

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 8 May 2014. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:10 p.m.

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

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

REPORTS

COMMITTEEPERSON PETERSEN

Ron Petersen reported that he is continuing to gather information on a municipal surveillance system. He also reported that he had reviewed the storm water work conducted on Jenny Jump State Park Lands above the Lewis Lane area, after the recent storms, and found them to be functioning successfully.

COMMITTEEPERSON CUMMINS

Carl Cummins reported on the LandUse meeting of 15 April 2014.

COMMITTEEPERSON GROVER

Dan Grover reported that he was in receipt of the Pavilion bid packages and would review the bids for technical compliance. No action to be taken this evening.

DEPARTMENT OF PUBLIC WORKS

Steve Romanowitch, CPWM, presented the following verbal report:

- ✓ The 2014 Spring Cleanup program offered assistance to one Senior Citizen
- ✓ The three dump trucks have conformed to State and Federal inspections regulations
- ✓ Paving on Hillcrest is schedule for July 2014. Prep work for paving will begin next week.
- ✓ A 50' stretch of pipe will be installed along Danville Mountain Road

MAYOR INSCHO

Mayor Inscho asked for a moment of Silence in respect for Kenneth Lang. He had been the Liberty Township Senior Citizen Representative and treasurer for many years.

The Mayor read an excerpt from New Jersey Fish Water Digest, Summer 2014 Edition, recognizing the addition of Mountain Lake, Liberty Township, Warren County to the New Jersey Trout stocking program.

The Mayor then read a letter from Alexander and Diane Ostrow, 8 Liberty Woods Road, appreciating the DPW work demonstrated during the extreme winter of 2013-2014.

Mayor Inscho reported that the concession stand within Free Union fields had passed the water and Board of Health inspections. The concession stand is open for the baseball season.

MUNICIPAL TAX ASSESSOR

A pre-printed report was received from the Municipal Tax Assessor for April 2014 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 April 2014 and presented to members of the Township Committee for review.

APPROVAL OF MINUTES

A motion by Ron Petersen to adopt the public and executive session minutes of 3 April 2014 carried. Mayor Inscho and Pete Karcher abstained.

OLD BUSINESS

COLONIAL LITTLE LEAGUE

Representatives of the Colonial Little League have informed the municipality that they have discontinued their interest in a road side cleanup project within Liberty Township.

ORDINANCE #2014.002 - Following discussion, it was agreed that no further action would be taken on Ordinance #2014.002.

ORDINANCE #2014.007 - Following discussion, a motion by Carl Cummins to introduce Ordinance #2014.007 on First Reading carried. Public Hearing and Adoption are scheduled for 5 June 2014.

An Ordinance to Amend an Ordinance Known as
The Code of the Township of Liberty,
County of Warren, State of New Jersey

Statement of Legislative Intent

This Ordinance is prepared in order that agriculture, as permitted in the R-1 Zone (Section 105-62 A and B) may also be a permitted use in the B-1, B-2, B-3, I-1 and I-2 Zones. Agriculture is a significant element in the character of the Township, the local economy is undergoing a contraction and it is the intent of the Township Committee to expand the opportunities available to property owners in the Township when this may be accomplished without substantial negative impact on neighborhoods and the character of the Township.

Section 1. Section 105-69A is hereby amended to add “105-69A (14) Agriculture as permitted in the R-1 Zone in Sections 105-62 A and B.

Section 2. Section 105-69 B(1) is hereby amended to read “Any business, other than agriculture as provided above, conducted outside the confines of a building”.

Section 3. Section 105-71 A is hereby amended to read “The B-2 Office and Service Zone is designed for Agriculture, as permitted in the R-1 Zone in Sections 105-62 A and B, professional and other business and service offices, including but not limited to general offices, banks, medical offices and office parks”.

Section 4. Section 105-73 is hereby amended to read “Agriculture and Agricultural business offices”.

Section 5. Section 105-75 is hereby amended to add “105-75I. Agriculture as permitted in the R-1 Zone in Sections 105-62 A and B”.

Section 105-80 is hereby amended to add “105-80E. Agriculture as permitted in the R-1 Zone in Sections 105-62 A and B”.

ORD. #2014.005 - PUBLIC HEARING - A motion by Dan Grover to open public hearing and adopt the following resolution carried.

Resolution #2014.034
Adoption of ORD. # 2014.005

WHEREAS, said Ordinance entitled ‘An Ordinance Providing for the Appropriation of \$130,000.00 From the Capital Improvement Fund of the Township of Liberty, County of Warren, State of New Jersey’ was passed on first reading on 3 April 2014 and

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

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 Providing for the Appropriation of \$130,000.00 From the Capital Improvement Fund of the Township of Liberty, County of Warren, State of New Jersey’ be passed on second reading and final adoption.

Vote: aye - Karcher
aye - Petersen
aye - Cummins
aye - Grover
aye - Inscho

John Inscho,
Mayor

ORD. #2014.006 - PUBLIC HEARING - A motion by Ron Petersen to open public hearing and adopt the following resolution carried.

