

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 2 February 2012. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:08 p.m.

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

Absent: Deputy Mayor Mark Tibak

Also, Present: Roger Skoog, Municipal Attorney

REPORTS

NEW JERSEY STATE POLICE

A Trooper of the Washington Township Barracks reported the following activity within Liberty Township for the month of January 2012;

- ✓ one 911 hang-ups
- ✓ 6 alarm responses
- ✓ 8 community policing
- ✓ 3 critical infrastructure checks
- ✓ 1 fire call
- ✓ 7 medical assists
- ✓ 45 motor vehicle stops
- ✓ 27 property checks
- ✓ 1 criminal mischief
- ✓ 2 domestic disputes
- ✓ 2 thefts
- ✓ 1 verbal dispute

RECREATION

Eileen Greason reported that baseball signups were scheduled in February 2012.

ENVIRONMENTAL

Eileen Greason reported that an amphibian crossing training session was scheduled in February 2012 and a hazardous tree workshop was scheduled for March 2012.

MAYOR INSCHO

Mayor Inscho reported that a budget workshop had been conducted at 6:00 pm this evening and the preliminary 2012 budget was flat. He explained that a decrease may have been possible if the additional expenses had not been incurred with Hurricane Irene, Topical Storm Lee and the October snow.

MUNICIPAL ZONING

A pre-printed report was received from the Municipal Zoning Official for January 2012 and presented to members of the Township Committee for review

MUNICIPAL TAX COLLECTOR

A pre-printed report was received from the Municipal Tax Collector for January 2012 and presented to members of the Township Committee for review

MUNICIPAL CLERK/ADMINISTRATOR

A pre-printed report was received from the Municipal Clerk/Administrator for January 2012 and presented to members of the Township Committee for review.

FEMA

Hurricane Irene: The Municipal Clerk reported that Liberty Township had been reimbursed \$3,716.02 for expenses incurred from Hurricane Irene.

Tropical Storm Lee: The Municipal Clerk reported that Project Worksheets had been submitted for the following;

Tree Removal by Contractors at the Lakeside Drive West Landslide Area

Demolition of Landslide Damaged Bechok House

Landslide between Lewis Lane and Lakeside Drive West

It was also stated that FEMA representatives had presented a hazard grant mitigation program that provided state funds for acquisition of privately owned lands for the mitigation of the damages upon public assets (Lewis Lane). The program would acquire the private property and permanently place it in open space. It is a lengthy documentation process and would need to begin with a geo-tech evaluation determining the cause of slope failure to proceed with mitigation process.

Following report, a motion by Ron Petersen authorizing the Mayor and Municipal Clerk to execute any documentation necessary for this hazard grant mitigation program carried. Attorney Skoog was directed to compose and forward letter of this municipal pursuit for funding to the property owners of 12 and 14 Lewis Lane.

SESI Consulting Engineers

Following discussion for the need to determine the cause of slope failure, a motion by Ron Petersen authorizing the Mayor to execute a Professional Services Agreement for Subsurface Investigation between the Township of Liberty and SESI Consulting Engineers upon review and approval of legal counsel carried.

LANDUSE BOARD

A request of 1 February 2012 was received from the Liberty Township LandUse Board regarding the amendment of escrow fees for a revisit of the Cerami Application. Mayor Inscho presented a brief description of the application which was followed with a motion by Ron Petersen to amend the escrow requirement for this application to a fee of \$1000.00 carried.

APPROVAL OF MINUTES

A motion by Ron Petersen to adopt the public and executive session minutes of 5 and 26 January 2012 carried.

OLD BUSINESS

2012 APPOINTMENTS

No appointments for the unfulfilled 2012 municipal positions were made at this time. It was agreed to post those outstanding positions on the municipal website.

MUNICIPAL CODE CHAPTER 38, ALARMS

Attorney Skoog explained his letter of 4 August 2011 with Fire Alarm Ordinance review. In conclusion, Attorney Skoog was directed to prepare a draft of the Ordinance amendments for the 23 February 2012 meeting.

MUNICIPAL CODE CHAPTER 94, TRAILERS

It was agreed to table to the topic of Municipal Code Chapter 94, Trailers.

NEW BUSINESS

POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY

Following discussion, a motion by John Fisher authorizing Mayor Inscho to execute the 2012 Solid Waste Disposal Agreement between the Township of Liberty and the Pollution Control Financing Authority of Warren County carried.

ORDINANCE #2012.001 - Following discussion, a motion by Ron Petersen to introduce Ordinance #2012.001 on First Reading carried. Public Hearing and Adoption are scheduled for 1 March 2012.

CALENDAR YEAR 2012
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A.. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5 percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Governing Body of the Township of Liberty in the County of Warren finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and the citizens; and

WHEREAS, the Governing Body hereby determines that a 3.5 percent increase in the budget for said year, amounting to \$11,411.51 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Township of Liberty, County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Township of Liberty shall, in accordance with this ordinance and N.J.S.A. 40A:40-45.14, be increased by 3.5% amounting to \$11,411.51, and that the CY 2012 municipal budget for the Township of Liberty be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of

The next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote thereon, be filed with said Director within 5 days after such adoption.

PAYMENT OF BILLS

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

Resolution #2011.018
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 \$960,741.66.

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

John Inscho,
Mayor

PUBLIC COMMENT was opened at 7:32 pm.

Caroline Stuibler – Ms Stuibler inquired into the trailers parked at Wooded Valley Estates. Mayor Inscho explained to her that they are temporary construction trailers.

Lisa Thomas – Ms Thomas asked if any additional consideration had been given to the use of the Lodge as a community center. It was stated that no action was contemplated at this time.

Patsy Earwood – Ms Earwood presented various questions on the expense and scheduling of cleanup within the Lakeside Drive West and Lewis Lane area.

At 7:45 pm a motion by John Inscho to adopt the following Resolution carried.

Resolution #2012.019

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.

- ✓ Contractual Agreement
- ✓ Real Property Negotiations
- ✓ Litigation

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

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

John Inscho,
Mayor

At 8:10 pm, a motion by Mayor Inscho to reconvene the public meeting carried.

Mayor Inscho stated that during executive session matters of real property negotiations, litigation and contractual agreement were discussed. No action to follow.

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

Meeting adjourned at 8:10 p.m.

Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 1 March 2012