

AGENDA
LIBERTY TOWNSHIP MEETING

5 April 2018
7:00 PM

Municipal Building
349 Mountain Lake Road
Great Meadows, NJ 07838

Sunshine Notice
Flag Salute
Roll Call

Reports:

- New Jersey State Police
- Committeepersons
- Mayor
- Municipal Professionals
- Municipal Departments/Boards/Commissions

Approval of Agenda

Adoption of Minutes

Meeting and Executive Session of 1 March 2018

Unfinished Business

- PL 2017, C 183 Compliance with Equal Employment Opportunity
- Triathlon 2018

New Business

- Corrective Action Plan for Audit 2016
- Recreation Facility Application
- Community Day Amusement Contract 2018
- Free Union Field Maintenance Contract 2018
- Adoption of Budget 2018
- Adoption of Audit 2017

Resolutions

- Appointment of Deputy Municipal Clerk
- Appointment of Deputy Municipal Registrar
- Tax Lien Refund

Adoption of Bill List

Public Comment
Executive Session

Adjournment

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 5 April 2018. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:04 p.m.

Present: Deputy Mayor Daniel Grover; Carl Cummins; Peter Karcher; and Michael Beyer

Absent: Mayor John Inscho

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

REPORTS

COMMITTEEPERSON CUMMINS

Mr. Cummins reported that the preliminary plans for Lakeside Drive West wall would be forthcoming.

DEPARTMENT OF PUBLIC WORKS

A pre-printed report was received from the Department of Public Works for March 2018 and placed on file.

RECREATION

A pre-printed report was received from the Recreation Commission for March 2018 and placed on file

APPROVAL OF AGENDA

The agenda was approved as distributed.

APPROVAL OF MINUTES

A motion by Carl Cummins to adopt the public and executive session minutes of 1 March 2018 carried.

UNFINISHED BUSINESS

PL 2017, C 183 COMPLIANCE WITH EQUAL EMPLOYMENT OPPORTUNITY

A motion by Michael Beyer to adopt the following Resolution and group affidavit carried.

RESOLUTION #2018.032

Governing Body Certification of Compliance with the
United States Equal Employment Opportunity Commission’s
“Enforcement Guidance on the Consideration of Arrest and Conviction Records
in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Liberty, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

Dan Grover,
Deputy Mayor

Governing Body Certification Pursuant to P.L. 2017, C.183 of
Compliance with the United States Equal Employment Opportunity Commission’s
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions
Under Title VII of the Civil Rights Act of 1964”

GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF WARREN

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

1. We are duly elected members of the Township Committee of the Township of Liberty in the County of Warren;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history;
4. We certify that the local unit’s hiring practices comply with the above-referenced enforcement guidance.

ABSENT

John E Inscho, Mayor

Daniel Grover, Deputy Mayor

Peter Karcher, Committeeperson

Carl Cummins, Committeeperson

Michael Beyer, Committeeperson

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

NEW BUSINESS

CORRECTIVE ACTION PLAN FOR AUDIT 2016

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

RESOLUTION #2018.033
APPROVING THE CORRECTIVE ACTION PLAN FOR 2016

WHEREAS, The 2016 Audit was prepared and presented to the Liberty Township Committee, and

WHEREAS, A Corrective Action Plan has been submitted to the Township Committee of the Township of Liberty covering all the findings and Recommendations in the audit report in accordance with Federal and State requirements.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Liberty, Warren County, New Jersey approves the Corrective Action Plan for the 2016 Audit.

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

Dan Grover,
Deputy Mayor

CORRECTIVE ACTION PLAN
MUNICIPALITY: Township of Liberty
COUNTY: Warren
YEAR AUDITED: 2016
DATE AUDIT ACCEPTED: May 4, 2017

Finding #1:

Description: The duties of personnel be reviewed to determine where a more adequate segregation of duties can be provided.

Analysis: We have a limited amount of personnel doing many different duties.

Corrective Action: We will review our staff and duties to see if any changes can be made.

Implementation Date: Immediately

Finding #2:

Description: There is not a approved dedication by rider for the Housing Trust Reserve.

Analysis: There are funds from prior years in a Housing Trust account but no record of an approved rider.

Corrective Action: We will contact the State of New Jersey and also investigate where the funds came from to determine if we should continue to seek a rider approval or close the account.

Implementation Date: Immediately

RECREATION FACILITY APPLICATION

Discussion on authorization for Mountain Lake Community Association to conduct a Sand Castle Contest at Mountain Lake Beach on 7 July 2018 between 9:30 am and 11:00 am concluded with a motion of approval by Peter Karcher. Motion carried.

COMMUNITY DAY AMMUSEMENT CONTRACT 2018

A motion by Peter Karcher authorizing Mayor Inscho to execute the contract between Party Perfect Rentals, LLC, 312 Squankum-Yellowbrook Road, Farmingdale, NJ 07727, and the Township of Liberty to supply amusement games on Community Day, 9 June 2018, with a rain date 10 June 2018 at the cost of \$2,707.50 carried.