Resolution #2014.035
Adoption of ORD. # 2014.006

WHEREAS, said Ordinance entitled ‘An Ordinance to Amend an Ordinance Entitled an Ordinance to Provide for and Determine the Salaries and Compensation for the Officers and Employees of the Township of Liberty, County of Warren, State of New Jersey’ was passed on first reading on 3 April 2014 and

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

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 Amend an Ordinance Entitled an Ordinance to Provide for and Determine the Salaries and Compensation for the Officers and Employees of the Township of Liberty, County of Warren, State of New Jersey’ be passed on second reading and final adoption.

Vote: aye - Karcher
aye - Petersen
aye - Cummins
aye - Grover
aye - Inscho

John Inscho,
Mayor

NEW BUSINESS

ANIMAL CRUELTY INSPECTOR

A motion by Ron Petersen to appointment Alan DeCarolis as Animal Cruelty Investigator, expiration of

term 31 December 2014 carried.

PROFESSIONAL SERVICE CONTRACTS

A motion by Ron Petersen authorizing Mayor Inscho to execute the contract between the Township of Liberty and Ferriero Engineering, as Municipal Engineer, expiration of term 31 December 2014, carried.

A motion by Ron Petersen authorizing Mayor Inscho to execute the contract between the Township of Liberty and John G Hudak, Esq, for Bond Counsel Services, expiration of term 31 December 2014, carried.

LAKESIDE PAVILION BIDS 2014

The following bid packages were opened by the Township of Liberty on Tuesday, 6 May 2014 at 10:00 am for the acquisition and assembly of a manufactured pavilion at the municipally owned beachfront property along Lakeside Drive West, Belvidere, NJ, identified on the tax maps as Block 52, Lot 42.

<u>Company</u>	<u>Pavilion</u>
Sports& Golf Solutions 4 Crest Hill Road Verona, NJ 07044	\$49,950.00
Security Structures Inc 125 Martinsville Road Basking Ridge, NJ 07920.2709	\$114,891.00
Coopersmith Brothers Inc PO Box 391 Phillipsburg, NJ 08865	\$99,891.00
Whirl Construction Main Street, PO Box 110 Port Monmouth, NJ 07758	\$65,700.00

Following discussion, it was agreed that Deputy Mayor Dan Grover would review the bid packages for technical details and report back at the next Township Committee meeting.

NJ STATE FIREMEN'S ASSOCIATION MEMBERSHIP

A motion by Ron Petersen authorizing the municipal approval of applications by Khilian M Bernard and Zachary W Schmidt into the NJ State Firemen's Association carried. Mayor Inscho abstained.

RESOLUTIONS

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

Resolution #2014.036
Older Americans Month
May 2014

WHEREAS, Liberty Township is committed to helping all residents live longer, healthier lives;
and

WHEREAS, the older residents of Liberty Township have mad countless contributions and sacrifices to ensure a better life for our future generations; and

WHEREAS, injury prevention, safety awareness, and health promotion are vital in helping out older residents remain healthy and active throughout their lives; and

WHEREAS Liberty Township encourages and supports all efforts that help our older residents take control of their health, safety and wellbeing.

NOW, THEREFORE, Liberty Township does hereby proclaim May 2014 to be Older American’s Month in Liberty Township. Residents of all ages are encouraged to take time this month to recognize our older citizens as vital contributors who enhance every aspect of our community.

Vote: aye - Karcher
aye - Petersen
aye - Grover
aye - Cummins
aye - Inscho

John Inscho,
Mayor

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

Resolution #2014.037

WHEREAS, a Municipal Clerk is a professional who provides continuity in government from administration to administration, seeing to it that the business of local government continues uninterrupted while providing experienced and dedicated public service to the Governing Body, colleagues and residents; and

WHEREAS, one of the oldest positions of public servants in local government, the Municipal Clerk’s Office was established when the early colonist came to American and began setting up forms of local government; and

WHEREAS, the functions of a Municipal Clerk necessitate a thorough knowledge of law procedure, administration and interpersonal relations; and

WHEREAS, a Municipal Clerk has core duties prescribed by state statute, including but not limited to (1) acting as secretary to the municipal corporation; (2) acting as secretary to the Governing Body; (3) serving as chief administrative officer in all elections; (4) serving as chief registrar of voters in their municipality; (5) serving as the administrative officer responsible for accepting and issuing various license and permits; (6) serving as coordinator and records manager; and (7) performing other such duties as are imposed by statute, regulation of municipal ordinance or resolution; and

WHEREAS, in recognition of Municipal Clerk’s Week (4-10 May 2014), the Township Committee of the Township of Liberty wishes to recognize its Municipal Clerk and staff for their outstanding services with which they provide to our community.

