

AGENDA
LIBERTY TOWNSHIP WORKSHOP MEETING
October 23, 2025
7:00 pm
Municipal Building
349 Mountain Lake Road
Great Meadows, NJ 07838

Sunshine Notice

Flag Salute

Roll Call

Reports: New Jersey State Police
 Governing Body
 Great Meadows Regional Board of Education
 Municipal Committees

Adoption of Agenda

Adoption of Minutes – October 2, 2025

Unfinished Business

 Discussion – Elizabethtown Gas Franchise

New Business

Resolutions

 Registrar

Public Comment

Executive Session

 Resolution

Adjournment

A regularly scheduled meeting of the Township of Liberty was advertised and opened by Mayor Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:01 p.m.

Present: Daniel Grover; John Inscho, Pete Karcher and Wayne Spangenberg

Also, Present: Richard Wenner, Municipal Attorney; and, Jennifer Breslin, Deputy Clerk

Absent: Dave Rogers

REPORTS

Committeeman Karcher reported Danville Mountain Road is scheduled to be paved soon.

Mayor Inscho confirmed heat has been installed in garage rented by New Jersey State Police.

ADOPTION OF AGENDA

A motion by Deputy Mayor Grover to adopt the agenda carried.

ADOPTION OF MINUTES

A motion by Committeeman Karcher to adopt the minutes of October 2, 2025 carried.

APPOINTMENTS

No appointments made at this time

UNFINISHED BUSINESS**Discussion – Elizabethtown Gas Franchise Ordinance**

A motion by Mayor Inscho to open public hearing carried. Attorney Rich Valenti and Elizabethtown Gas Representative Mark Kelly were in attendance and gave overview of need for ordinance. Joe Thomas asked if Mountain Lake area would be considered for gas hook up. Liza Thomas asked if there are any limitations to gas being by a body of water. Frank Leggio asked if any studies will be conducted in the area for interest from other residents for gas hook up. Matthew Fila asked what the average cost to run a pipeline to a resident would be. A motion by Committeeman Spangenberg to introduce the following ordinance carried. Public Hearing and consideration for adoption are scheduled for December 4, 2025.

ORDINANCE 2025.008**AN ORDINANCE TO ADD CHAPTER _____, GAS FRANCHISE**

WHEREAS, Elizabethtown Gas Company (formerly NUI Corporation), a corporation of the State of New Jersey and a public utility subject to the jurisdiction of the New Jersey Board of Public Utilities has sought Municipal Consent to construct, maintain, and operate a gas line for the distribution of natural and mixed gas throughout Liberty Township;

WHEREAS, the Township of Liberty has received, reviewed and considered additional information provided by Elizabethtown Gas and its request to adopt the Township's Municipal Consent Ordinance; and

WHEREAS, the Township Committee has determined that it is reasonable and necessary for Elizabethtown Gas to continue to provide for construction, maintenance and operation of a gas line for the distribution of natural and mixed gas in the entire Township; and

WHEREAS, the Township of Liberty desires to extend the municipal consent to Elizabethtown Gas;

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Liberty, County of Warren as follows:

1. The following new Ordinance is adopted and incorporated into the Ordinances and Codes of Liberty Township:

Section I. Grant of Municipal Consent.

Pursuant to N.J.S.A., 48:3-11, the Mayor and Township Committee of the Township of Liberty hereby grant Elizabethtown Gas Company, a Corporation of the State of New Jersey (hereinafter "Elizabethtown") with principal offices located at 520 Green Lane, Union, New Jersey 07083, its successors and assigns, a nonexclusive consent, right and privilege for the use, without impairment of, or obstruction to the public use, of the roads, streets, parks, avenues, ways, and other public places of the Township of Liberty to construct, lay, maintain, and operate for a period of fifty (50) years, the necessary mains, conductors, pipes and concomitant appurtenances for the purpose of conveying, storing, supplying and distributing natural and mixed gas for heat, power, light and other purposes for public and private use and consumption, along in, or under the following described Service Area: all of the streets, avenues, alleys, parks, parkways, highways, or other public places within the Township, and other public places that now exist or may be hereinafter be laid out by the municipal authorities of the said Township or dedicated to said Township.

Section II. Conditions on Grant of Municipal Consent.

The Municipal Consent granted herein is expressly conditioned upon the following:

- (a) the written acceptance of Elizabethtown of the terms and conditions of this municipal Consent Ordinance within thirty (30) days of its final adoption.
- (b) the New Jersey Board of Public Utilities (hereinafter "N.J.B.P.U.") approval of the Consent herein granted and the issuance of such other grants or approvals as determined by the N.J.B.P.U.
- (c) Elizabethtown shall satisfy all Statutory requirements of N.J.S.A. 48:13-1 et seq. regarding the proper organization and operation of Public Utilities engaged in the distribution of natural and mixed gas, and shall remain subject to the jurisdiction of and comply with all

Rules and Regulations of the United States Department of Transportation, Office of Pipeline Safety and the N.J.B.P.U. as well as the Ordinances of the Township of Liberty.

