

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 7 April 2011. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:03 p.m.

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

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

GIRL SCOUTS, TROOP 670

A few members of Liberty Township Girl Scout Troop 670 were in attendance to present a badge project improving the landscaping around the Mountain Lake Sign. All members of the Township Committee were in agreement.

INTRODUCTION OF 2011 BUDGET

Mr. Schroeder, Municipal Auditor, gave a brief overview of the proposed 2011 Budget and commended the Township Committee for a municipal tax decrease. Following discussion, a motion by Mayor John Inscho to introduce the 2011 Municipal Budget carried. The budget would be published 14 April 2011 and scheduled for public hearing and considered of adoption on 5 May 2011.

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

Resolution #2011.39 Self-Examination of Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on 11 February 1997; and

WHEREAS, Pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Liberty has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2011 budget year.

NOW THEREFORE BE IT RESOLVED By the Township Committee of the Township of Liberty that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED That a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

John Inscho,
 Mayor

REPORTS

GREAT MEADOWS REGIONAL BOARD OF EDUCATION

Jennifer Cassini, Chair of Great Meadows Regional Board of Education, presented a PowerPoint presentation of the proposed 2011-2012 School Budget. She presented the following;

- ✓ 1.86¢ increase in Independence; 3.57¢ increase in Liberty (despite increases in energy, mandatory pension contributions and tuition for High School and out of district students)
- ✓ Maintains and enhances all current programs and staff
- ✓ Maintains board policy class sizes to guarantee individualized attention
- ✓ Features no wage increases for employees not covered by the master contract
- ✓ Eliminated two instructional positions through retirement
- ✓ Supports the continuation of after school academic and athletic programs through the use of stimulus monies – not paid for with local tax dollars
- ✓ Maintains art, music, gifted and talented and other critical programs
- ✓ Incorporates the benefits of shared services, from administration to special education programming and more

The session concluded with a question and answer period and request of the governing body for a full copy of the proposed budget.

NEW JERSEY STATE POLICE

A Trooper of the Washington Township Barracks reported the following activity within Liberty Township for the month of March 2011;

- ✓ seven 911 hang-ups
- ✓ 5 alarm responses
- ✓ 5 community policing
- ✓ 7 critical infrastructure checks
- ✓ 1 fire call
- ✓ 17 medical assists
- ✓ 4 motor vehicle accidents
- ✓ 49 motor vehicle stops
- ✓ 26 property checks
- ✓ 1 missing persons
- ✓ 1 property damage/disputes

MUNICIPAL ENGINEER

Landuse Board Meeting - Mr. Nader reported that he had attended the 16 March 2011 meeting of the Landuse Board for the proposed construction of a two-car garage. The application continues.

Block 21.02, Lot 20.05, 44 Hillcrest Drive – Mr. Nader reported that work has begun at 44 Hillcrest Drive and all contractual conditions and engineering request have been meet to date.

SAGE – Mr. Nader stated that he is one step closer with the local aid application via the SAGE program.

MUNICIPAL CLERK

2011-2016 Solid Waste NJDEP Registration – It was reported that the 2011-2016 Solid Waste NJDEP Registration has been completed electronically.

2011 Spring Clean Up – The 2011 Spring Cleanup Day has been posted on the municipal website, forwarded to Comcast and the local schools as well as the local newspaper for a one time publication. On Thursdays 14, 21 and 28 April the Deputy Clerk will be in the municipal building between the hours and 6:00 pm and 8:00 pm for voucher distribution. All vouchers are to contain the municipal seal and are numbered for tracking purposes.

Canon Fax Board – The Canon fax board has been installed.

General Code Ecode 360° - The electronic municipal code has been posted to the municipal web site and is accessible to the public without cost. The electronic code includes the posting of the current Ordinances adopted to date in 2011. Notices were forwarded to all private holders of the municipal code of this electronic conversion.

