

AGENDA
LIBERTY TOWNSHIP MEETING

5 September 2024
7:00 pm - Meeting

Municipal Building
349 Mountain Lake Road
Great Meadows, NJ 07838

Sunshine Notice
Flag Salute
Roll Call

Reports:

New Jersey State Police
Governing Body/Mayor
Great Meadows Regional Board of Education
Municipal Committees
Recreation: 2024-2025 Basketball Flyer
Zoning Officer: Proposed Changes to Zoning Permit Fee Schedule

Adoption of Agenda

Adoption of Minutes

Governing Body Meeting and Executive Session minutes of 1 August 2024

Unfinished Business

Recreation Assistant Job Description
Tree Ordinance as per MS4
Environmental Commission Comments
National Flood Insurance Program – Community Assistance Visit (CAV)
Hope Township 2015-2016 Request for Costs Due
Lead Testing of Rental Units, New Jersey PL 2021, c 182
Lake Just-It Road – Jenny Jump Avenue Potential Land Acquisition
Updated Stormwater Management Ordinance
Cybersecurity Technology Policy
Liberty Lake Dam Removal Project Draft
Status of Paper Roads Around Lake
Comcast of Northwest New Jersey

New Business

Pavilion Rental – 12 October 2024
NJDEP Bureau of Safe Drinking Water Bureau Level 2 Assessment Penalty
NJ Department of Labor and Workforce OSHA Notice of Order to Comply
Elizabethtown Gas Paving – Deerfield Road

Resolutions

ABC – Mountain Lake Fire, Psychic Reading, 12 October 2024
Chapter 159 – American Rescue Plan Firefighter Grant of \$50,000
Chapter 159 – NJDOT Local Transportation Project Fund \$250,000 (Lewis Lane)
Bills List

Public Comment

Executive Session – Hillcrest Drive
Adjournment

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 5 September 2024. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:03 pm.

Present: Mayor John Inscho; Deputy Mayor Daniel Grover; Wayne Spangenberg; and, Peter Karcher

Absent: Dave Rogers

Also, Present: Richard Wenner, Municipal Attorney; and, Diane M Pflugfelder, Municipal Clerk/Administrator

REPORTS**ENVIRONMENTAL COMMISSION**

Larry Supp – Mr. Supp reported on the Environmental Commission success on Community Day and the commissions' intentions for Mountain Lake weed control for the remainder of 2024.

RECREATION

A motion by Wayne Spangenberg adopting the 2024-2025 Basketball Flyer carried.

ZONING

George Boesze, Zoning Official, submitted a memorandum proposing the following changes to the zoning permit fee schedule;

New residential construction	\$100.00
Residential renovations/additions and accessor structures/ buildings	\$50.00
Residential/Commercial – home occupation, new business, change of use	\$50.00
Commercial renovations/additions and accessory structures/buildings	\$100.00
Residential – work commenced/completed w/o prior zoning approval (additional)	\$50.00
Commercial – work commenced/completed w/o prior zoning approval (additional)	\$100.00

A motion by Dan Grover authorizing Rich Wenner, Municipal Attorney, to prepare an Ordinance proposing the following changes to the zoning permit fee schedule for introduction at the 3 October meeting carried.

New residential construction	\$50.00
Residential renovations/additions and accessor structures/ buildings	\$50.00
Residential/Commercial – home occupation, new business, change of use	\$50.00
Commercial renovations/additions and accessory structures/buildings	\$100.00
Residential – work commenced/completed w/o prior zoning approval (additional)	\$50.00
Commercial – work commenced/completed w/o prior zoning approval (additional)	\$100.00

JOHN INSCHO – A motion by Mayor Inscho to adopt the following Resolution carried.

RESOLUTION #2024.067

OPPOSITION TO THE PROPOSAL BY THE DELAWARE RIVER NATIONAL PARK AND LENAPE PRESERVE ALLIANCE TO CHANGE THE DESIGNATION OF DELAWARE WATER GAP NATIONAL RECREATION AREA TO A NATIONAL PARK AND PRESERVE AND SUPPORT FOR ASSEMBLY BILL AR133 AND SENATE BILL SR93 WHICH OPPOSES ALL PROPOSALS TO CHANGE DESIGNATION OF DELAWARE WATER GAP FROM NATIONAL RECREATION AREA TO NATIONAL PARK AND PRESERVE, INCLUDING PROPOSAL FROM DELAWARE RIVER NATIONAL PARK AND LENAPE PRESERVE ALLIANCE

WHEREAS, on 1 September 1965, the United States and Congress enacted “An Act to Authorize Establishment of the Delaware Water Gap National Recreation Area and for Other Purposes.” (DEWA) in order to, among other things, “Provide for outdoor recreation use and enjoyment... and for preservation of the scenic, scientific, and historic features contributing to public enjoyment of such lands and waters”; and

