

AGENDA
LIBERTY TOWNSHIP MEETING

1 March 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 of 1 February 2018
Workshop and Executive Session of 22 February 2018

Unfinished Business

Community Day Contracts
Triathlon 2018

New Business

Introduction of Budget 2018

Resolutions

Proclamation: Sexual Assault Awareness Month 2018

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 1 March 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: Mayor John Inscho; Deputy Mayor Daniel Grover; Carl Cummins; Peter Karcher; and Mike Beyer

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

REPORTS

COMMITTEEPERSON KARCHER

Mr. Karcher presented a proposal from the Recreation Commission for Mountain Lake beach water testing 2018. The seasonal water testing proposal increased from 2017 due to state regulations. The Commission’s proposal offered a \$200 reduced cost for the season if the weekly water testing samples were collected and taken to the Glen Gardner facility in lieu of company staff collecting and transporting. Following discussion, it was agreed to continue with the current water testing company, Solitude Lake management, while additional quotes were solicited for the balance of the season.

The recreation commission inquired if sponsors could be pursued to offset the cost of team shirts. Attorney Skoog will investigate.

Summer staff interviews for the summer recreation program and beach will be held in March 2018.

Free Union Field management companies will be investigated for a 2018 contract. Carl Cummins stated he will conduct a soil test on Free Union Fields.

COMMITTEEPERSON CUMMINS

Mr. Cummins reported that he has had a preliminary visit with a contractor at the wall failure location along Lakeside Drive West for the purpose of obtaining an emergency repair quote.

COMMITTEEPERSON GROVER

Mr. Grover stated that indoor piping for the emergency generator installation would begin 5 March.

MAYOR INSCHO

Mayor Inscho reported the following Budget data:

Total

DEPARTMENT OF PUBLIC WORKS

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

RECREATION

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

APPROVAL OF AGENDA

The agenda was approved as distributed.

ADOPTION OF BUDGET 2018

A motion by Dan Grover to open the public hearing carried. Mayor Inscho reported the following Budget data;

	2018	2017	Difference
Total Budget	2,233,193	2,191,758	41,435
Total Taxes	851,559	851,973	(414)
Tax Rate	0.318	0.319	(0.001)
Yearly Tax Average home (227,600)	723.20	725.41	-2.21
Tax on each 100,000 assessment	317.75	318.72	-0.97

A motion by Dan Grover to adopt the 2018 Municipal Budget Resolution carried. Liberty Township is subject to State Budget review in 2018.

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

APPROVAL OF MINUTES

A motion by Pete Karcher to adopt the public meeting minutes of 1 February 2018 and the public and executive session minutes of 22 February 2018 carried.

UNFINISHED BUSINESS

COMMUNITY DAY CONTRACTS

Fireworks Extravaganza – The amended contractual terms were reviewed for inclusion of Attorney Skoog’s comments. A motion by Carl Cummins authorizing Mayor Inscho to execute the contract with Fireworks Extravaganza, 174 Route 17 North, Rochelle Park, NJ for fireworks at the 2018 Community Day at the cost of \$5,000.00 carried.

Magician Quotes – The following magician quotes were received for Community Day 2018;

<i>Company</i>	<i>Quote/Terms</i>
Magic of Marco PO Box 597 Rockaway, NJ	\$650.00 not willing to reschedule for rain date \$50 to provide certificate of insurance
Mr. Magico www.mrmagico.com 1.800.269.1106	\$500.00 willing to reschedule for rain date \$0.00 to provide certificate of insurance Providing two shows: stationary and walking
Great Scott Magician www.greatscott.tv greatscottmagic@comcast.net	\$500.00 not willing to reschedule for rain date

A motion by Pete Karcher authorizing Mayor Inscho to execute the contract with Mr. Magico, www.mrmagico.com for the 2018 Community Day Magician at the cost of \$500.00 carried.

Amusement Quotes - The following amusement quotes were received for Community Day 2018;

<i>Company</i>	<i>Quote/Terms</i>
Party Perfect Rentals LLC 312 Squankum Yellowbrook Road Farmingdale, NJ 07727	\$2,707.50
Amazing Amusements 238 Boundary Road Marlboro, NJ 07746	\$2,900.00

Party Time Rentals \$12,830.00
 25 Andrews Drive
 Woodland Park, NJ 07424

The Recreation Commission is recommending the approval of the agreement with Party Perfect for the following reasons; more affordable price; different selection of amusements; and, will complete necessary insurance documentation for the Township.