PeTS – The electronic dog licensing program has been installed and the transfer of data begun

Great Meadows Regional Board of Education – Following discussion at the 3 March 2011 meeting, letters had been forwarded to the School Superintendents, Business Administrators, and Board of Education Chairs regarding the Mentor Home students with outstanding education balances. Responses received at Liberty Township were forwarded to the Great Meadows Regional Business Administrator.

Dog Census Coordinator – The Municipal Clerk requested the Township Committee consider the appointment of a 2011 dog census coordinator. It was reported that the last dog census had been conducted in 2008 at the cost of \$2,000.00. The CFO stated that the \$2,000.00 is available in the Dog Trust Fund to cover this expense.

COMMITTEEPERSON PETERSEN

Vehicular Retro-fit Mandate – Committeeperson Petersen reported that he and Steve Romanowitch, DPW Supervisor, had attended the NJDEP Retro-fit course for DPW vehicles. Criteria for mandated retro-fit were based upon horsepower and annual mileage use. He stated that it was an in-line catalyst system installed by only one of ten state certified vendors. The program is funded thru NJDEP sources at no municipal cost.

Shady Lane – Committeeperson Petersen reported that a road pipe had collapsed on Shady Lane. Shady Lane is a private lane and not a municipal responsibility. The property owner was put in contact with NJDEP representatives for suggestive repairs and offered the opportunity to post an escrow if he privately chose to have T·Y·LineInternational act as an Engineer on his behalf.

Highlands TDR – Committeeperson Petersen requested that upon confirmation of scheduling the New Jersey Highlands for a TDR session to post the meeting on the municipal web site as well as invite the municipal representatives from Independence Township to attend.

COMMITTEEPERSON GROVER

Direct Install Program - Committeeperson Grover reported that Lyons, the company conducting the Direct Install work, has fallen behind schedule and there is no known date for installation of the Liberty Township updates.

DEPARTMENT OF PUBLIC WORKS

Steve Romanowitch, CPWM, presented the following verbal report:

- ✓ He had attended the 30 March 2011 Retro-fit class with Committeeperson Petersen and there is a deadline of 8 September 2011 to submit the municipal vehicle inventory to NJDEP. Liberty Township would be required to have three dump trucks retrofitted and the fire trucks are exempt
- ✓ On 12 April a representative from Cummings will be inspecting the municipal equipment for the retro-fit system quote
- ✓ The 2011 Jimmy is going in for a manufactures inspection due to the check engine light illumination
- ✓ There are two loads of clay ordered for the ball fields
- ✓ Tress have been trimmed and chipped along Lake Just It Road and around the Lodge
- ✓ Road work will begin on Danville Mountain Road to change heads as well as cutting back the road edges in preparation of paving in April/May 2011

MUNICIPAL TAX COLLECTOR

A pre-printed report was received from the Municipal Tax Collector for March 2011 and presented to members of the Township Committee for review.

ZONING OFFICE

A pre-printed report was received from the Municipal Zoning Official for March 2011 and presented to members of the Township Committee for review.

CONSTRUCTION

A pre-printed report was received from the Municipal Construction Office for March 2011 and presented to members of the Township Committee for review.

APPROVAL OF MINUTES

A motion by Mark Tibak to adopt public session, budget workshop and executive session minutes of 3 March 2011 carried.

ORD. #2011.005 - PUBLIC HEARING - A motion by John Fisher to open public hearing and adopt the following Resolution carried.

Resolution #2011.40
Adoption of ORD. #2011.005

WHEREAS, Said Ordinance entitled “An Ordinance Modifying the Term of the Deputy Municipal Clerk” was passed on first reading on 3 March 2011; 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 “An Ordinance Modifying the Term of the Deputy Municipal Clerk” be passed on second reading and final adoption.

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

John Inscho,
Mayor

ORD. #2011.006 - PUBLIC HEARING - A motion by Mark Tibak to open public hearing and adopt the following Resolution carried.

