

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 4 April 2013. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:11 p.m.

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

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

REPORTS

COMMITTEEPERSON GROVER

Committeeperson Grover reported that he had prepared a General Scope for the Purchase of Pavilion document

COMMITTEEPERSON KARCHER

Committeeperson Karcher reported that the ~~Recreation Commission~~ Department of Public Works was proceeding with the demolition of the beach front bath house in late April and that the area would be clean and operational prior to the start of the 2013 Beach Season.

DEPARTMENT OF PUBLIC WORKS

Steve Romanowitch, CPWM, presented the following verbal report:

- ✓ The water within the recreation building has been turned on for the baseball season
- ✓ Two loads of infield clay have been received
- ✓ Beach sand has been ordered
- ✓ In a recent playground inspection it was determined that additional mulch was needed. An order has been placed to comply.
- ✓ The salt spreading equipment has been taken off and cleaned for the season
- ✓ The salt barn is full and prepared for the 2013-1024 winter season
- ✓ Vandalism was evidenced at the Lake this past weekend and the situation cleaned up

LANDUSE

A pre-printed report was received from the LandUse Board for January-March 2013 and presented to members of the Township Committee for review

MUNICIPAL ZONING

A pre-printed report was received from the Municipal Zoning Official for March 2013 and presented to members of the Township Committee for review

MUNICIPAL TAX ASSESSOR

Pre-printed reports was received from the Municipal Tax Assessor for February-March 2013 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 March 2013 and presented to members of the Township Committee for review.

APPROVAL OF MINUTES

A motion by John Fisher to adopt the public and executive session minutes of 7 March 2013 carried.

OLD BUSINESS

ORD. #2013.003 - PUBLIC HEARING - A motion by Dan Grover to open public hearing carried. A motion by John Fisher to adopt the following resolution carried

Resolution #2013.031
Adoption of ORD. # 2013.003

WHEREAS, said Ordinance entitled “ An Ordinance to Amend Chapter 7 of the Code of the Township of Liberty, Warren County, New Jersey” was passed on first reading on 7 March 2013 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 Chapter 7 of the Code of the Township of Liberty, Warren County, New Jersey” be passed on second reading and final adoption.

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

John Inscho,
Mayor

NEW BUSINESS

RESOLUTION

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

Resolution #2013.032
Self-Examination of Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on 11 February 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Liberty has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2011 budget year.

BE IT RESOLVED By the Township Committee of the Township of Liberty that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the Township Committee has found the budget has met the following requirements:

- 1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
 3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
 4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
 5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
 6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED That a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

ADOPTION OF BUDGET 2013

A motion by John Inscho to open the public hearing carried. No comments were offered from the public. Mayor Inscho reported that the municipal budget had decreased from the 2012 budget. A motion by John Inscho to adopt the 2013 Municipal Budget Resolution carried.

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

ORDINANCE #2013.004 - Following discussion, a motion by Ron Petersen to introduce Ordinance #2013.004 on First Reading carried. Public Hearing and Adoption are scheduled for 2 May 2013.

Ordinance #2013.004
An Ordinance to Rescind Chapter 19 of the Code of the
Township of Liberty, Warren County, New Jersey

Whereas the Committee of the Township of Liberty does desire to revise the Liberty Township Code Book to be in conformity with the current adopted Shared Service Agreements, and

Whereas State regulation (NJAC 8:52) requires municipal Boards of Health to provide public health services in compliance with the NJ Standards for Performance for Local Boards of Health.

Whereas the Committee of the Township of Liberty has entered into a Uniform Shared Services Agreement for Local Public Health Services with the County of Warren

Whereas the Committee of Liberty does desire to modify Chapter Nineteen of the aforesaid Code Book in furtherance of the objectives previously recited, and

It is now and be it ordained that all of the provisions and language presently contained in Chapter Nineteen of the Liberty Township Code shall be rescinded and substituted therein shall be inserted the following:

All services and requirements imposed on the Township of Liberty pursuant to NJAC 8:52 Et . Seq., and related requirements imposed upon the municipality by the statutes of the State of New Jersey, including enforcement powers shall be administered by the Warren County Board of Health on behalf of Liberty Township pursuant to a shared services agreement entered into between the County of Warren and the Township of Liberty.

USED WHEEL LOADER BACKHOE

Following discussion, a motion by Dan Grover authorizing the municipal to advertising bid specifications for a Used Wheel Loader Backhoe with the opening of bids on Monday 29 April 2013 at 10:00 am within the Municipal Building, 349 Mountain Lake Road, Great Meadows, NJ carried.

RESOLUTIONS

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

Resolution #2013.033
Dedication by Rider for Snow Removal Reserve Trust Fund

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, PL2001, c. 138 and NJS 40:A4-62.1 provides for receipt of excess balance of snow removal salary and wages and operating expenses in the budget by the municipality to provide for the operating costs to administer this act; and

WHEREAS, NJS 40A:4-39 provides the dedicated revenues anticipated from the Snow Removal Reserve Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

BE IT RESOLVED, By the Township Committee of the Township of Liberty, County of Warren, State of New Jersey as follows:

1. The Township Committee does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Snow Removal Reserve Trust Fund PL2001, c. 138 and NJS 40:A4-62.1
2. The Clerk of the Township of Liberty, County of Warren is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

 John Inscho,
 Mayor

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

Resolution #2013.034
 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 8 June 2013 between the hours of 11:00 am and 9 June 2013 2:00 am with a rain date of 9 June 2013; 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 8 June 2013 between the hours of 11:00 am and 9 June 2013 2:00 am with a rain date of 9 June 2013; and to be held in the area delineated on the application form.

Vote: aye - Karcher
 aye - Petersen
 aye - Grover
 aye - Fisher
 abstain - Inscho

 John Inscho,
 Mayor

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

Resolution #2013.035
 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 2013 between the hours of 4:00 pm and 13 June 2013 1:00 am with a rain date of 21 June 2013; 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 2013 between the hours of 4:00 pm and 13 June 2013 1:00 am with a rain date of 21 June 2013; and to be held in the area delineated on the application form.

Vote: aye - Karcher
aye - Petersen
aye - Grover
aye - Fisher
abstain - Inscho

John Inscho,
Mayor

PAYMENT OF BILLS

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

Resolution #2013.036
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 \$461,578.55

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

John Inscho,
Mayor

PUBLIC COMMENT was opened at 7:25 pm.

Eileen Heydecke – Ms. Heydecke questioned the status of dilapidated structures around Mountain Lake and was informed that the DCA Construction Official was investigating in response to an inquiry from one of her neighbors.

Ms Heydecke also asked what the status of the Lodge was.

Lorraine Thiel – Ms Thiel inquired into the garbage collection patrol around Mountain Lake. She was informed that the Lake is an carry-in/carry-out area and public notices will be posted.

At 7:31 pm a motion by John Inscho to adopt the following Resolution carried.

Resolution #2013.037

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
- ✓ Consideration of Land Acquisition
- ✓ Personnel

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

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

 John Inscho,
 Mayor

At 8:11 pm, a motion by Mayor Inscho to reconvene the public meeting carried.

Mayor Inscho stated that during executive session matters of potential litigation, consideration of land acquisition and personnel were discussed. No action to be taken.

BEACHFRONT PAVILION

Brief discussion followed on pavilion plans and excavating process in preparation for 2 May meeting.

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

Meeting adjourned at 8:15 p.m.

Diane M Pflugfelder RMC/MMC
 Municipal Clerk/Administrator
 Minutes Approved 2 May 2013