

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 1 November 2012 under the use of generator power due to aftermath of Hurricane Sandy. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:17 p.m.

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

Absent: Deputy Mayor John Fisher

Also, Present: Roger Skoog, Municipal Attorney; and, Diane M Pflugfelder, Municipal Clerk/Administrator

REPORTS

DEPARTMENT OF PUBLIC WORKS

Steve Romanowitch, CPWM, presented the following verbal report:

- ✓ A pre-construction meeting was scheduled for Monday, 5 November regarding the resurfacing of Lakeside Drives West and North
- ✓ A drain pipe had been installed along Lakeside Drive North in preparation of the resurfacing
- ✓ Chipping and roadside cleanup had opened all roads within Liberty Township following the damages of Hurricane Sandy on 29 and 30 October 2012
- ✓ The Township Committee adopted a No-Chipping policy for storm debris upon private property

MOUNTAIN LAKE FIRE COMPANY REQUEST

A letter of 25 October 2012 was received from the Mountain Lake Fire Company requesting any leftover millings from the paving job on Lakeside Drives West and North for use on the Mountain Lake Fire Company property. The Township Committee agreed to deliver millings to the Fire Company parking lot from the road resurfacing project.

MUNICIPAL CLERK/ADMINISTRATOR

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

NEW BUSINESS

ORDINANCE #2012.004 - Following discussion, a motion by Ron Petersen to introduce Ordinance #2012.004 on First Reading carried. Public Hearing and Adoption are scheduled for 6 December 2012.

Ordinance #2012.004
An Ordinance to Amend Chapter 1 of the
Municipal Code, General Provision

WHEREAS, the Township of Liberty desires to amend and update Chapter 1, General Provisions

BE IT ORDAINED by the Township Committee of the Township of Liberty, County of Warren and State of New Jersey that it hereby amends Chapter One of the Township Code as shown in exhibit A attached hereto but that all of the other terms, paragraphs, and conditions contained therein shall otherwise remain in full force and effect.

SECTION 1. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 2. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. This Ordinance shall take effect immediately after final adoption by the Township Committee.

Attachment A:

Section 1-4

Add the following as the last paragraph in this section

In addition; a true copy of the Code shall be placed on the Internet by the Township Clerk for the use and examination of the public at the Township website address of libertytownship.org under the caption of generalcode.com.

Section 1-6

The first sentence of this section shall remain but the subsequent language contained therein shall be deleted and the following language substituted therein:

A Master Copy of the Code Book shall be kept in the Office of the Clerk and shall be made available for the use and examination of the public during the regular business hours of the Clerk. The enactment and publication of this adopting ordinance coupled with the availability of the Master Copy of this Code for inspection by the public shall be deemed, held, and considered to be due and legal publication of all provisions of the Code for all purposes.

Section 1-7

Delete the language presently contained therein and substitute the following language in the aforesaid section

It shall be the duty of the Clerk, or someone authorized and directed by the Clerk, to keep up-to-date the certified copy of the book containing the Code required to be filed in that office for the use of the public as well as to periodically update the true copy of the Code published on the Internet as required by section 1-4. All changes in said Code and all Ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included in the Code by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein. In addition, the Clerk shall immediately upon adoption of a new ordinance, post a copy of the newly adopted ordinance on the Liberty Township website as required in section 1-4.

It shall be the policy of Liberty Township to have the printed supplements to the Code referenced in the preceding paragraph published once each year no later than March of the subsequent calendar year.

Section 1-8

Shall be deleted in its entirety

ORDINANCE #2012.005 - Following discussion, a motion by Ron Petersen to introduce Ordinance #2012.005 on First Reading carried. Public Hearing and Adoption are scheduled for 6 December 2012.

Ordinance #2012.005

An Ordinance to Provide for Enforcement of the Uniform Fire Code with the Township of Liberty by New Jersey Division of Fire Safety

BE IT ORDAINED by the Township Committee of the Township of Liberty, in the County of Warren, State of New Jersey, as follows:

I. Sections 60.1 through 60.9, inclusive, of Chapter 60 of the Code of the Township of Liberty regarding the function and duties of the Uniform Fire Code are hereby repealed, effective upon the assumption of jurisdiction by the New Jersey Division of Fire Safety, as provided below.

