

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 4 August 2011. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:00 p.m.

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

Absent: John Fisher

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

REPORTS

MUNICIPAL CLERK

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

Interlocal Agreement between Great Meadows Regional School District and The Township of Liberty for Shared Services – Following discussion a motion by Mark Tibak authorizing the Mayor to execute the following Agreement carried.

This Agreement, made this 18th day of July 2011, between the Great Meadows Regional School District, located in the County of Warren, State of New Jersey (hereinafter referred to as “GMRSD”), with Board Offices located at 281 Route 46, PO Box 74, Great Meadows, New Jersey 07838 and the Township of Liberty a body politic and corporate of the County of Warren, State of New Jersey, (hereinafter referred to as “Liberty”), with municipal offices located at 349 Mountain Lake Road, Great Meadows, New Jersey 07838; and,

WHEREAS, Liberty will provide the service of spreading salt on the parking lots and driveways of the Liberty Township School as needed during the winter months; and

WHEREAS, Liberty will maintain (with the exception of mowing) GMRSD’s athletic fields while the Township uses the fields for recreation activities; and

WHEREAS, GMRSD will provide for the use of the Liberty School gymnasium, the Central School gymnasium and the Middle School Gymnasium for Township recreation activities at no cost – Monday through Friday. Use of the gymnasiums shall be permitted only if the facilities are not being used by GMSRD; and,

WHEREAS, GMRSD will provide athletic fields (baseball, soccer) for use by the Township Recreation Department. The fields will be mowed by GMRSD.

NOW, THEREFORE, IT IS FURTHER AGREED That the term of this contract shall be for one (1) fiscal year ending 30 June 2012. This Agreement may be extended upon mutual consent of both parties.

IN WITNESS WHEREOF, Each party has executed this agreement pursuant to a resolution adopted by each governing body as by the Buildings and Facility use per district policy in force as indicated by the signatures of the respective municipal and district officials appearing below.

Catherine Mozak, Interim Superintendent Great Meadows Regional School District
John E Inscho, Mayor Township of Liberty

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

John Inscho,
Mayor

COMMITTEEPERSON TIBAK

Committeeperson Tibak reported that he would be prepared to recommend an IT Service at the 25 August workshop.

COMMITTEEPERSON GROVER

Committeeperson Grover reported that he was preparing alarm specifications for the 25 August workshop and that he had yet to receive any status report on the Firehouse direct install upgrades.

COMMITTEEPERSON PETERSEN

Committeeperson Petersen commended Steve Romanowitch on his CPWM recertification and requested that a copy of the current Municipal Code Speed Limits be forwarded to the NJSP Washington Barracks.

RECREATION

A pre-printed report was received from the Recreation Commission for July 2011 and presented to members of the Township Committee for review.

ENVIRONMENTAL

A pre-printed report was received from the Environmental Commission for July 2011 and presented to members of the Township Committee for review.

OPEN SPACE

A pre-printed report was received from the Open Space Committee for July 2011 and presented to members of the Township Committee for review.

STORMWATER

A pre-printed report was received from the Stormwater Committee for July 2011 and presented to members of the Township Committee for review.

LANDUSE

A pre-printed report was received from the LandUse Board for July 2011 and presented to members of the Township Committee for review.

DEPARTMENT OF PUBLIC WORKS

Steve Romanowitch, CPWM, presented the following verbal report:

- ✓ Danville Mountain Road has been paved and a one mile stretch painted
- ✓ 200' of guiderail will be installed on Danville Mountain Road
- ✓ Danville Mountain Road will be backfilled in excavated areas
- ✓ Mowing continues around the municipality along guiderails and intersections
- ✓ An abandoned drain on Lakeside Drive North will be addressed

APPROVAL OF MINUTES

A motion by Ron Petersen to adopt the public and executive session minutes of 7 July 2011 carried.

A motion by Ron Petersen to adopt the public and executive session minutes of 28 July 2011 carried.

OLD BUSINESS

LODGE AUCTION – Mayor Inscho reported that no bidders came forward at the Lodge Auction of 28 July. At this time the Township Committee is considering potential options of lifting the deed restrictions, decreasing the minimum bid price, lease the facility, or change the zoning for a future auction. A meeting is being planned with the Open Space Committee for their input.

MUNICIPAL CODE, CHAPTER 38, ALARMS – It was announced that the review of Chapter 38, Alarms is ongoing.

