

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 5 June 2014. 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; Deputy Mayor Dan Grover; Carl Cummins; and, Ronald Petersen

Absent: Pete Karcher

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

REPORTS

NEW JERSEY STATE POLICE

No representative of the NJSP was present at this meeting. Mayor Inscho announced that there have been some thefts within the municipality and asked the residents to be aware and report unusual vehicles and activity to the NJSP.

COMMITTEEPERSON PETERSEN

Committeeperson Petersen reported that surveillance camera installations are in progress.

COMMITTEEPERSON CUMMINS

Committeeperson Cummins reported that the LandUse Board would be meeting in June 2014 to discuss ORD. #2014.007. He also stated that he had reviewed the pavilion bid package data.

COMMITTEEPERSON GROVER

Committeeperson Grover reported that he had requested and received clarification on the manufactured pavilion bid packages from all four vendors.

DEPARTMENT OF PUBLIC WORKS

Steve Romanowitch, CPWM, presented the following verbal report:

- ✓ Two loads of sand have been delivered to the beach
- ✓ The beach site has been prepared with the seasonal placement of the docks and dumpster
- ✓ The municipal-wide weeding trim program is in progress
- ✓ 7 July is the proposed date to begin the milling program
- ✓ 14 July is the proposed date to begin the paving program

MUNICIPAL CLERK/ADMINISTRATOR

A pre-printed report was received from the Municipal Clerk/Administrator for May 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 8 May 2014 carried.

OLD BUSINESS

BEACHFRONT PAVILION

Committeeperson Grover reported that the questionnaire distributed to all four bidders clarified the bid package prices and technical components for a manufactured pavilion. He stated that the original low bidder, Sports & Golf Solutions amended their bid packages to \$129,325.00. Security Structures bid

remained unchanged. Whirl Construction met all the technical criteria. Coppersmith Brothers amended some of the safety and liability issues for a substantial portion of the project. Following discussion, a motion by Dan Grover to adopt the following Resolution carried.

Resolution #2014.044
Award of Contract

BE IT RESOLVED, That the Township of Liberty hereby awards the contract for purchase and installation of a manufactured pavilion at the Mountain Lake Beachfront site of Block 52, Lot 42, to Whirl Construction, Main Street, PO Box 110, Port Monmouth, NJ 07758.

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

John Inscho,
Mayor

ORD. #2014.007 - PUBLIC HEARING - A motion by Ron Petersen to open public hearing carried. Written notice has not been received from the LandUse Board Secretary/Administrator. Consideration of adoption shall be carried to the next meeting of the Township Committee.

NEW BUSINESS

SUMMER MEETING SCHEDULE

Discussion ensued on summer meeting/workshop scheduling. The following summer schedule was agreed upon by all;

- 26 June 2014 – workshop
- 10 July 2014 – meeting
- 24 July 2014 – no workshop
- 7 August 2014 – meeting
- 28 August 2014 – no workshop

EMPLOYEE POLICY & PROCEDURES MANUAL

Following discussion, the Municipal Clerk was directed to forward all Employee Policy and Procedure Manual updates to the attention of Steven S Glickman, Labor Counsel. A motion by John Inscho to adopt the following Resolution carried.

Resolution #2014.045
Adopting Personnel Policies and Procedures

WHEREAS, it is the policy of Liberty Township to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but no limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meetings Act; and

WHEREAS, the Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

BE IT RESOLVED By the Township Committee that a Personnel Policies and Procedure Manual is here by adopted.

BE IT FURTHER RESOLVED That these personnel policies and procedures shall apply to all municipal officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between the rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED That this manual is intended to provide guidelines covering public service by municipal employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

BE IT FURTHER RESOLVED That to the maximum extent permitted by law, employment practices for the municipality shall operate under the legal doctrine known as “employment at will”.

BE IT FURTHER RESOLVED That all managerial/supervisory personnel are responsible for these employment practices.

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

John Inscho,
Mayor

HIGHLANDS EXEMPTION DRAFT ORDINANCE

The New Jersey Highlands Water Protection and Planning Council had prepared a model Highlands Area Exemption Ordinance. Eric Snyder, Liberty Township Zoning Official, and Roger Skoog, Municipal Attorney, had attended the session explaining this model Ordinance. The Township Committee requested copies of the model Exemption Ordinance and manual of explanation.

LODGE RESTAURANT NJPDES ANNUAL PERMIT

In response to the inactive status of the “Lodge”, the annual NJPDES (New Jersey Pollutant Discharge Elimination System) permit had historically been waived. With the new system at NJDEP a request for waiver can no longer be accepted. A motion by Dan Grover to authorize the Mayor to execute the Request for Permit Revocation/Certification of Closure for NJDPES Permit # NJG0166731, “Lodge” Restaurant carried.