A motion by Pete Karcher authorizing Mayor Inscho to execute the contract with Party Perfect Rentals, LLC, 312 Squankum Yellowbrook Road, Farmingdale, NJ for the 2018 Community Day amusements at the cost of \$2,707.50 following the legal review and comment from Attorney Skoog carried.

RECREATION FACILITY APPLICATION

Discussion on authorization for Tri Mountain Lake Sprint Triathlon continued from the 1 February 2018 meeting. Attorney Skoog reported the following documentation submission is outstanding;

- ✓ Hold-harmless Agreement from ARC of Warren County, DASH Multi-Sport and any other entity involved in this event with the certificate page naming Liberty Township as additionally insured
- ✓ A hold-harmless document to be executed by participating volunteers
- ✓ Confirmation on the contact with Liberty Township OEM Coordinator on the scheduling of this event
- ✓ The ARC of Warren County must provide a general liability policy naming Liberty Township as additionally insured
- ✓ Confirmation on the inclusion of a disclaimer that Liberty Township is not a party in this event included in all advertisement material via website, multi-media, pamphlets, posters, etc.
- ✓ The Arc of Warren County and DASH Multi-Sport are to provide documentation of an alternate plan for any portion of the event that may involve Lakeside Drive West.

DASH Multi-Sport stated that they could not obtained insurance until 30-days prior to event. Attorney Skoog requested a written letter of explanation for delay on this document as per the sanctioning process.

DASH Multi-sport and ARC of Warren County were given a thirty-day extension, until 5 April 2018 for the submission of these outstanding documents.

NEW BUSINESS

PROPOSAL FOR ENGINEERING/CONSTRUCTION FOR RETAINING WALL

A proposal to provide professional engineering services , engineering and construction documents for the replacement of existing retaining wall located in the vicinity of 99 Lakeside Drive, Belvidere (Liberty Township) was received from Morris-Flood Associates, LLC, Geotechnical-Civil-Structural Engineering Firm. The proposal is based up on the geotechnical investigation work report dated 24 October 2017 and recommendations obtained from Ferriero Engineering dated 13 February 2018.

It has been recommended to utilize a cast-in-place reinforced concrete retaining wall system 160 feet in length. Following discussion, a motion by Mayor Inscho authorizing the acceptance of the proposal by Morris –Flood Associates, LLC at the following price and payment terms carried.

Scope Item	Item	Quantity	Unit Cost	Extension
LUMP SUM				
Lump Sum Scope (Design Phase LS0, items 1-6	Lump Sum	1	\$15,000.00	\$15,000.00
Lump Sum Scope (Construction Phase LS), Items 7-9	Lump Sum	1	\$5,000.00	\$5,000.00

UNIT RATES

Engineering	Manhour	\$140.00
Drafting	Manhour	\$90.00
Construction inspection (by technician)	Per Day	\$800.00

RESOLUTIONS

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

RESOLUTION #2018.026
 DOMESTIC ABUSE & SEXUAL CRISIS CENTER (DASACC)
 PROCLAMATION: SEXUAL ASSAULT AWARENESS MONTH 2018

WHEREAS, sexual assault is a serious crime that affects people of all ages, races, ethnicities, religions, genders, income levels, and sexual identities; and

WHEREAS, survivors of sexual assault must deal with physical injuries, psychological effects, and issues such as post-traumatic stress disorder; and

WHEREAS, the impact of sexual assault is widespread, affecting the survivor, family, friends, and the community at large; and

WHEREAS, sexual assault is a seriously underreported crime, often due to shame, victim-blaming, lack of access to resources; and

WHEREAS, it is believed that only 15.8 to 35 percent of all sexual assaults are reported to the police;

WHEREAS, in 2016, the Domestic Abuse and Sexual Assault Crisis Center provided services to more than 100 people who have been affected by sexual violence; and

NOW, THEREFORE, I, Mayor John E. Inscho, of Liberty Township, in conjunction with the Domestic Abuse & Sexual Assault Crisis Center of Warren County, hereby proclaim:

April 2018 as Sexual Assault Awareness Month in Liberty Township and urge residents to work together to raise awareness of this important issue and offer support to those who are affected. Incidences of sexual assault will not be reduced without a concerted effort throughout the community.