COMCAST – The Municipal Attorney announced that Mr. Smith, Comcast representative, would be invited to attend the Township Committee workshop of 25 August to review the contractual terms between the Township of Liberty and Comcast for the draft Ordinance finalization and a public hearing would be held on that date.

FLOOD DAMAGE PREVENTION ORDINANCE – The Municipal Engineer stated that he is awaiting NJDEP verbiage on the draft Flood Damage Ordinance for Liberty Township conformance.

JENNY JUMP AVENUE ROAD VACATION – The Municipal Attorney stated that a letter had been forwarded to NJDEP concerning their ingress/egress to State properties beyond the proposed road vacation location.

BIRCH AND WALNUT LOT LINE ADJUSTMENT, BLOCK 40, LOT – No response has been received from the property owner since the letter requesting that an escrow of \$1,500.00 be posted for professional services affiliated with this project was mailed to his attention.

HILLSIDE AVENUE LOT LINE ADJUSTMENT, BLOCK 49, LOT 1 – In response to his letter requesting that an escrow of \$1,500.00 be posted for professional services affiliated with this project, questions from the applicant were answered.

MUNICIPAL BUILDING REPAIR

Insurance proposals and repair quotes were received for the Municipal Building damage that occurred on 8 April 2011 when an automobile drove into the west face of the municipal building. Following discussion, it was agreed to continue this topic with the input of John Fisher.

MUNICIPAL CODE, CHAPTER 94, TRAILERS – It was announced that the Mayor would review Chapter 94, Trailers with the Municipal Zoning Official.

NEW BUSINESS

ORDINANCE #2011.008 - Following discussion, a motion by John Inscho to introduce Ordinance #2011.008 on First Reading carried. Dan Grover voted no. Public Hearing and Adoption are scheduled for 8 September 2011.

Ordinance #2011.008
An Ordinance to Amend Liberty Township Ordinance
Section 49-13 Dogs (Noise)

WHEREAS, the Township of Liberty Committee does now desire to clarify the standards for determining when the barking of a dog shall be deemed a violation of local ordinance Section 49-13.

NOW therefore let it be ordained as follows:

1. Delete the definition of Noise as contained in Liberty Township Ordinance Section 49-13 and substitute in its place the following language:

No person shall own, possess or harbor any dog that frequently or for continued duration makes sounds that create a noise disturbance across a residential real property line. For the purpose of this section, a noise disturbance from a barking dog shall be defined as that created by a dog barking continually for 10 minutes or intermittently for 30 minutes. This provision shall not apply, however, to those situations wherein there is purposefully provocation by others outside the control of the owner, to cause the dog to bark.

2. All of the other terms and conditions of Liberty Township Ordinance Section Dogs 49-1 et.seq. shall remain in full force and effect

RESOLUTIONS

A motion by Mark Tibak to adopt the following Resolution carried.

Resolution #2011.072

Authorization to Auction Surplus Equipment, Vehicles, Parts,
Furniture and Supplies of the Township of Liberty, Warren County
at a public Auction of Warren County Board of Chosen Freeholders

WHEREAS, The Township of Liberty is presently storing various items no longer needed for public use by the municipal departments; and

BE IT RESOLVED, By the Township of Liberty pursuant to the provisions of NJSA 40A:11-36, that said equipment, furniture and supplies be and the same are hereby ordered to be disposed of by Public Auction, to be held Saturday, 10 September, 2011 beginning at 10:00 am prevailing time at the Warren County Road Department facility, Route 519, White Township, New Jersey.

BE IT FURTHER RESOLVED That Notice of said sale shall be published by in newspapers at least seven (7) days prior to sale by the County of Warren.

BE IT FURTHER RESOLVED That all items shall be sold to the highest bidder, and the terms of the sale shall be sold as is and where is, whiteout warranty or guarantee of any kind, upon payment of the full amount, subject to al lawfully advertised terms and restriction.

BE IT FURTHER RESOLVED That the Warren County Director of Purchasing is hereby authorized and directed to perform all acts and to execute of behalf of this body, all documents required by Statute or this Resolution to effectuate said sale.

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

 John Inscho,
 Mayor

A motion by Ron Petersen to adopt the following Resolution carried.