- (d) Elizabethtown shall construct and continuously maintain and operate its distribution line within the service area in a safe and efficient manner, and maintain such gas distribution lines in a state of good operation and repair and including all streets, roads, and public rights-of-way within the Township of Liberty wherein its lines are located.
- (e) the construction, operation and maintenance of the gas distribution system within the rights-of-way of the Township of Liberty shall in no way place any obligation, financial or otherwise, or any liability of any kind, upon the Township of Liberty and no obligation is to attach for the construction, operation and maintenance of the said gas distribution system to the Township.
- (f) any and all regulating pits and venting structures or like facilities shall not be located along the public rights-of-way comprising the Service Area.

Section III. Construction; Installation; Restoration.

A. Construction. In each and every case in which road openings or excavation of any nature are required or made for the purposes aforesaid, Elizabethtown shall restore, all such public and private lands or facilities to as good a condition as existed at the commencement of the said work or such better condition, at its sole cost and expense. All such openings and installation and maintenance shall be undertaken in strict compliance with the standards imposed by the N.J.B.P.U., any other regulatory agency, and all applicable Township Ordinances, with such work to be done in a careful, prudent and workmanlike manner, and within such time limitations as shall be best for the proper safeguard of the public.

B. Relocation. If at any time during the period of this Municipal consent, the Township of Liberty finds it necessary to alter or change the grade of any street, road or other public right-of-way or area, Elizabethtown shall, upon reasonable notice by the Municipality, remove and relocate its distribution line and pipes at the expense of Elizabethtown.

C. Restoration. In the event that Elizabethtown shall refuse or neglect, after ten (10) days notice in writing by the representative of the Township, to restore any disturbed area at its cost and expense, and in compliance with all applicable Municipal Ordinances in effect at the time, to its pre-existing or better condition, any street, road, pavement, driveway or other reserves after having made an opening or excavation, the necessary work to accomplish such restoration may be done by the Township of Liberty, and thereafter, Elizabethtown shall be liable for the actual and necessary costs thereof, and shall immediately pay such costs to the Township upon receiving notice thereof.

D. Preconditions to Undertaking Construction. Elizabethtown shall give to the Township of Liberty, through its duly designated representative, written notice of its intention to open or excavate any street or other public place in accordance with the Township of Liberty's Ordinance regulating the excavation and opening of streets, roads and highways, with the exception that such notice requirement shall be waived in the event of an emergent circumstance such that such emergency will affect public health or safety. As soon as practically possible after the occurrence of such emergent circumstance, Elizabethtown shall give prompt written notice to the Township of any emergency opening or excavation that Elizabethtown shall undertake.

Section IV. Indemnification, Performance Bond, Liability.

A. Indemnification. Elizabethtown, its successors and assigns, by the acceptance of the grants, rights and privileges conferred by this ordinance, shall at all times and does hereby and will indemnify and hold harmless, the Township of Liberty and all of its subsidiary agencies, officials and employees for any and all claims of whatsoever kind or nature arising from or relating to the construction, installation, maintenance, laying, repairing, inspecting, or altering of maintains conductors, pipes and appurtenances thereto, and any other facilities, and including, but not by way of limitation, any damages, penalties, costs,

attorney's fees and charges for personal injury, property damage or otherwise, based upon Elizabethtown's negligence or the negligence of its agents, servants, employees or independent contractors.

B. Performance Bond. Prior to the commencement or any construction or installation under this Municipal Consent, Elizabethtown shall execute and deliver to the Clerk of the Township and subject to prior review and approval by the Township Attorney, a Bond in the amount of \$10,000.00 guaranteeing the faithful performance of all of its obligations and undertakings under this Ordinance, which Bond shall be enlarged or renewed from time to time as the Council may require.

C. Liability Insurance. Elizabethtown agrees to maintain and keep in full force and effect, at its sole expense, and at all times during the terms and duration of this Municipal Consent, sufficient liability insurance naming the Township of Liberty as an additional insured party, and insuring and indemnifying the Township against any loss by any such claim, suite, judgment, execution or as follows:

- (a) Elizabethtown shall carry Workman's Compensation Insurance with Statutory limits.
- (b) Elizabethtown shall at all times, maintain a Comprehensive General Liability Insurance Policy with a single limit amount of \$1,000,000.00 covering liability for any death, personal injury, property damage or other liability arising out of its construction and operation of the gas distribution systems herein and in addition, an excess liability (or "umbrella") policy in the amount of \$3,000,000.00.
- (c) Elizabethtown shall furnish to the Township of Liberty a certified copy or Certificate of Insurance of each of the Policies as set forth herein.

Section V. Duration of Consent.

A. Term. The Municipal consent granted to Elizabethtown herein is for a period of fifty (50) years from the effective date of this Ordinance.

