

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 2 October 2014. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:03 p.m.

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

Absent: Deputy Mayor Dan Grover

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

REPORTS

COMMITTEEPERSON KARCHER

Committeeperson Karcher reported that he is working with a Scout who has expressed an interest in replacing the Recreation Shed at Free Union Fields as his Eagle Scout Project. Additional details have to be considered. He also reported that representatives of the Recreation Commission shall be meeting with Easy Dock to review the current dock pieces and layout at Mountain Lake for potential dock expansion.

COMMITTEEPERSON PETERSEN

Committeeperson Petersen reported that he had attended a very informative and beneficial meeting of the Warren County Emergency Preparedness Program regarding Dam Safety Awareness. It was agreed to invite Mr. Wheatly and Mr. Hunt of Warren County OEM to discuss Dam Safety Awareness with the Township Committee at the next meeting.

COMMITTEEPERSON CUMMINS

Committeeperson Cummins reported that the LandUse Board would be meeting in October 2014 to review the Roes Island Wetland Mitigation & Riparian Compensation Project upon a portion of Block 1, Lot 34 within Liberty Township.

DEPARTMENT OF PUBLIC WORKS

Steve Romanowitch, CPWM, presented the following verbal report:

- ✓ Several trees have been removed around the municipality.
- ✓ The crack seal program has been completed on Marble Hill and Quenby Mountain Roads
- ✓ A new salt spreader has been received
- ✓ Cutting edges for the winters plows have been ordered but are on back-order
- ✓ Drain repair and paving has been completed on several units.

LANDUSE

A pre-printed report was received from the LandUse Board for September 2014 and presented to members of the Township Committee for review

MUNICIPAL ZONING

A pre-printed report was received from the Municipal Zoning Official for September 2014 and presented to members of the Township Committee for review

MUNICIPAL TAX ASSESSOR

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

APPROVAL OF MINUTES

A motion by Carl Cummins to adopt the public and executive session minutes of 4 September 2014 carried.

UNFINISHED BUSINESS

DISCUSSION ON ROAD OPENING ORDINANCE

Copies of neighboring Municipal Road Opening Ordinances were gathered for review. At the prior meeting the Township Committee asked that the Hackettstown Borough Road Opening Ordinance be forwarded to the Municipal Engineer and Municipal Attorney for revision to Liberty Township specifics. Several questions of specifics were presented by the Municipal Attorney. Review of the material is carried to a future meeting.

HAZARD MITIGATION GRANT PROGRAM APPLICATION

The application for Hazard Mitigation Grant Program Application was completed and submitted for the cost-share consideration of an emergency generator in the amount of \$75,000.00 for Liberty Township.

ORDINANCE #2014.010 - Following discussion, a motion by Ron Petersen to introduce Ordinance #2014.010 on First Reading carried. Public Hearing and Consideration of Adoption are scheduled for 6 November 2014.

An Ordinance Amending Chapter 49 "Dogs and Other Animals" of the Township of Liberty, Warren County, New Jersey, as follows:

SECTION 1

Section §49-3. Fees.

- A. The person applying for the license and registration tag shall pay the annual fee for such license of \$6.80 for the license and registration tag of each dog, plus any additional fees imposed by the State of New Jersey. For each renewal, the fee for the license and registration tag shall be the same as for the original license and tag. Said license and registration tags and renewal thereof shall expire on the last day of January in each year. Dogs not license by the close of business on the last day of January shall subject the owner to an additional charge of \$5 per month thereafter until the said license and registration is renewed.

SECTION 2

All ordinances and provisions thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3

This Ordinance shall take effect immediately after final passage and publication in accordance with the laws of the State of New Jersey

NEW BUSINESS

PAVILION

Following discussion, a motion by Peter Karcher to adopt the following Resolution carried.

Resolution #2014.067

Resolution Authorizing Change Order #1 in a Contract
Between the Township of Liberty and Whirl Construction

WHEREAS the Township of Liberty did, on the date of 5 June 2014 adopt Resolution #2014.44, awarding a contract to Whirl Construction, Inc in the sum of \$65,700.00 for the project known as John Fisher Memorial Pavilion in the Township of Liberty, New Jersey; and

WHEREAS the Township has adopted subsequent Change Orders amending the contract price; and

WHEREAS it has now been determined that the Contract must be further amended to provide for an adjustment to reflect the additional amount of \$14,900.00; and

WHEREAS this Change Order will result in the net sum to be in excess of the 20% limit for Change Orders which is allowed under the Local Public Contracts Law NJSA 40A:11-1; and

WHEREAS the regulations (NJAC 5:30-11.9) of the State of New Jersey Department of Community Affairs permits change orders in excess of 20% as long as the following is present:

- 1). A written certification by the contractor containing the following;
 - i). an explanation of the factual circumstances which necessitate issuance of the Change Order;
 - ii). A statement indicating why these circumstances could not have been foreseen;
 - iii). A statement containing why issuance of the Change Order would be in the best interests of the Township and would not constitute an abuse of these rules;
 - iv). If the nature of the Change Order is technical, the certification shall include a certified statement from Contractor's appropriate expert, explaining in detail the factual circumstances which necessitate the issuance of the Change Order

- 2). A request from the Chief Executive Officer, the Mayor, or his designee, to the Governing Body requesting the Changer Order and explaining why this Change Order may be allowed pursuant to this provision; and

WHEREAS a Certification is attached hereto to reflect the availability of funds.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Liberty that it herby approves an Amendment to the Contract awarded as the John Fisher Memorial Pavilion to include the additional amounts.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk of the Township of Liberty are authorized to execute all necessary documentation on behalf of the Township of Liberty.

