

The regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows, New Jersey on 2 December 2010. The meeting was opened by Mayor John Fisher with Adequate Notice of Meeting and the Pledge of Allegiance at 7:03 p.m.

Present: Mayor John Fisher; Deputy Mayor John Inscho; Dan Grover; and, Ronald Petersen

Absent: Mark Tibak

Also, Present: Roger Skoog, Municipal Attorney; and, Wassim Nader, Municipal Engineer

#### REPORTS:

##### NEW JERSEY STATE POLICE

Trooper Stanley of the Washington Township Barracks reporting the following activity within Liberty Township for the month of November 2010;

- ✓ three 911 hangups
- ✓ 2 alarm responses
- ✓ 5 community policing
- ✓ 2 critical infrastructure checks
- ✓ 2 motor vehicle accidents
- ✓ 39 motor vehicle stops
- ✓ 1 fire call
- ✓ 11 medical assists
- ✓ 26 property checks
- ✓ 1 missing persons
- ✓ 1 verbal dispute
- ✓ 3 domestic disputes
- ✓ 4 property disputes

Public discussion ensued regarding motor vehicle speed upon Lakeside Drive South. Joyce Raffa reported that her cat had been struck by a speeding motorcycle within the past week upon Lakeside Drive South. Trooper Stanley collected all necessary data to report to the Station Commander. Discussion proceeded onto visibility and condition of speed signs located within the lake region. Mayor Fisher requested the Department of Public Works investigate said speed signage.

##### RECREATION

Pre-printed reports from the Recreation Commission for October and November 2010 were presented to members of the Township Committee for review.

##### ENVIRONMENTAL

Pre-printed reports from the Environmental Commission for October and November 2010 were presented to members of the Township Committee for review.

##### OPEN SPACE

A pre-printed report from the Open Space Advisory Committee for November 2010 was presented to members of the Township Committee for review.

##### COMMITTEEPERSON PETERSEN

Committeeperson Petersen reported that he had begun preparations on a 2011 Budget for the Department of Public Works with Public Works Manager, Steve Romanowitch, CPWM. He projected that with the reduced cost of road salt, the DPW budget may be flat lined in 2011.

**COMITTEEPERSON GROVER**

Committeeperson Grover reported that the Shared Services meeting scheduled for 23 November 2010 had been cancelled and has yet to be rescheduled.

Committeeperson Grover reported that he is continuing to work on a municipal energy efficiency grant.

**DEPARTMENT OF PUBLIC WORKS**

Steve Romanowitch, CPWM, presented the following verbal report;

- ✓ The new Mason dump truck is currently at Cliffside having the final components affixed
- ✓ The recreation building has been drained and winterized
- ✓ The Lodge has been drained and to be coordinated with Committeeperson Inscho for final winterization
- ✓ The DPW is working with the Municipal Engineer on various road project grant applications
- ✓ Danville Mountain Road is proposed for 2011 upgrades

**MUNICIPAL ENGINEER**

Wassin Nader, Municipal Engineer, presented the following verbal report;

- ✓ A road tour had been conducted with the Pubic Works Manager for consideration of road improvements for 2012 Department of Transportation Grant applications.
- ✓ Photographs were distributed of Danville Mountain Road, Rader Road, Far View Road, Lakeside Drive North, Lakeside Drive West and the portion of Quenby Mountain Road between Route 46 and Hillcrest Drive identifying specific road conditions in need of repair.
- ✓ It was reported that Lakeside Drive North and Lakeside Drive West are in dire need of resurfacing. The Township Committee was requested to consider these two roads for a NJDOT Grant application. The application deadline is 30 August 2011. Any application prepared would be personally delivered to the NJDOT Mt Arlington facility. NJDOT application responses from Trenton could take up to 90 days.
- ✓ The NJDOT 2011 Grant funding has been withdrawn unless it is an emergency situation.
- ✓ A letter of 16 November 2010 was received from The State of New Jersey DEP Office of Engineering & Construction granting a dam safety extension for the Liberty Lake Dam.