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

 John Inscho,
 Mayor

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

A motion by Mayor Inscho to adopt the following resolution carried.

RESOLUTION #2018.027

RESOLUTION DECLARING A STATE OF EMERGENCY AS A RESULT OF THE COLLAPSE OF A PORTION OF LAKESIDE DRIVE WEST AND ALLOWING FOR THE PURCHASE OF GOODS AND SERVICES TO REPAIR THE AFORESAID ROAD WITHOUT PUBLIC BID AS ALLOWED BY NJSA 40A:11-6.

WHEREAS, Lakeside Drive West is a public roadway owned and maintained by Liberty Township, and

WHEREAS, approximately 160 feet of the said roadway in the vicinity of 99 Lakeside Drive West collapsed sometime in the late night or early morning hours of February 17 and February 18, 2018, and

WHEREAS, the collapse of the said roadway resulted in the southerly portion of the road and a retaining wall acting as a guardrail actually sliding down a steep embankment, and

WHEREAS, the said collapse of the roadway has made the road impassable, and

WHEREAS, a large portion of Lakeside Drive West, approximately one quarter mile in length has now needed to be closed to both pedestrian and vehicular traffic as a result of the collapse, and

WHEREAS, the Township Committee has established that several hundred inhabitants of homes in the vicinity of the area where the road has collapsed are adversely affected by the road collapse which by example would make it difficult for fire trucks, police and emergency vehicles to access this area, and

WHEREAS, the collapsed portion of the roadway has occurred and is immediately next to homes and accessory buildings that could be damaged if the said roadway is not immediately repaired,

NOW, THEREFORE, BE IT RESOLVED that:

1. A state of emergency is declared in that both persons and property in the area of the aforesaid road collapse are in immediate danger of injury and or damage, thus putting the public health, safety and welfare at risk, and
2. A state of Emergency having been declared, it is further resolved that goods and services shall be procured by the Township of Liberty for the repair of that area and the surrounding areas of Lakeside Drive West that were the subject of the collapse described herein and that otherwise may need repair to make that portion of the roadway passable and safe for pedestrians, vehicular traffic, residents and houses and accessory buildings in the area of the collapse, as is allowed by NJSA 40A:11-6, without public bid, as otherwise required by NJSA 40A:11-1 et seq..

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

John Inscho,
Mayor

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

RESOLUTION #2018.028
SALARY

WHEREAS, Salary Ordinance #2017.005 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>
John E Inscho	Township Committee	2,129.00
Dan Grover	Township Committee	2,129.00
Carl Cummins	Township Committee	2,129.00
Mike Beyer	Township Committee	2,129.00
Pete Karcher	Township Committee	2,129.00
Diane M Pflugfelder	Administrator	4,733.00
Diane M Pflugfelder	Municipal Clerk/Registrar	73,256.00
Eleanor Clarkson	Deputy Municipal Clerk/Registrar	16.24/hour
Jennifer Breslin	Office Assistant	15.00/hour
Kevin Lifer	Treasurer/CFO	26,630.00
Cindy Eckert	Tax Collector	23,199.00
Penny Holenstein	Tax Assessor	22,744.00
Stephen Matuszek	OEM Coordinator	2,653.00
Eric Snyder	Zoning Code Official	10,919.00
Alan DeCarolis	Animal Control Officer	5,799.00
Shannon Schaaf	Environmental Commission Secretary	13.26/hour
Shannon Schaaf	Recreation Commission Assistant	13.26/hour
Section 2: Public Works		
Leonard Harvey	DPW Supervisor	31.83/hour
Kenneth Lunden	Laborer	20.88/hour
Donald Drummond	Laborer	19.13/hour
Paul Marty	Part-Time DPW Help	17.69/hour

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

 John Inscho,
 Mayor

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

RESOLUTION #2018.029
 RESOLUTION OPPOSING NJDOT ROUTE 80
 ROCK MITIGATION PROJECT THROUGH THE DELAWARE WATER GAP

WHEREAS, the New Jersey Department of Transportation (NJDOT) intends to build a series of high industrial fences and a 60-foot concrete pyramid called a “rockfall berm” along Route 80 through the Delaware Water Gap; and

WHEREAS, the proposed Route 80 Rockfall Mitigation will be built on lands located in Knowlton and Hardwick Townships and the Delaware National Water Gap Park; and

WHEREAS, stakeholders Knowlton Township and Hardwick Township have formally opposed the project, and have not given their permission for this project within their boundaries; and