WHEREAS, the DEWA currently encompasses some seventy thousand (70,000) acres in New Jersey and Pennsylvania, including some fifty-four thousand (54,000) acres in Warren and Sussex Counties alone, and which offers a myriad of recreational opportunities such as hunting, fishing, swimming, camping, biking, hiking, walking, tubing, boating, skiing, bird watching, horseback riding, photographing, sightseeing, and hosts and promotes educational and other programs, including special events, and protects and preserves natural resources, endangered, threatened and rare species of plants, animals and other wildlife; and

WHEREAS, the new Delaware River National Park and Lenape Preserve Alliance plan which would establish the “Delaware River National Park and Lenape Preserve” (“re-designation Project”) would limit or prohibit certain recreational activities in certain areas of the park; and

WHEREAS, there has been limited insight, information, communication, and clarification as to the scope and effect of said designation on issues of interest to the residents of Warren County; and

WHEREAS, the Re-designation Project does not address the agricultural, economic, and environmental impacts of said designation, the sources of funding, and proposed fees and charges for said use, and any and all plans for acquisition of public and private lands by eminent domain or any other means, and the impacts said proposal and designation would have on hunting, fishing, wildlife

management, and active and passive outdoor recreation and educational activities generally and for the residents of Warren County specifically; and

WHEREAS, the Re-designation Project will reduce tax revenue, negatively impact enrollment of local school districts, and negatively impact the local economy of Warren County and the surrounding municipalities by reducing access to recreational activities

NOW, THEREFORE, BE IT RESOLVED that for the reasons outlines in this Resolution, the Liberty Township Governing Body opposes the proposal by the Delaware River National Park and Lenape Preserve Alliance to change the designation of the Delaware Water Gap National Recreation Area to a National Park and Preserve; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to:

President of the United States, Joseph Biden
Governor Phil Murphy
New Jersey State Senator Douglas J Steinhardt
New Jersey Assemblyperson John DiMaio
New Jersey Assemblyperson Erik Peterson
All Warren County Municipalities
United States National Park Service Director Charles Sams
United States National Park Service Director Gary Vietzke
Regional Director of the United States National Park Service Doyle Sapp
Delaware River Basin Commission
Partnership for the Delaware Estuary
National Lands Trust
New Jersey League of Municipalities
Delaware River National Park and Lenape Preserve Alliance
New Jersey Chapter of the Sierra Club
Pennsylvania Chapter of the Sierra Club
Delaware Water Gap Defense Fund, Sandy Hull

Vote: aye - Grover
absent - Spangenberg
aye - Karcher
aye - Rogers
aye - Inscho


John Inscho,
Mayor

LIBERTY SCHOOL PLAYGROUND

Mayor Inscho stated that a group of volunteers would be clearing the Liberty School playground for public use. He advised that Liberty Township insurance would be covering the playground and Nick Fania is the volunteer coordinator

ADOPTION OF MINUTES

A motion by Pete Karcher to adopt the minutes and executive session of 1 August 2024 carried.

UNFINISHED BUSINESS

RECREATION ASSISTANT JOB DESCRIPTION

Mayor Inscho stated that he is working on this issue

TREE ORDINANCE AS PER MS4

The Environmental Commission submitted a letter on 6 August 2024 with the following thoughts on the draft tree ordinance;

1. Open-ended applications for exemption, approval or permits beyond the limits of the 150-foot hazard zone. A landowner with a small improvement or development plan, involving removal of one or just a few trees, should have an opportunity to get relief short of having to file a site plan, if they can meet the approval criteria. For such cases, which are numerous, the ordinance might require a sketch or photos, and could include examples that may qualify for relief, such as adding more sunlight or space to a flower/vegetable garden, installing a patio, building a dog run, a swimming pool, adding a tool/garden shed, or similar activities.

2. Criteria for approvals: There should be some guidance or criteria to be used by the Land Use Board (or hearing officer) for granting relief from the ordinance, such as a finding that the "Proposed removal activities promote a beneficial use of the land without substantial detriment to the purpose of this Ordinance, taking into account the area disturbed and the area occupied by remaining existing trees on the property".

3. When a development requires a site plan based on other land use law: It might be wise to expressly indicate that when a development application requires a site plan under other land use law, it should be deemed to include a request for relief from the tree ordinance, so that there isn't a duplicate application required, or a conflict.

The Governing Body members were directed to review comments from the Environmental Commission regarding the proposed tree ordinance for discussion at the 3 October meeting.