Resolution #2011.41
Adoption of ORD. #2011.006

WHEREAS, Said Ordinance entitled “An Ordinance Modifying Certain Miscellaneous Fees Allowed To be Charged Pursuant to Chapter 59 of the Liberty Township Code” was passed on first reading on 3 March 2011; 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 “An Ordinance Modifying Certain Miscellaneous Fees Allowed To be Charged Pursuant to Chapter 59 of the Liberty Township Code” be passed on second reading and final adoption.

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

John Inscho,
Mayor

ORD. #2011.007 - PUBLIC HEARING - A motion by John Fisher to open public hearing and adopt the following Resolution carried.

Resolution #2011.42
Adoption of ORD. #2011.007

WHEREAS, Said Ordinance entitled “An Ordinance to Establish the Position of Municipal Engineer” was passed on first reading on 3 March 2011; 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 “An Ordinance to Establish the Position of Municipal Engineer” be passed on second reading and final adoption.

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

John Inscho,
Mayor

2011 MUNICIPAL ALLIANCE COUNTY CONTRACT

Following discussion, a motion by John Fisher authorizing Mayor Inscho to execute the 2011 Municipal Alliance County Contract between the County of Warren and the Township of Liberty carried.

NJDEP PERMIT NUMBER: NJG0166731, LODGE

Mayor Inscho reported that the Township was in receipt of an annual application for authorization to discharge under a NJPDES permit from the Lodge site. He had spoken with representatives of NJDEP informing them that the Lodge was not in active use and requested a waiver of fee. The Mayor stated that he would follow-up with this issue.

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

Resolution #2011.43
Payment of Bills

RESOLVED, that the Township Committee of the Township of Liberty, does hereby authorize the Finance Department to pay all vouchers when properly endorsed and approved by at least 3/5 majority of the Township Committee in the amount of \$ 468,883.66.

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

John Inscho,
Mayor

PUBLIC COMMENT was opened at 8:10 pm.

Lisa Thomas – Ms. Thomas inquired into the status of the Lodge Sale and the video taping of Township Committee meetings for public broadcasting.

Jennifer Cassini – Ms. Cassini thanked the Township Committee for their initiative to send letters to the school districts with outstanding balances for mentor home education expenses. The letters were generating the collection of funding.

PUBLIC COMMENT closed at 8:19 pm

At 8:19 pm a motion by John Inscho to adopt the following Resolution carried.

Resolution #2010.44

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.

- ✓ Collective Bargaining Agreement
- ✓ Litigation
- ✓ Personnel and Personnel Policy

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

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

 John Inscho,
 Mayor

At 9:04 pm, a motion by John Inscho to reconvene the public meeting carried.

Mayor Inscho stated that during executive session matters of personnel, litigation and contractual agreement were discussed. Action to follow. Minutes of this session will be made available when deemed no harm to the public.

Resolution #2011.045

WHEREAS, The Township of Liberty has a need to acquire professional services as outlined below as non-fair and open contracts pursuant to the provisions of NJSA 19:44A-20.4 to 20.5; and

WHEREAS, The CFO has determined and certified in writing that the value of the acquisition of each service will or may exceed \$17,500; and

WHEREAS, The anticipated term of these contracts is one year (and may be extended as approved by this Township Committee); and

WHEREAS, The following agencies have completed and submitted a Business Entity Disclosure Certification which certified that they have not made any reportable contributions to a political or candidate committee in the Township of Liberty in the previous one year, and that the contract will prohibit the agency from making any political contributions through the term of the contract; and

WHEREAS, Sufficient funds are available in the 2011 Temporary Budget and will be made available in the 2011 Municipal Budget for the Township of Liberty as required in NJAC 5:30-5.4

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of

Liberty, County of Warren, State of New Jersey appoint the following professionals to provide professional services from 7 April 2011 through 31 December 2011:

Wassim Y Nader, P.E. with the firm of T·Y·LINInternational/Medina is hereby retained as the Municipal Engineer for the Township of Liberty 2011, for the 2011 appointment.

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

John Inscho,
Mayor

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

Meeting adjourned at 9:05 p.m.

Diane M Pflugfelder RMC/CMC
Municipal Clerk/Administrator
Minutes Approved 5 May 2011