Discussion of proposed road projects funded with capital improvements in the 5-year road repair program concluded without action

**MUNICIPAL TAX COLLECTOR**

Pre-printed reports were received from the Municipal Tax Office for October and November 2010 and presented to members of the Township Committee for review

**APPROVAL OF MINUTES**

A motion by John Inscho to adopt and include the following amendment to the public session minutes of 4 November 2010 carried.

Amendment:

Ordinance #10.05 – Public Hearing - A motion by John Inscho to open public hearing carried. A motion to adopt the following Resolution carried.

Resolution  
Adoption of Ordinance # 10.05

*WHEREAS*, Said Ordinance entitled “Appropriation from Capital Improvement and Capital Reserve” was passed on first reading on 7 October 2010; and

*WHEREAS*, The public hearing of said Ordinance has been held as advertised and is now closed,

*NOW, THEREFORE, BE IT RESOLVED* By the Township Committee of the Township of Liberty, County of Warren and State of New Jersey that the Ordinance entitled “Appropriation from Capital Improvement and Capital Reserve” be passed on second reading and final adoption.

Vote: aye - Tibak  
aye - Petersen  
aye - Grover  
aye - Inscho  
aye - Fisher

\_\_\_\_\_  
John Fisher,  
Mayor

A motion by John Inscho to adopt the special and executive session minutes of 10 November 2010 as prepared carried.

A motion by John Inscho to adopt the following Resolutions carried.

Resolution #2010.47  
Appointment of Municipal Clerk

*WHEREAS*, With the retirement of Willa Riley as the Municipal Clerk/Administrator of Liberty Township, Warren County, a vacancy has occurred in the office of Municipal Clerk; and

*WHEREAS*, In accordance with NJSA 40A:9-133a, concerning the appointment of Municipal Clerk, there shall be a municipal clerk appointed for a three year term by the governing body of the municipality; and

*WHEREAS*, The Liberty Township Committee has publicly advertised and conducted interviews for the position of Municipal Clerk; and

*WHEREAS*, The Liberty Township Committee recognizes Diane Marie Pflugfelder, RMC/CMC as well qualified for the position of Municipal Clerk/Administrator of Liberty Township.

*NOW, THEREFORE, BE IT RESOLVED* By the Township Committee of the Township of Liberty, Warren County, New Jersey, that in accordance with NJSA 40A:9-133 et seq., Diane Marie Pflugfelder RMC/CMC is hereby confirmed as the Municipal Clerk/Administrator of the Township of Liberty, Warren County effective 22 November 2010 for a three year term.

Vote: absent - Tibak  
aye - Petersen  
aye - Grover  
aye - Inscho  
aye - Fisher

\_\_\_\_\_  
John Fisher,  
Mayor

Resolution #2010.48  
Appointment of Municipal Registrar

*WHEREAS*, With the retirement of Willa Riley as the Municipal Clerk Registrar of Liberty Township, Warren County, a vacancy has occurred in the office of Municipal Registrar; and

*WHEREAS*, In accordance with NJSA 26:8-11-13, concerning the appointment of Municipal Registrar, in municipalities have a population of less than 5,000, the Municipal Clerk must be appointed as Registrar of Vital Statistics; and

*WHEREAS*, In accordance with NJSA 26:8-13, concerning the term of Municipal Registrar, term of office for a Municipal Clerk serving as registrar shall be concurrent with his/her term of office of Municipal Clerk

*WHEREAS*, The Liberty Township Committee recognizes Diane Marie Pflugfelder, CMR as well qualified for the position of Municipal Registrar of Liberty Township.

*NOW, THEREFORE, BE IT RESOLVED* By the Township Committee of the Township of Liberty, Warren County, New Jersey, that in accordance with NJSA 26:8-11-13., Diane Marie Pflugfelder, CMR is hereby confirmed as the Municipal Registrar of the Township of Liberty, Warren County effective 22 November 2010.