BE IT FURTHER RESOLVED that the Municipal Clerk is authorized to publish a Notice of this action in the Star Gazette indicating the additional amount to be expended, the original contract price, the nature of the original and additional work authorized by the within Resolution and why it is necessary to expend the additional funds.

BE IT FURTHER RESOLVED that the CFO shall report this action to the Division of Local Government Affairs of the Department of Community Affairs of the State of New Jersey in its annual audit.

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

John Inscho,
Mayor

MUNICIPAL COURT OF NORTH WARREN AT HOPE

A letter of 15 September 2014 was received from Michael S Selvaggi, Legal Counsel for the Municipal Court of North Warren at Hope inquiring if Liberty Township would or would not remain within the Municipal Court of North Warren at Hope for 2015. It was decided to pursue the availability and potential costs to join with a neighboring Municipal Court of Knowlton, Allamuchy, Independence or Hackettstown.

INTERLOCAL AGREEMENT BETWEEN GREAT MEADOWS REGIONAL SCHOOL DISTRICT AND THE TOWNSHIP OF LIBERTY FOR SHARED SERVICES

It was agreed to review the proposed Agreement and consider adoption at a future meeting.

RESOLUTIONS

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

Resolution #2014.068
Approval to submit a Grant Application and Execute a Grant Contract
with the New Jersey Department of Transportation for
the Pequest Road Improvements Project

BE IT RESOLVED, that the Township Committee of the Township of Liberty formally approves the Grant Application for the above stated project; and,

BE IT FURTHER RESOLVED, that Mayor Inscho and Municipal Clerk are hereby authorized to submit an electronic Grant Application identified as MA-2015-Liberty Township-0011 Applications ID from NJDOT SAGE to the New Jersey Department of Transportation on behalf of Liberty Township.

BE IT FURTHER RESOLVED that Mayor Inscho and the Municipal Clerk are hereby authorized to sign the Grant Agreement on behalf of Liberty Township and that their signature constitutes acceptance of the terms and condition of the Grant Agreement and approves the execution of the Grant Agreement.

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

John Inscho,
Mayor

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

Resolution #2014.069

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 1 February 2015 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-11:00 pm; 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 - Cummins
absent - Grover
abstain - Inscho

John Inscho,
Mayor

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

Resolution #2014.070
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 5 September 2014, Docket No. 07.14.8812, be renewed for the term of one year from the first day of July 2014, to midnight, 30 June 2015;

543 Route 46 LLC

543 Route 46 LLC
543 Route 46
Oxford, NJ 07863
License #2114.33.003.003
Fee: \$871.93

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

John Inscho,
Mayor

PAYMENT OF BILLS

A motion by Carl Cummins to adopt the following Resolution carried.

Resolution #2014.071
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 \$443,148.02.

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

John Inscho,
Mayor

PUBLIC COMMENT was opened at 7:23 pm.

Marie Emery – Ms. Emery voiced concerns regarding the vehicular speeding around Mountain Lake. Discussion to pursue speed monitoring devices ensued.

Vincent Centtineri - Mr Centtineri inquired into the progress of placing a speed monitoring upon Pequest Road. Additional discussion regarding the Recreation Commission and potential municipal activities transpired.

Niles Terrat – Mr Terrat conveyed his concern of the vehicular speeding upon Pequest Road.

Eileen Heydecke – Ms Heydecke expressed appreciation for the road repair in front of her daughter’s home and inquired into cameras at Mountain Lake.

Caroline Stuibler – Ms Stuibler asked if there was known location for the Developer of Wooded Valley Development?

Terry Calandra – Mr. Calandra announced that he would donate two-hundred (200) ceiling fans for installation within the Pavilion at Mountain Lake Beach.

Luz Calcano – Ms Calcano inquired into the demolition schedule for the structure located at 164 Lakeside Drive West.

Lynn Gilmore – Ms Gilmore questioned if the Township Committee was aware of the recent incarceration of an individual residing at Lewis Lane?

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

Resolution #2014.072

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 regarding the DPW Supervisor, Steve Romanowitch
- ✓ Personnel and Personnel Policy regarding the Tax Assessor’s letter of consideration

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

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

John Inscho,
Mayor

At 8:19 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 8:19 p.m.

Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 6 November 2014