Resolution #2011.073
Issuance of 2011-2012 Liquor Licenses

BE IT RESOLVED, By the Township Committee of the Township of Liberty, County of Warren and State of New Jersey, that the following license has made application for the renewal of Plenary Retail Consumption License and having complied with all the terms of the Liberty Township Municipal Code, Chapter 39, Alcoholic Beverages; and, that this license is renewed pursuant to a 12:39 Special Ruling of 19 July 2011, Docket No. 06.11.6973, be renewed for the term of one year from the first day of July 2011, to midnight, 30 June 2012;

Lisbon Capri Inc

Attn: Anthony H Guerino
92 Elm Road
PO Box 1982
Newark, New Jersey 07102
License #2114.33.001.002
Fee: \$871.93

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

John Inscho,
Mayor

A motion by Mark Tibak to adopt the following resolution carried.

Resolution #2011.074
Issuance of 2011-2012 Liquor Licenses

BE IT RESOLVED, By the Township Committee of the Township of Liberty, County of Warren and State of New Jersey, that the following license has made application for the renewal of Plenary Retail Consumption License and having complied with all the terms of the Liberty Township Municipal Code, Chapter 39, Alcoholic Beverages; and, that this license is renewed pursuant to a 12:39 Special Ruling of 25 July 2011, Docket No. 06.11.6977, be renewed for the term of one year from the first day of July 2011, to midnight, 30 June 2012;

JARG Corporation

Attn: Anthony H Guerino
92 Elm Road
PO Box 1982
Newark, New Jersey 07102
License #2114.33.008.006
Fee: \$871.93

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

John Inscho,
Mayor

A motion by Ron Petersen to adopt the following Resolution carried.

Resolution #2011.075
Tax Refund

WHEREAS, The Tax Collector recommends to the Township Committee that the necessary administrative actions be taken to authorize a refund to the following lienholder.

Block/Lot	Name/Address	Lien Amount	Interest	Premium	Total Refund
9/11.01	Lien Times LLC 203 Stephens Road West Milford, NJ 07480	\$22,733.56	\$5,510.72	\$8,100.00	\$36,344.28

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 - Fisher
aye - Petersen
aye - Grover
aye - Tibak
aye - Inscho

John Inscho,
Mayor

PAYMENT OF BILLS

A motion by Mark Tibak to adopt the following Resolution carried.

Resolution #2011.076
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 \$463,394.78.

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

John Inscho,
Mayor

PUBLIC COMMENT was opened at 7:38 pm.

Lisa Thomas – Ms. Thomas suggested options that Township Committee consider for future Lodge auction terms. She also suggested that funding for Community Day fireworks be saved for Casino facility improvements.

Lynn Vonder Haar – Ms. Vonder Haar read a prepared statement thanking the DPW for road paving on Danville Mountain and the need for road repair on Lakeside Drive North.

Karen Moskello – Ms. Moskello questioned the justification of road signage upon the newly paved Danville Mountain Road. She also asked what advertising had been done for the Lodge Auction. Her final question was if residents could use cleanup day vouchers for the removal of the Casino structure?

Lynn Gilmore – Ms. Gilmore reported that there was an inactive swimming pool on Church Street. She questioned if the Township had obtained three appraisals on the value of the Lodge and when another Auction would be scheduled. She also made inquiries regarding the Casino facility improvements.

Eileen Heydecke – Ms. Heydecke inquired into the Township Committee’s intent for the Casino facility.

Lorraine Thiel – Ms. Thiel questioned who is responsible for property maintenance and security around the Casino facility.

William Vonder Haar – Mr. Vonder Haar stated that the Great Meadows Regional Board of Education had secured an interim Superintendent, Catherine Mozak. He also reported on State Aid monies had been received by the Board of Education and indicated a potential use of these funds for capital projects.

At 8:20 pm a motion by John Inscho to adopt the following Resolution carried.

Resolution #2011.077

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.

- ✓ Personnel and Personnel Policy

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

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

 John Inscho,
 Mayor

At 9:13 pm, a motion by Mark Tibak to reconvene the public meeting carried.

Mayor Inscho stated that during executive session matters of personnel was discussed.

A motion by John Inscho directing the Municipal Attorney to prepare a Resolution authorizing the payment of Health Insurance waiver as per the New Jersey State Health Benefits Program carried.

PERSONNEL

Following discussion in executive session, a motion by John Inscho authorizing the preparation for a letter of reprimand to be presented to Ralph Price by Mayor Inscho and Deputy Mayor Tibak carried. Dan Grover abstained.

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

Meeting adjourned at 9:15 p.m.

Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 6 October 2011