NATIONAL FLOOD INSURANCE PROGRAM – COMMUNITY ASSISTANCE VISIT (CAV)
Mayor Inscho reported that CP Engineers is preparing a plan

HOPE TOWNSHIP 2015-2016 REQUEST FOR COSTS DUE
Mayor Inscho advised to remove this item from the agenda

LEAD TESTING OF RENTAL UNITS, NEW JERSEY PL 2021, c 182
The Governing Body reviewed a listing of lead abatement companies and requested the preparation of a listing for public distribution

LAKE JUST-IT ROAD – JENNY JUMP AVENUE POTENTIAL LAND ACQUISITION
Mayor Inscho advised that there will be no action on the potential NJDEP land acquisition along Lake Just-It Road.

UPDATED STORMWATER MANAGEMENT ORDINANCE
Mayor Inscho advised that CP Engineers are working on this issue

CYBERSECURITY TECHNOLOGY POLICY
Dan Grover will continue to review

LIBERTY LAKE DAM REMOVAL PROJECT DRAFT
Mayor Inscho advised that CP Engineers are working on this issue

STATUS OF PAPER ROADS AROUND LAKE
Mayor Inscho stated that he would be working on the paper road around the lake, one road at a time.

COMCAST OF NORTHWEST NEW JERSEY
It was agreed to advertise a public hearing for 7 November at 7:00 pm

NEW BUSINESS

PAVILION RENTAL – 12 OCTOBER 2024
A request was received from Natasha Snyder to reserve the John R Facher Pavilion on 12 October 2024 for a wedding ceremony. A motion by Mayor Inscho to approve the reservation application, waiving the daily fee of \$35.00, carried.

NJDEP BUREAU OF SAFE DRINKING WATER BUREAU LEVEL 2 ASSESSMENT PENALTY
An Administrative Order and Notice of Civil Administrative Penalty Assessment and a corresponding invoice for the amount of \$2000.00 was personally delivered to Liberty Township on 26 August 2024.
Violations:

1. Failure to conduct a Level 1 assessment as required by 40 CFR 141.859(a) and submit a Revised Total Coliform Rule Level 1 Assessment Form as required by PEA210001.
(Very small – First Offense – Moderate Seriousness = \$500.00)
2. Failure to conduct a Level 2 assessment as required by 40 CFR 141.859(a) and submit a Revised Total Coliform Rule Level 2 Assessment Form as required by PEA210002.
(Very small – First Offense – Moderate Seriousness = \$500.00)
3. Failure to conduct a Tier 2 Public Notification and submit a Public Notification Certification Form as required by PEA230001
(Very Small – First Offense – Moderate Seriousness = \$500.00)
4. Failure to conduct a Level 2 Assessment as required by 40 CFR 141.859(a) and submit a Revised Total Coliform Rule Level 2 Assessment Form as required by PEA230002.
(Very Small – First Offense – Moderate Seriousness = \$500.00)

Mayor Inscho advised that he is working on this issue.

NJ DEPARTMENT OF LABOR AND WORKFORCE OSHA NOTICE OF ORDER TO COMPLY
Jeff Snyder, DPW Supervisor, presented the NJ Department of Labor and Workforce OSHA Notice of Order to Comply following a general inspection on 31 July 2024. Citations included the following:

- Ladders were observed as being modified by cutting a longer ladder and removing the nonslip feet

- Exit was not clearly visible and marked by a sign reading "EXIT"
- Need to evaluate the workplace to determine if any spaces were permit-required confined spaces
- Drill press was not provided with a chuck guard to protect employees from the rotating shaft
- Extension cords were damaged at the female end and not removed from service
- Need to provide the required fire extinguisher training at the required frequency
- Need to assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE)

A re-inspection is scheduled for Tuesday, 17 September 2024

ELIZABETHTOWN GAS PAVING – DEERFIELD ROAD

A letter dated 13 August 2024 was forwarded to Stephen Miller, Elizabethtown Gas, on behalf of Liberty Township by Attorney Richard Wenner regarding the road opening application for Deerfield Road within Liberty Township and demanding compliance with all conditions set forth in the 10 July 2024 correspondence.

PAIC FUND 2025-2028

A motion by Dan Grover authorizing Mayor Inscho to execute the renewal agreement between Public Alliance Insurance Coverage Fund Indemnity and Liberty Township for the period of 2025 through 2028 carried.

NJ STATE FIREMEN'S ASSOCIATION

A motion by Dan Grover authorizing the acceptance of a NJ State Firemen's Association Membership application from Evan C Baron carried. Mayor Inscho abstained.

RESOLUTIONS

A motion by Wayne Spangenberg to adopt the following Resolution carried.