II. The following new provisions of Chapter 60, Uniform Fire Code are hereby established as follows:

7.1 New Jersey Division of Fire Safety

7-1.1 Relinquishment of Jurisdiction.

The Township of Liberty, pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c.383) hereby relinquishes its jurisdiction of the administration and enforcement of the Uniform Fire Code and transfers jurisdiction for the administration and enforcement of the Uniform Fire Code to the New Jersey Division of Fire Safety. The transfer of jurisdiction pursuant to this section shall take effect until the expiration of 30 calendar days from the date a certified copy of the Ordinance is forwarded to the New Jersey Division of Fire Safety or until the New Jersey Division of Fire Safety shall exercise its jurisdiction to enforce the Uniform Fire Code, whichever is sooner.

7-1.2 Records and Files. The Township of Liberty shall make available to the New Jersey Division of Fire Safety any and all records and files of the municipality necessary for the Department to carry out its functions.

7-1.3 Fire Code Fees. Fees for service provided for inspections, permits and enforcement of the Uniform Fire Code shall be as established by the New Jersey Division of Fire Safety, which schedule is adopted by reference.

III Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

IV Repealer. All Ordinances or parts of the Ordinances in consistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency

V Effective date. This Ordinance shall take effect after final passage, adoption and publication according to law. Effective date of Municipal relinquishment shall be 31 December 2012, and effective date of State jurisdiction shall be 1 January 2013.

CONSTRUCTION OFFICE RECEPTION

Following discussion it was agreed to conduct a reception following the 6 December 2012 Township Committee meeting in recognition of the Construction Office staff.

8 PINE DRIVE and 2 CEDAR DRIVE

A letter of inquiry was received 24 October 2012 regarding a vacated portion of Hill Drive. The Municipal Attorney was directed to request the posting of \$1500 in escrow to investigate the municipal deeds, minutes and any documentation pertaining to a vacated portion of Hill Drive.

RESOLUTIONS

A motion by Dan Grover to adopt the following Resolution carried.

Resolution #2012.067

WHEREAS, Mountain Lake Fire Company, 99 Tamarack Road, Belvidere, New Jersey 07823, is the licensee on the application to conduct an Off-Premises Merchandise Draw Raffle on 3 February 2013 to be held at Mountain Lake Fire Company, 99 Tamarack Road, Belvidere, New Jersey 07823 to be held between the hours of 1:00 pm-1:00 am; and

WHEREAS, the appropriate application forms and fees have been submitted to the Municipal Clerk; and

WHEREAS, there appears to be no reason to deny the aforesaid applications.

BE IT RESOLVED By the Township Committee of the Township of Liberty, County of Warren, State of New Jersey

1. The off-premises raffle application is approved contingent to the Legalized Games of Chance Control Commission adoption of aforesaid application.

Vote: aye - Karcher
aye - Petersen
aye - Grover
absent - Fisher
abstain - Inscho

John Inscho,
Mayor

A motion by Dan Grover to adopt the following Resolution carried.

Resolution #2012.068

WHEREAS, Mountain Lake Fire Company, 99 Tamarack Road, Belvidere, New Jersey 07823, is the licensee on the application to conduct an Off-Premises Merchandise Draw Raffle on 21 November 2012 to be held at Mountain Lake Fire Company, 99 Tamarack Road, Belvidere, New Jersey 07823 to be held between the hours of 11:00 am-2:00 am; and

WHEREAS, the appropriate application forms and fees have been submitted to the Municipal Clerk; and

WHEREAS, there appears to be no reason to deny the aforesaid applications.

BE IT RESOLVED By the Township Committee of the Township of Liberty, County of Warren, State of New Jersey

1. The off-premises raffle application is approved contingent to the Legalized Games of Chance Control Commission adoption of aforesaid application.

Vote: aye - Karcher
aye - Petersen
aye - Grover
absent - Fisher
abstain - Inscho

John Inscho,
Mayor

A motion by Dan Grover to adopt the following Resolution carried.

Resolution #2012.069
Application for Special Permit for Social Affair
Mountain Lake Fire Company

WHEREAS, an “Application for Special Permit for Social Affair” has been filed by the Mountain Lake Fire Company, 99 Tamarack Road, Belvidere, New Jersey 07823 for said social affair to be held on 3 February 2013 between the hours of 1:00 pm and 1:00 am; and

WHEREAS, the submitted application form is complete in all respects, and the State fees have been paid.