Vote: absent - Tibak  
aye - Petersen  
aye - Grover  
aye - Inscho  
aye - Fisher

\_\_\_\_\_  
John Fisher,  
Mayor

Resolution #2010.49  
Amended Salary Resolution for New Employee

*BE IT ORDAINED* By the Township Committee of the Township of Liberty, Warren County, State of New Jersey, that the following salary resolution be adopted:

Section 1 - The annual salaries of the following township employee shall be:

Township Clerk - \$42,500.00 to be paid bi-weekly, plus \$150.00 per meeting in excess of two meetings per month and search fees collected.

Administrator - \$ 4,000.00 per year to be paid bi-weekly

Assistant to CFO - \$ 3,500.00 per year to be paid bi-weekly

Payroll Clerk - \$1,500.00 per year to be paid bi-weekly

Purchasing Officer - \$3,500.00 per year to be paid bi-weekly

The aforesaid Section 1 is to be effective as of and retroactive to 22 November 2010.

Vote: absent - Tibak  
aye - Petersen  
aye - Grover  
aye - Inscho  
aye - Fisher

\_\_\_\_\_  
John Fisher,  
Mayor

Resolution #2010.50  
Change in Custodian of Petty Cash Fund

*WHEREAS*, Willa Riley was custodian of the Liberty Township Petty Cash Fund; and

*WHEREAS*, In accordance is NJSA 40:5-21, the Township of Liberty is changing custodian to Diane Marie Pflugfelder; and

*WHEREAS*, Liberty Township municipal staff are under an umbrella bond in the amount of 1,000,000.00.

*NOW, THEREFORE, BE IT RESOLVED* that the Township of Liberty, County of Warren hereby authorizes such action and two copies of this Resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Vote: absent - Tibak  
 aye - Petersen  
 aye - Grover  
 aye - Inscho  
 aye - Fisher

\_\_\_\_\_  
 John Fisher,  
 Mayor

Resolution #2010.51  
 Tax Refund

*WHEREAS*, The Tax Collector has received overpayment of taxes on various properties as indicated on the following list, and

Block/Lot	Name/Address	Reason	Total Refund
5/18.21	Barbara Allatto 115 Hope Road Great Meadows, NJ 07838	Overpayment due to reduced assessment 2008	\$ 1,376.33
55/5	PHH Mortgage c/o Corelogic Attn: Refunds Unit DFW 1-3 1 Core Logic Dr Westlake, TX 76262	Duplicate payment 2008	\$1 162.80

*WHEREAS*, These overpayments should be refunded.

*NOW, THEREFORE, BE IT RESOLVED*, By a majority of the members of the Township Committee of the Township of Liberty, County of Warren, State of New Jersey that the refunds on the above list shall be returned to the parties designated.

Vote: absent - Tibak  
 aye - Petersen  
 aye - Grover  
 aye - Inscho  
 aye - Fisher

\_\_\_\_\_  
 John Fisher,  
 Mayor

Resolution#2010.52

Resolution to Adopt Pay-To-Play Policy and Procedure

WHEREAS, The Township of Liberty, Warren County is a municipality incorporated within the State of New Jersey in the year 1926 and governed by five Committee-people that are elected by the members of the municipality at large; and

WHEREAS, The Township of Liberty, Warren County must comply with PL 2004, Chapter 19 (as amended by PL 2005, c 51) NJSA 19:44-20.4 et seq., known as the "New Jersey Local Unit Pay-to-Play" law; and

WHEREAS, The Township Committee believes that it is in the best interests of the municipality to accept a "Non-Fair and Open" procedure, as defined in law, for the award of 2011 professional services contracts that are not publicly bid and may exceed \$17,500.00 annually or during the life of the contract; and

WHEREAS, The Township Committee believes that contracts for goods and services, from a single vendor, with a value greater than \$17,500.00 and less than the Local Public Bidding Threshold should be decided on a case-by-case basis; and

WHEREAS, The Township Committee require contracts for goods and services, from a single vendor, except professional contracts, with a value greater than the Local Public Bidding Threshold will be bid according to the Local Public Bidding requirements.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee does hereby adopt the Pay-to-Play Policy and Procedures as the official purchasing policy for contracts covered under the above mentioned statutes.