WHEREAS, construction of the Route 80 fence is slated to begin in 2020, may last two years, and will cost between \$55 and \$58 million dollars according to NJDOT estimates; and

WHEREAS, the stated intent of the fence and concrete berm is to prevent rockfall; and

WHEREAS, the NJDOT's Concept Development Report acknowledges that "NJDOT provided limited rockfall event data, and the actual frequency of rock activity is unknown" for this project; and

WHEREAS, there are no documented rockfall events nor any recollections of significant rockfall events over the last ten years within Area "D" portion of the project where the concrete pyramid is to be placed; and

WHEREAS, there are 70 to 80 motor vehicle accidents on Route 80 in this section of Route 80 annually due to speed and poor road conditions yet this project involves no road improvements; and

WHEREAS, two years of construction on Route 80 will have significant negative impact on residents and on emergency personnel's ability to get to nearby hospitals; and

WHEREAS, the Delaware Water Gap is a nationally prominent scenic wonder and a gateway to the one of the most widely used National Parks in the nation; and

WHEREAS, the proposed project will directly impact the viewshed of the Appalachian Trail, which has an entrance at the Delaware Water Gap Park; and

WHEREAS, in 2016, 3.7 million visitors to the Delaware National Water Gap park spent \$126.3 million in communities within 60 miles of the park and supported 1887 jobs*; and

WHEREAS, tourism to the Delaware Water Gap and the scenic value of Northwest New Jersey will likely be negatively impacted by the proposed fence; and

WHEREAS, the millions of dollars appropriated for this non-essential project could be better directed to creating a safe passageway on Route 80 itself through the Delaware Water Gap.

NOW, THEREFORE, BE IT RESOLVED on this first day of March 2018, the Township of Liberty opposes the current NJDOT Route 80 Rockfall Mitigation Project and requests the assistance of the following elected representatives in halting the current NJDOT project.

U.S. Congressman Josh Gottheimer
U.S. Senator Cory Booker
U.S. Senator Bob Menendez
State Senator Steven Oroho
State Assemblyman Parker Space
State Assemblyman Harold Wirths
Warren County Freeholders Ed Smith, Jason Sarnoski, and Rick Gardner

BE IT FURTEHR RESOLVED, that the Warren County Governing Officials Association encourages the NJDOT to continue Route 80 rock mitigation under the conditions that:

- a) Rock mitigation occurs in a manner that does not harm the view sheds of the nationally recognized Delaware Water Gap and Appalachian trains; and
- b) The project includes measures that address the speeding and/or dangerous road conditions causing far more accidents annually than rock fall.

*Data obtained from NPS Annual Visitor Spending Analysis for 2016, page 22.
https://www.nps.gov/nature/customcf/NPS_Data_Visualization/docs/2016_VSE.pdf

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

John Inscho,
Mayor

PAYMENT OF BILLS

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

Resolution #2018.030
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 \$526,953.87.

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

John Inscho,
Mayor

PUBLIC COMMENT was opened at 7:38 pm.

Shannon Schaaf – Ms. Shannon announced that the Environmental Commission would be conducting a Cabin Fever workshop on 24 March 2018, to review Watershed issues. She also announced that the Mountain Lake Community Association would be conducting their meeting on 6 March 2018 at the Mountain Lake Firehouse and be discussing lake management. Ms. Shannon presented an Environmental Commission proposal for a 5’ buffer, extending 200’ long along the lake front with native grasses and wild flowers as a goose deterrent. The proposal is to be presented to the Open Space Committee for review and comment.

Keith Earwood – Mr. Earwood requested the opportunity to review the remediation plan for the deteriorated wall which impacts his home, 99 Lakeside Drive West.

Jeff Lyons – Mr. Lyons questioned when the portion of the deteriorated wall along his property would be addressed?

Lynn Gilmore – Ms. Gilmore inquired if Liberty Township had participated in the bi-partisan meeting with Congressman Josh Gottheimer.

EXECUTIVE SESSION

At 7:47 pm a motion by John Inscho to adopt the following Resolution carried.

RESOLUTION #2018.031

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 Township Committee 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, NJDOT professional expenses

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

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

 John Inscho,
 Mayor

At 8:05 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 8:05 p.m.

Diane M Pflugfelder RMC/MMC
 Municipal Clerk/Administrator
 Minutes Approved 5 April 2018