FREE UNION FIELD MAINTENANCE CONTRACT 2018

A draft contract was presented from the Recreation Commission for a lawn fertilizer and grub control program on Free Union Fields at the cost of \$1,081.00. Attorney Skoog will review the terms of the contract for consideration of adoption at a future meeting.

ADOPTION OF BUDGET 2018

A motion by Peter Karcher to open the public hearing carried. A motion by Peter Karcher to adopt the 2018 Municipal Budget Resolution carried.

RESOLUTION ATTACHED

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

AUDIT 2017

Following discussion on Audit Findings, a motion by Peter Karcher to authorize the members of the Township Committee to execute the Group Affidavit Form and adopt the following Resolution 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 2017.

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"

ABSENT
John E Inscho, Mayor

Daniel Grover, Deputy Mayor

Peter Karcher, Committeeperson

Carl Cummins, Committeeperson

Michael Beyer, Committeeperson

Resolution #2018.034

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 2016 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 the 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: aye - Karcher
aye - Beyer
aye - Cummins
aye - Grover
absent - Inscho

Dan Grover,
Deputy Mayor

TRIATHLON 2018

Dana Baffuto of DASH Multisport, LLC, presented Attorney Skoog with the following additional documentation for his review;

- Advertisement including statement, "This event is not in any way sanctioned/sponsored by Liberty Township"
- Sample waiver and release of liability, Assumption of Risk and Indemnity Agreement for participant or participant guardian
- The ARC of Warren County Waiver and release of Liability Form TRIMOUNTAIN LAKE Triathlon 2018
- Contractor/subcontractor Waiver and Release of Liability Form TIMOUNTAIN LAKE Triathlon 2018
- Volunteer Waiver and release of Liability Form TIR MOUNTAIN LAKE Triathlon 2018
- Certificate of Insurance naming Liberty Township additionally insured from USA Triathlon of Colorado
- Certificate of Insurance naming Liberty Township additionally insured from the ARC of Warren County
- Certificate of Insurance naming Liberty Township additionally insured from DASH Multisport LLC
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RESOLUTIONS

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

RESOLUTION #2018.035

WHEREAS, Salary Ordinance #2018.002 established the salaries/wages, and compensation for certain employees of the Township of Liberty, Warren County.

BE IT RESOLVED, By the Township Committee of the Township of Liberty, Warren County that the following named employee(s) shall be compensated for the year 2018 in the amounts designated below. All salaries are retroactive to 1 January 2018 unless otherwise noted:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Jennifer Breslin	Deputy Municipal Clerk	\$16.00/hour Effective 5 April 2018

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

 Dan Grover,
 Deputy Mayor

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

RESOLUTION #2018.036
 RECOGNITION OF DEPUTY MUNICIPAL REGISTRAR

WHEREAS, in accordance with NJSA 26:8-17, 26:8-17, the local registrar, immediately upon acceptance of the appointment, shall appoint a deputy to assist in the normal, day-to-day operation of the office and whose duty shall be to act in the registrar's stead in case of absence, disability or death of the registrar. In case of death of the local registrar the deputy shall act as local registrar until a new local registrar has been appointed and qualified; and

WHEREAS, upon the retirement of Eleanor Clarkson, effective 29 March 2018, the Liberty Township Municipal Clerk recognizes Jennifer Breslin, as qualified for the position of Deputy Municipal Registrar of Liberty Township.

BE IT RESOLVED By the Township Committee of the Township of Liberty, Warren County, New Jersey acknowledges the appointment of Jennifer Breslin as the Deputy Municipal Registrar of the Township of Liberty, Warren County effective 5 April 2018.

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

 Dan Grover,
 Deputy Mayor

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

Resolution #2018-037
 Tax Lien Refund

WHEREAS, the Tax Collector recommends to the Township Committee that the necessary administrative action be taken to authorize a refund to the following lienholder.

<u>Block</u>	<u>Lot</u>	<u>Lien #</u>	<u>Name/Address</u>	<u>Lien Amount</u>	<u>Interest</u>	<u>Premium</u>	<u>Total Refund</u>
22	11	2017-03	U.S. Bank Cust. for PC7 First Trust Bank US Global TLGS 50 S. 16 th St. Suite 2050 Philadelphia PA 19102	\$26,657.14	\$1,202.86	\$0.00	\$27,860.00

BE IT RESOLVED, By a majority of the members of the Township Committee of the Township of Liberty, County of Warren, State of New Jersey that the refund on the above list shall be returned to the parties designated.

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

 Dan Grover,
 Deputy Mayor

PAYMENT OF BILLS

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

RESOLUTION #2018.038
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 \$623,208.42.

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

Dan Grover,
Deputy Mayor

PUBLIC COMMENT was opened at 7:15 pm.

No comments made from the public.

ADJOURNMENT

There being no further business, a motion by Deputy Mayor Grover to adjourn the meeting carried.

Meeting adjourned at 7:16 p.m.

Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 10 May 2018
