Pharmaceutical	59 State Route 10, East Hanover, NJ
<input type="checkbox"/>	Kraft foods	200 Deforest Ave, East Hanover, NJ and 7 Campus Dr, Parsippany, NJ
<input type="checkbox"/>	Mennen Sports Arena	161 E Hanover Ave, Morristown, NJ
<input type="checkbox"/>	Honeywell	101 Columbia Rd Morristown, NJ 07960
<input type="checkbox"/>	Pfizer	5 Woodhollow Rd, Parsippany and 175 Tabor Rd, Morris Plains
<input type="checkbox"/>	St. Clare's Hospital	130 Powerville Road Boonton Township, NJ 07005 and 25 Pocono Road Denville, NJ 07834 and 400 West Blackwell Street Dover, NJ 07801 and 3219 Route 46 East, Suite 110 Parsippany, NJ 07054

Union County

<input type="checkbox"/>	A&M Industrial Supply Co	1414 Campbell St Rahway
<input type="checkbox"/>	A.J. Seabra inc,	574 Ferry St Newark
<input type="checkbox"/>	Bristol-myers Products Research & Dev	1350 Liberty Ave Hillside
<input type="checkbox"/>	Cede Candy Inc	1091 Lousons Road PO Box 271 Union, NJ
<input type="checkbox"/>	Comcast Network	800 Rahway Ave Union, NJ
<input type="checkbox"/>	HoneyWell Inc.	1515 West Blancke Street Bldgs 1501 and 1525 Linden, NJ
<input type="checkbox"/>	IBM Corporation	27 Commerce Drive Cranford, NJ
<input type="checkbox"/>	Howard Press	450 West First Ave Roselle, NJ
<input type="checkbox"/>	Lucent Technologies	600 Mountain Ave Murray Hill, NJ
<input type="checkbox"/>	Merck & Co. Inc	1 Merck Drive PO Box 2000 (RY60-200E) Rahway, NJ
<input type="checkbox"/>	Rahway Hospital	865 Stone Street Rahway, NJ
<input type="checkbox"/>	Rotuba Extruders, Inc	1401 Park Ave South Linden
<input type="checkbox"/>	Union County College	1033 Springfield Ave Cranford, NJ

Warren County

<input type="checkbox"/>	Masterfoods USA	800 High Street Hackettstown, NJ
<input type="checkbox"/>	Warren Hospital	185 Roseberry St Phillipsburg, NJ

<input type="checkbox"/>	Roche Vitamins	206 Roche Drive Belvidere, NJ
<input type="checkbox"/>	Hackettstown Hospital	651 Willow Grove St. Hackettstown, NJ
<input type="checkbox"/>	Pechiney	191 Route 31 North Washington, NJ
<input type="checkbox"/>	Lopatcong Care Center	390 Red School Lane Phillipsburg, NJ
<input type="checkbox"/>	Mallinckrodt/Baker, Inc	222 Red School Lane Phillipsburg, NJ

Resolution 22-72

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 2022 taxes to be cancelled is as follows:

ASSESSED TO	PROPERTY LOCATION	BLOCK/LOT	AMOUNT
Anthony A. Williams	10 Heather Lane	13/60	\$3,333.28

Whereas, the total 2022 taxes to be refunded is as follows:

Anthony A. Williams	10 Heather Lane	13/60	\$3,333.28
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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 \$3,333.28.

Resolution 22-73

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH GREEN TOWNSHIP FOR CONSTRUCTION DEPARTMENT SERVICES THROUGH DECEMBER 31, 2026.

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A.40A:65-1 et seq. municipalities within the State of New Jersey are permitted to enter into agreements with local units for any service or circumstance intended to reduce property taxes through the reduction of local expenses; and

WHEREAS, Green Township desires to contract with Independence Township for the furnishing of the Construction Department services; and

WHEREAS, the respective Townships have each determined that it will be economical, efficient and otherwise advantageous to them and the residents and taxpayers of the Municipalities to enter into a Shared Services Agreement (the "Agreement") for these services; and

WHEREAS, the Township of Independence would like to approve the Agreement to furnish to the Township of Green Construction Department services as outlined in the Agreement as well as any additional acts necessary to fully authorize the Agreement and this Resolution.

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

1. The Township Committee is hereby authorized and directed to execute the attached Shared Services Agreement with the Township of Green for Construction Department services and other administrative services in accordance with the terms and provisions set forth.
2. A copy of the Agreement shall be filed with the Township Clerk and shall be open for public inspection at the Township Municipal Building upon adoption of this Resolution.
3. The Agreement shall take effect on January 1, 2023.
4. A copy of the Agreement shall be sent to the State of New Jersey, Division of Local Government Services in the Department of Community Affairs.
5. This Resolution shall take effect immediately upon adoption according to law.