AUDIT 2013

Following discussion on Audit Findings, a motion by Dan Grover to authorize the members of the Township Committee to execute the Group Affidavit Form and adopt the following resolutions carried

**NO PHOTO COPIES OF SIGNATURES GROUP AFFIDAVIT FORM
CERTIFICATION OF GOVERNING BODY**

STATE OF NEW JERSEY
COUNTY OF WARREN
LIBERTY TOWNSHIP

We, members of the Township Committee of the Township of Liberty, County of Warren, being duly sworn according to law, upon our oath depose and say:

- We are duly elected (or appointed) members of the Liberty Township Committee Members of the Township of Liberty in the County of Warren.
- In the performance of our duties, and pursuant to N.J.A.C. 50:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6 for the year 2013.

We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled “Comments and Recommendations”

John E Inscho, Mayor

Daniel Grover, Deputy Mayor

Ronald Petersen, Committeeperson

Carl Cummins, Committeeperson

ABSENT

Peter Karcher, Committeeperson

Resolution #2014.046

WHEREAS, N.J.S.A. 40A: 5-4 requires the Township Committee of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6 and a copy has been received by each member of the Township Committee; and

WHEREAS, R.S. 52:2788-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 50:30-6.5, a regulation requiring that the Township Committee of each municipality shall, by resolution, certify to the Local Finance Board

of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the Township Committee have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the township committee attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Township Committee no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Township Committee have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to he affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Township Committee to the penalty provisions of R.S. 52:27BB-52 to wit:

“R.S. 52:27BB-52. A local officer or member of a local Township Committee who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon convictions, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.

NOW, THEREFORE, BE IT RESOLVED, That the Township Committee of the Township of Liberty hereby states that is has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

John Inscho,
Mayor

RESOLUTIONS

A motion by Dan Grover to adopt the following Resolutions for annual ABC renewals carried.

**Resolution #2014.047
Issuance of 2014-2015 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 23 July 2013, Docket No. 05.13.8007, be renewed for the term of one year from the first day of July 2014, to midnight, 30 June 2015;

Sandbox Spirits LLC

Sandbox Spirits LLC
1275 Bloomfield Avenue
Fairfield, New Jersey 07004
License #2114.33.007.006
Fee: \$871.93

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

John Inscho,
Mayor

Resolution #2014.048
Issuance of 2014-2015 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 licenses have made application for the renewal of Plenary Retail Consumption Licenses and Plenary Retail Distribution Licenses and having complied with all the terms of the Liberty Township Municipal Code, Chapter 39, Alcoholic Beverages, be renewed for the premises indicated by the address below with the respective names, for the term of one year from the first day of July 2014, to midnight, 30 June 2015;

John Patrick Kelly Inc

43 Lake Just-It Road
Great Meadows, New Jersey 07838
License # 2114.33.004.003
Fee: \$871.93

Liberty Liquors

514 Route 46
Oxford, New Jersey 07863
License # 2114.44.005.004
Fee: \$871.93

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

John Inscho,
Mayor

MUNICIPAL ALLIANCE CY 2014-2015

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

Resolution #2014.049

WHEREAS, the Township Committees of the Great Meadows Regional Municipal Alliance, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Township Committees further recognize that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee have applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren.

BE IT RESOLVED That the Great Meadows Regional Municipal; Alliance, County of Warren, State of New Jersey, hereby recognizes the following:

1. The Township Committee does hereby authorize submission of an application for the Great Meadows Regional Municipal Alliance Grant for calendar year 2014-2015 in the amount of \$20,493.00
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance Grant including the administrative compliance and audit requirements.

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

 John Inscho,
 Mayor

PAYMENT OF BILLS

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

Resolution #2014.050
 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 \$445,526.33.

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

 John Inscho,
 Mayor

PUBLIC COMMENT was opened at 7:32 pm.

Lisa Thomas – Ms. Thomas requested clarification on procedure of adopting ORD. #2014.007.

Paul Dierlam – Mr. Dierlam presented Raymond Rice of Jade Land LLC and inquired into the issuance of a CO (Certificate of Occupancy) for properties privately owned within Wooded Valley Estates. Mr Cummins recused himself from comment due his property being within a two-hundred (200’) proximity to Wooded Valley Estates. Attorney Skoog informed Mr. Dierlam and Mr. Rice that their comments are noted

At 7:40 pm a motion by John Inscho to adopt the following Resolution carried.

Resolution #2014.051

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

John Inscho,
Mayor

At 8:08 pm, a motion by Mayor Inscho to reconvene the public meeting carried. Mayor Inscho stated that during executive session matters of personnel 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 8:09 p.m.

Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 10 July 2014