BE IT RESOLVED, By the Township Committee of the Township of Liberty, that while recognizing the importance of its role and functions of the Municipal Clerk’s Office and the impact it has on the public, that it salutes its Municipal Clerk, Diane M Pflugfelder and Deputy Municipal Clerk Eleanor Clarkson for their dedication and commitment to Liberty Township’s local government; and

BE IT FURTHER RESOLVED That the Township Committee of the Township of Liberty recognizes all of New Jersey’s Municipal Clerks and their staff members for their service to their respective local governments and calls upon other communities to joint hem in recognizing their Municipal Clerks and staff members during the week of Municipal Clerk’s Week 4-10 May 2014

Vote: aye - Karcher
 aye - Petersen
 aye - Grover
 aye - Cummins
 aye - Inscho

 John Inscho,
 Mayor

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

Resolution #2014.038
 Tax Lien 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	Lien #	Name/Address	Amount	Interest	Premium	Total Refund
20	66.06	2013-02	FWDSL & Assoc LP 5 Cold Hill Rd, Suite 11 Mendham, NJ 07945	\$12,186.02	\$ 313.31	\$ 30,000.00	\$42,499.33

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 refund on the above list shall be returned to the parties designated.

Vote: aye - Karcher
 aye - Petersen
 aye - Grover
 aye - Cummins
 aye - Inscho

 John Inscho,
 Mayor

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

Resolution #2014.039
 A Resolution to Affirm the Liberty Township Civil Rights Policy with
 Respect to all Officials, Appointees, Employees, Prospective Employees, Volunteers,
 Independent Contractors and Members of the Public that Come into
 Contact with Municipal Employees, Officials and Volunteers.

WHEREAS, it is the policy of Liberty Township to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

WHEREAS, The Governing Body of Liberty Township has determined that certain procedures need to be established to accomplish this policy; and

NOW, THEREFORE BE IT ADOPTED by the Liberty Township Committee that:

Section 1: No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the municipality shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the Township.

Section 2: The prohibitions and requirements of this Resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the municipality to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this Resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township Committee shall establish in written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this Resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township Committee shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this Resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this Resolution.

Section 7: The Township Committee shall establish a system to monitor compliance and will report at least annually to the Mayor the results of the monitoring.

Section 8: At least annually, the Township Committee shall cause a summary of this Resolution and the procedures established pursuant to this Resolution to be communicated within the municipality. This communication shall include a statement from the Governing Body expressing its unequivocal commitment to enforce this Resolution. This summary shall also be posted on the Municipal website.

Section 9: This Resolution shall take effect immediately.

Section 10: A copy of this Resolution shall be published in the official newspaper of the Township of Liberty in order for the public to be made aware of this policy and the municipality's commitment to the implementation and enforcement of this policy.

Vote: aye - Karcher

aye - Petersen
aye - Grover
aye - Cummins
aye - Inscho

John Inscho,
Mayor

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

Resolution #2014.040
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 6 June 2014 between the hours of 11:00 am and 7 June 2:00 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 6 June 2014 between the hours of 11:00 am and 7 June 2:00 am to be held in the area delineated on the application form.

Vote: aye - Karcher
aye - Petersen
aye - Grover
aye - Cummins
abstained - Inscho

John Inscho,
Mayor

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

Resolution #2014.041
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 14 June 2014 between the hours of 11:00 am and 15 June 2:00 am with a rain date of 15 June 2014 between the hours of 11:00 am and 16 June 2:00 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 14 June 2014 between the hours of 11:00 am and 15 June 2:00 am with a rain date of 15 June 2014 between the hours of 11:00 am and 16 June 2:00 am to be held in the area delineated on the application form.

Vote: aye - Karcher
aye - Petersen
aye - Grover

John Inscho,
Mayor

aye - Cummins
abstained - Inscho

PAYMENT OF BILLS

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

Resolution #2014.042
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 \$1,002,186.87.

Vote: aye - Karcher
aye - Petersen
aye - Grover
aye - Cummins
aye - Inscho

John Inscho,
Mayor

PUBLIC COMMENT was opened at 7:34 pm.

Ryan Rutkoski – Ryan Rutkoski presented his closing report for the completion of his Eagle Scout Project, installing the Free Union Field sign at the Municipal Complex, 349 Mountain Lake Road. A motion by Ron Petersen authorizing the Mayor’s exaction of the closing Eagle Scout documents for a job well done carried.

Margot Dudley – Ms. Dudley requested the Township Committee’s consideration for an Ordinance restricting the planting of invasive species upon common boundary lines. The Township expressed no interest becoming involved in a personal matter among neighbors with municipal funds.

Lynn Gilmore – Ms. Gilmore inquired into status of the pavilion bids. She also inquired into the status of abandoned properties around Mountain Lake.

Alice Bechok – Ms. Bechok asked for the status of the Lodge and consideration of a public auction on the property.

At 8:05 pm a motion by John Inscho to adopt the following Resolution carried.

Resolution #2014.043

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, Block 5, Lot 21 Improvements

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

Vote: aye - Karcher
aye - Petersen
aye - Grover
aye - Cummins
aye - Inscho

John Inscho,
Mayor

At 9:19 pm, a motion by Mayor Inscho to reconvene the public meeting carried. Mayor Inscho stated that during executive session matters of potential litigation, were discussed. No action to follow.

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

Meeting adjourned at 9:20 p.m.

Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 5 June 2014