B. Public Hearing. Immediately prior to the fifty (50) year expiration of this Consent, the Township of Liberty shall conduct public hearings regarding the performance of Elizabethtown with the terms of this Municipal Consent. The public hearing shall be duly advertised and shall provide any opportunity for all interested persons to participate.

C. Extension. Upon the conclusion of the public hearings as set forth herein, the Township of Liberty shall consider such extension and such additional conditions as the record of the public hearings may warrant.

D. Notice of Proceedings. Elizabethtown shall give the Municipality timely written notice of at least fifteen (15) days in advance of all proceedings initiated by Elizabethtown or the N.J.B.P.U. or other Regulatory Agency, when such proceedings may affect the commitments, this Municipal Consent or relationship between Elizabethtown and the Municipality, whether or not such notice is required by law. All submissions provided to such Regulatory Agency by Elizabethtown shall also be provided to the Township of Liberty.

Section VI. Severability.

If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court or Competent jurisdiction, such Order or Judgment shall not effect or invalidate this remainder of any such article, section, subsection, paragraph or clause, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section VII. Effective Date.

This Municipal Consent Ordinance shall become effective upon adoption and publication according to law, and only upon written acceptance of this Municipal Consent by Elizabethtown, which written acceptance shall be filed with the Clerk of the Municipality within thirty (30) days of the date after which Elizabethtown receives notice of the passage of this Ordinance.

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

NEW BUSINESS**RESOLUTIONS**

A motion by Deputy Mayor Grover to adopt the following Resolution carried.

RESOLUTION 2025.092
A Resolution Appointing
Kelley Smith
As Municipal Registrar of
Liberty Township, Warren County, NJ

WHEREAS, The Township Committee of the Township of Liberty has the responsibility to appoint a Certified Municipal Registrar to fulfill the vacant position;

WHEREAS, Kelley Smith has obtained the Certified Municipal Registrar Certification and has been appointed Municipal Clerk for The Township of Liberty;

WHEREAS, per New Jersey Revised Statutes, Title 26 - Health and Vital Statistics Section 26:8-11; In any district having a population of less than 5,000 persons in which the county clerk does not act as the local registrar the municipal clerk shall be appointed as local registrar by the appointing authority;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Liberty on this day of October 23, 2025 Kelley Smith be appointed to the position of Municipal Registrar;

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the State Registrar and published in the Legal Newspaper of the Township of Liberty.

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

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

RESOLUTION 2025.093
APPOINTMENT OF A FUND COMMISSIONER TO THE
PUBLIC ALLIANCE INSURANCE COVERAGE FUND

BE IT RESOLVED, by the Township of Liberty, County of Warren, State of New Jersey, that it hereby appoints Jennifer Breslin as the Fund Commissioner and Daniel Grover as the Alternate Fund Commissioner for the Public Alliance Insurance Coverage Fund; and

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

1. Jennifer Breslin (Fund Commissioner)
2. Daniel Grover (Alternate Fund Commissioner)
3. Public Alliance Insurance Coverage Fund

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

PUBLIC COMMENT

Liza Thomas – Ms. Thomas asked if there were any updates on affordable housing for our area. Ms. Thomas asked what the topic was on for the Executive Session.

Joe Thomas – Mr. Thomas asked if the raffle for the Superbowl will be on the next meeting agenda.

At 7:31 pm, motion by Deputy Mayor Grover to adopt the following Resolution carried. Mayor Inscho recused himself from Executive Session.

RESOLUTION 2025.094
AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Governing Body of the Township of Liberty is authorized, pursuant to N.J.S.A. 10:4-12 to exclude the public from that portion of this meeting for purposes of discussing specific matters as permitted by N.J.S.A. 10:4-12; and,

WHEREAS, the Governing Body of the Township of Liberty intends to discuss certain matters which are deemed confidential pursuant to N.J.S.A. 10:4-12, in Executive Session:

WHEREAS, at this time the Governing Body of the Township of Liberty cannot determine the time when the discussion to be held in Executive Session will be made public, but will disclose the minutes of the Executive Session when the need for confidentiality no longer exists.

NOW, THEREFORE, be it resolved by the Governing Body of the Township of Liberty that this meeting shall be adjourned to an Executive Session (closed session) and the public will be excluded in order that the Governing Body of the Township of Liberty may discuss the items listed below:

Items: Attorney-Client Privilege

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

At 7:53 pm the governing body reconvened from Executive Session.

ATTORNEY-CLIENT PRIVILEGE – Motion by Deputy Mayor Grover to authorize transmitting letter as discussed in executive session to Chief Hubert at Mountain Lake Fire Company.

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

ADJOURNMENT

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

This is to certify that the ordinances and resolutions contained herein have been approved by me in accordance with law.

John E. Inscho, Mayor

This is to certify that all proper notices, postings and filings required by the Open Public Meetings Act (Chapter 231, P.L. 1975) were provided for this meeting.

Jennifer Breslin, Deputy Clerk