RESOLUTION #2024.068 APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR MOUNTAIN LAKE FIRE COMPANY

WHEREAS, "Applications for Special Permit for Social Affair" has been filed by the Mountain Lake Fire Company, 99 Tamarack Road, Belvidere, New Jersey 07823 for said the following social affair;

Psychic Reading
12 October 2024 from 1:00 pm to 10:00 pm

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

BE IT RESOLVED, that the Liberty Township Committee does hereby approve the following social affair for the Mountain Lake Fire Company located at 99 Tamarack Road, Belvidere, New Jersey;

Psychic Reading
12 October 2024 from 1:00 pm to 10:00 pm

to be held in the area delineated on the application form.

Vote: aye - Karcher
absent - Rogers
aye - Spangenberg
aye - Grover
aye - Inscho


John Inscho,
Mayor

A motion by Wayne Spangenberg to adopt the following Resolution carried.

RESOLUTION #2024.069 APPROVAL OF THE INSERTION OF ITEMS OF REVENUE AND APPROPRIATION UNDER NJSA 40A:4-87 FOR AMERICAN RESCUE PLAN FIREFIGHTER GRANT IN THE 2024 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, Liberty Township has been awarded \$50,000.00 from the American Rescue Plan Firefighter 2024 Grant.

NOW, THEREFORE BE IT RESOLVED that Liberty Township, in the County of Warren, hereby requests the Director of the Division of Local Government Services approve the insertion of items of revenue in the 2024 budget year in the sum of \$50,000.00; which is now available as revenue from: Miscellaneous Revenues Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Public and Private Revenues Offset with Appropriations: 2024 American Rescue Plan Firefighter Grant \$50,000.00; and

BE IT FURTHER RESOLVED that a like sum of \$50,000.00 be appropriated under the caption of: General Appropriations Operations – Excluded from “CAPS” Public and Private Programs Offset by Revenues: 2024 American Rescue Plan Firefighter Grant \$50,000.00.

BE IT FURTHER RESOLVED that a copy of this Resolution will be electronically filed with the Director for approval as required by law.


Vote: absent - Rogers

aye - Grover

aye - Karcher

aye - Spangenberg

aye - Inscho


John Inscho,
Mayor

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

RESOLUTION #2024.070
APPROVAL OF THE INSERTION OF ITEMS OF REVENUE AND APPROPRIATION UNDER
NJSA 40A:4-87 FOR NJDOT LOCAL TRANSPORTATION PROJECTS FUND IN THE 2024
MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, Liberty Township has been awarded \$250,000 for the NJDOT Lewis Lane Improvements Project.

NOW, THEREFORE BE IT RESOLVED that Liberty Township, in the County of Warren, hereby requests the Director of the Division of Local Government Services approve the insertion of items of revenue in the 2024 budget year in the sum of \$250,000.00; which is now available as revenue from: Miscellaneous Revenues Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Public and Private Revenues Offset with Appropriations: NJDOT Lewis Lane Improvements Project \$250,000.00; and

BE IT FURTHER RESOLVED that a like sum of \$250,000.00 be appropriated under the caption of: General Appropriations Operations – Excluded from “CAPS” Public and Private Programs Offset by Revenues: NJDOT Lewis Lane Improvements Project \$250,000.00.

BE IT FURTHER RESOLVED that a copy of this Resolution will be electronically filed with the Director for approval as required by law.


Vote: aye - Grover

aye - Spangenberg

aye - Karcher

absent - Rogers

aye - Inscho


John Inscho,
Mayor

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

RESOLUTION #2024.071
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 \$517,509.32

Vote: aye - Grover
absent - Rogers
aye - Karcher
aye - Spangenberg
aye - Inscho


John Inscho,
Mayor

PUBLIC COMMENT was opened at 7:40 pm

Jim Nicols – Mr Nicols commented on the drainage work performed by the DPW along Quenby Mountain Road. Mr Nicols requested speed limit signage be posted along Quenby Mountain Road. Mayor Inscho directed the DPW to post speed limit signs going down the hill.

Mary Sanford – Ms Sanford inquired when pot holes along Jenny Jump Avenue would be addressed. She also asked that yellow road lines be painted around Mountain Lake


Larry Supp – Mr Supp presented multiple questions on the Liberty Lake Dam breach report.

- ✓ The first ten pages of the report are unable to be read due to the reduction
- ✓ The report does not explain how the Engineer arrived at a proposed design or what the design is
- ✓ The report is missing pages
- ✓ The computation for Liberty Lake output within the report states that the computer data is outside the scope of what this software can handle
- ✓ The flowrate thru the dam equals the flow of water witnessed in the Peaquest River during Hurricane Floyd
- ✓ Who is responsible for the liability within this report

Chris Shand – Mr Shand requested the installation of 20 mph speed limit signs along Lakeside Drive West. Attorney Wenner will confer with the Dave Clark, Municipal Engineer, for location of signage along Lakeside Drive West.

ADJOURNMENT

There being no further business, a motion by Mayor Inscho to adjourn the meeting carried.
Meeting adjourned at 7:54 p.m.


Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 3 October 2024