BE IT RESOLVED, That the Liberty Township Committee does hereby approve a social affair for the Mountain Lake Fire Company located at 99 Tamarack Road, Belvidere, New Jersey to be held on 3 February 2013 between the hours of 1:00 pm and 1:00 am.

Vote: aye - Karcher
aye - Petersen
aye - Grover
absent - Fisher
abstain - Inscho

John Inscho,
Mayor

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

RESOLUTION #2012.070
Lakeside Drive Road Resurfacing Project 2012

WHEREAS, the Township of Liberty is a member of the Morris County Cooperative Pricing Council (MCCPC); and

WHEREAS, the MCCPC has received bids for various contracts and has awarded contracts to Tilcon New York, Inc. for Hot Mix Asphalt milling and paving; and to Denville Line Painting, Inc. for traffic striping; and

WHEREAS, the estimated construction cost for the Lakeside Drive Road Resurfacing Project tabulated by the Township Engineer, for work to be performed under the Morris County Cooperative Pricing Council, is as follows: \$192,188.4 for resurfacing items to be performed by Tilcon New York, Inc.; and \$3,948.00 for traffic striping items to be performed by Denville Line Painting, Inc., for a total

estimated cost of \$196,136.40.

BE IT RESOLVED, That the Mayor and Clerk of the Township of Liberty are hereby authorized to enter into an agreement with the above mentioned contractors to perform the Lakeside Drive Road Resurfacing Project and Milling in the Township of Liberty, County of Warren.

BE IT FURTHER RESOLVED That the Mayor is hereby authorized to sign for and on its behalf, as Presiding Officer.

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

John Inscho,
Mayor

A motion by Peter Karcher to adopt the following Resolution carried.

Resolution # 2012.071
FEMA Funding Refund

WHEREAS, Liberty Township was impacted during the incident period of 6 September 2011 through 10 September 2011 with high winds, heavy rain and localized flooding; and

WHEREAS, this storm was declared a major disaster, DR-4039 on 14 October 2011; and

WHEREAS, on or before 8 September 2011 this storm water produced a landslide between Lewis Lane and Lake shore Drive West; and

WHEREAS, this landslide damaged trees and brush, two homes, the Liberty Township future community center building and left debris in the area around and upon Lakeside Drive West; and

WHEREAS, this landslide produced 2,324.04 short tons of mud/small items and 9.07 short tons of larger debris items; and

WHEREAS, a Federal Emergency Management Agency project worksheet #4011005 for \$191,202.17 was prepared for funding of this debris cleanup; and

WHEREAS, Warren County Pollution Control Facility waived the fee of \$163,279.21 for landslide dirt; and

WHEREAS, this Federal Emergency Management Agency project worksheet #4011005 was amended to the amount of \$46,006.52 for funding of this debris cleanup; and

WHEREAS, of this amended amount of 46,006.52, Liberty Township is eligible for 75% reimbursement in the amount of \$34,504.89; and

WHEREAS, Liberty Township received \$143,401.62 for project worksheet #4011005 in funding obligated in bundle 11 on April 2012.

BE IT RESOLVED Liberty Township shall refund \$108,896.73 to;
Treasurer - State of New Jersey

Attn: Lt Jeff Mottley - public assistance
PO Box 7068
West Trenton, NJ 08628

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

John Inscho,
Mayor

PAYMENT OF BILLS

A motion by Dan Grover to adopt the following Resolution carried.

Resolution #2012.072
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 \$904,158.46.

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

John Inscho,
Mayor

PUBLIC COMMENT was opened at 7:36 pm.

Lisa Thoms – Ms. Thomas reported the success of the 2012 Joan Knechel Walk around Mountain Lake.

Eileen Heydecke – Ms. Heydecke inquired into Municipal collection of brush cleanup and was instructed that the DPW would not be collecting debris from individual residences.

Lorraine Thiel – Ms. Thiel questioned the rescheduling of the 2012 rabies clinic and resources for public emergency preparedness.

HALLOWEEN 2012

Following discussion Halloween 2012 was rescheduled to Sunday, 4 November between the hours of 2:00 pm and 5:00 pm.

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

Meeting adjourned at 7:48 p.m.

Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 6 December 2012