Vote: absent - Tibak  
aye - Petersen  
aye - Grover  
aye - Inscho  
aye - Fisher

\_\_\_\_\_  
John Fisher,  
Mayor

Resolution #2010.53  
Resolution Providing for the Insertion of any Special Item of Revenue  
in the Budget of any County of Municipality  
Pursuant to NJSA 40A:4-87, Chapter 159, PL 1948

WHEREAS, NJSA 40A:4-87, Chapter 159, PL 1948 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 item 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, Liberty Township has received an \$10,000.00, Wastewater Management Grant, and wishes to amend its 2010 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Liberty, Warren County, New Jersey, hereby requests the Director of the Division of Local Government

Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$10,000.00 to be received as revenue from: Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Consent of the Director of Local Government Services:

Public and Private Revenues Offset with Appropriations: Wastewater Management Grant

*BE IT FURTHER RESOLVED* That a like sum of \$10,000.00 be appropriated under the caption of: General Appropriations:

(A) Operations Excluded from "CAPS"

Public and Private Programs Offset by Revenues: Wastewater Management Grant

*BE IT FURTHER RESOLVED* That one certification form be sent to the Director of the Division of Local Government Services for approval.

Vote: absent - Tibak

aye - Petersen

aye - Grover

aye - Inscho

aye - Fisher

\_\_\_\_\_  
John Fisher,  
Mayor

PUBLIC COMMENT was opened at 7:28 pm.

ALICE BECHOK - It was reported that old plastic furniture had been dropped off at the Casino. Mayor Fisher requested that the DPW collect and dispose of the items.

CAROLINE STUIBER - Inquired into the status of the Burt Bennett Estates. Discussion ensued on the phase I and development criteria without action taken

Public comment was closed at 7:29 pm.

REORGANIZATION 2011

It was agreed that Reorganization 2011 would be held on Saturday, 1 January 2011 at 2:00 pm in the Municipal Building, 349 Mountain Lake Road, Great Meadows, NJ.

A motion by John Inscho to adopt the following Resolution carried.

Resolution #2010.54  
Payment of Bills

*RESOLVED*, That the governing body of the Township of Bethlehem, does hereby authorize the Finance Department to pay all vouchers when properly endorsed and approved by at least 3/5 majority of the Governing Body in the amount of \$419,302.48.

Vote: absent - Tibak

aye - Petersen

aye - Grover

aye - Inscho

aye - Fisher

\_\_\_\_\_  
John Fisher,  
Mayor

At 7:30 p.m., a motion by John Inscho to adopt the following resolution carried.

Resolution #2010.55  
Resolution to Enter into Executive Session

*WHEREAS*, The Open Public Meetings Act P.L. 1975, Chapter 231 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 exists; and

*WHEREAS*, The governing body may wish to discuss any of the following conditions; confidential provisions of Federal Law or State Statute; information that may impair receipt of federal funding; invasion of individual privacy; collective bargaining agreement; real property negotiations; litigation; and, personnel and personnel policy. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

- ✓ Potential Litigation
- ✓ Personnel

*NOW, THEREFORE, BE IT RESOLVED*, That the public be excluded from this meeting.

Vote: absent - Tibak  
aye - Petersen  
aye - Grover  
aye - Inscho  
aye - Fisher

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John Fisher,  
Mayor

At 8:21 pm, a motion by John Inscho to reconvene public meeting carried.

Mayor Fisher stated that during executive session matters of potential litigation and personnel were discussed. Action to follow.

**WOODED VALLEY ESTATES**

Following discussion in executive session, a motion by John Inscho authorizing the Municipal Attorney, with the input of the Municipal Engineer, prepare a letter on the short comings of the Developer's Agreement between the Township of Liberty and Wooded Valley Estates II, LLC.

Minutes of this session will be made available when deemed no harm to the public.

ADJOURNMENT - There being no further business, a motion by John Inscho to adjourn the meeting carried.

Meeting adjourned at 8:23p.m.

Diane Pflugfelder RMC/CMC  
Municipal Clerk/Administrator  
Minutes approved XXXX 2011

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