Resolution No. 22-74

Title: 50/50 Raffle & Tricky Tray

WHEREAS, New Jersey Civic Youth Ballet is registered by the State of New Jersey to operate legalized games of chance, (181-5-35863) and,

WHEREAS, they have submitted an application for a 50/50 Raffle and a Tricky Tray to be held on 03.19.2023 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.

Mrs. Kelsey a motion to approve Resolutions 22-65 to 22-69, 22-71 to 22-74 as written.
Mr. Pennington seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

Resolution 22-70

**RESOLUTION GRANTING SOIL REMOVAL PERMIT TO
PARTAC PEAT CORPORATION
BLOCK 29, LOT 51
BLOCK 33, LOT 2**

WHEREAS, Section 134-3 of the Independence Township Code requires the issuance of a soil removal permit by the Township Committee where soil is removed for sale or for use other than on the premises from which the soil shall be taken; and

WHEREAS, the Partac Peat Corporation has made application for a soil removal permit for Block 29, Lot 51 and Block 33, Lot 2 by application dated July 9, 2020; and

WHEREAS, the office of the Township Engineer has issued a report in connection with said application dated December 12, 2022; and

WHEREAS, in the foregoing report, the Township Engineer has noted the requirement for the filing with the Township of a Restoration Bond pursuant to Section 134-6C of the Independence Township Code which is intended to ensure faithful completion of final restoration measures; and

WHEREAS, the facility in question has been in existence for over fifty (50) years and in the past the Township waived the Restoration Bond requirement; and

WHEREAS, the office of the Township Engineer takes no exceptions to the renewal of this application;

NOW, THEREFORE, BE IT RESOLVED on this 13th day of December, 2022 that the application of Partac Peat Corporation for a soil removal permit be and the same is hereby granted effective August 11, 2022 to August 11, 2024 and

BE IT FURTHER RESOLVED that the requirement to file a Restoration Bond is hereby waived.

Mr. Pennington a motion to approve Resolutions 22-70 as written. Mayor Giordano seconded the motion with roll call as follows:

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

DEPARTMENT REPORTS:

Tax Collector – Report submitted via email.
Construction/Zoning – Reports submitted via email.
Environmental – Nothing to report
Treasurer – Nothing to report.
Recreation/Green Acres – Adult Community Event.
Police – Report submitted.
Emergency Services – First Aid gave a report. Fire Department had breakfast with Santa. Toy and Food Drive was held on December 7. Still collecting items.
DPW – DPW Supervisor gave a report. All good ready for winter
Municipal Clerk: Elizabethtown gas in Chaucer Dr started. Budget sheets went out.
Re-organization Meeting January 3 and Budget Meeting January 21
Land Use Board – No meeting in November Meeting in December – HMUA on agenda

PROFESSIONAL REPORTS:

Attorney Parikh: Report submitted. One item for executive session.

Engineer Finelli: Report submitted. Spoke on Elizabethtown gas on Shakespeare Estate. Spoke on Russling Road Grant.

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

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

OLD BUSINESS: none

NEW BUSINESS: none

PUBLIC COMMENT:

Mr. Fuela thanked everyone for 2022 and is very excited about the Adult Community Events to be held at the firehouse. Mr. Anthony Williams spoke about his veteran's property application. Mrs. Townsend spoke about the Adult Community Events.

EXECUTIVE SESSION: 7:41 pm – 8:28 pm

The following Resolution was approved at 7:41 p.m. to enter Executive Session with a motion by Mr. Pennington, 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:

Personnel

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

A motion was made by Mr. Pennington at 8:28 p.m. to return to regular session, seconded by Mrs. Kelsey.

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

Nays: None recorded

Abstain: None recorded

Resolution 22-75

2022 APPROPRIATION TRANSFERS

WHEREAS, there appears to be insufficient funds in the below listed account(s) to meet the demands thereon for the balance of the current year, and

WHEREAS, there appears to be a surplus in the below listed account(s) over and above the amount deemed necessary for the balance of the current year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Independence that, in accordance with the provisions of N.J.S.A. 40A: 4-58, part of the surplus in the account(s) heretofore mentioned be and same are hereby authorized as transfers to the account(s) mentioned as being insufficient, and

BE IT FURTHER RESOLVED, that the Finance Officer is hereby directed to make the following transfers:

FROM	AMOUNT	TO	AMOUNT
Group Insurance O/E	\$ 4,500.00	Construction S&W	\$ 4,500.00

Mr. Pennington a motion to approve Resolutions 22-74 as written. Mrs. Kelsey seconded the motion with roll call as follows:

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

Nays: None recorded

Abstain: None recorded

ADJOURNMENT: A motion was made by Mr. Pennington to adjourn the meeting at 8:30 p.m. Mrs. Kelsey seconded the motion, which was carried by all.

Respectfully submitted,

Dena M. Hrebenak, RMC
Municipal Clerk/Administrator