

AGENDA
LIBERTY TOWNSHIP MEETING

14 November 2019
7:00 PM

Municipal Building
349 Mountain Lake Road
Great Meadows, NJ 07838

Sunshine Notice
Flag Salute
Roll Call

Moment of Silence for Stephen Romanowitch, CPWM
Moment of Silence for Past-Committeeperson John A “Red” Inscho

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

Adoption of Agenda

Adoption of Minutes
Public Meeting and Executive Session of 3 October 2019

Unfinished Business
Marble Hill NJDOT Grant Bid

New Business
2019 Liberty Township Committeeperson General Election Results
Apex Telecom Proposal
Environmental Commission Chairperson Proclamation
Freedom Business Machines 2020 Contract
Reorganization 2020

Resolution
Pay-to-Play Policy for 2020
Calling for Study Commission to Review OPRA
Appropriation Transfer
Mountain Lake Fire Company Raffle Application
Governor’s Council on Alcoholism and Drug Abuse, Fiscal Grant Cycle July 2021-June 2025

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 14 November 2019. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:12 p.m.

Present: Mayor John Inscho; Deputy Mayor Daniel Grover; Peter Karcher and Michael Beyer

Absent: Carl Cummins; and, Diane M Pflugfelder, Municipal Clerk/Administrator

Also, Present: Roger Skoog, Municipal Attorney; and, Jennifer Breslin, Deputy Municipal Clerk

Mayor Inscho asked for a Moment of Silence for Stephen Romanowitch, CPWM, and Past-Committeeperson John A. “ Red ” Inscho

REPORTS

COMMITTEEPERSON KARCHER

Mr. Karcher presented an interest from the Recreation Commission to investigate additional sports programs. A concern was expressed on insurance coverage for additional organized sport programs.

DEPARTMENT OF PUBLIC WORKS

A pre-printed report was received from the Department of Public Works for October 2019 and placed on file.

MUNICIPAL CLERK/ADMINISTRATOR

A pre-printed report was received from the Municipal Clerk/Administrator for October 2019 and placed on file

MUNICIPAL TAX COLLECTOR

A pre-printed report was received from the Municipal Tax Collector for October 2019 and placed on file

RECREATION COMMISSION

A pre-printed report was received from the Municipal Tax Collector for October 2019 and placed on file

ENVIRONMENTAL COMMISSION

A pre-printed report was received from the Municipal Tax Collector for October 2019 and placed on file

PRESENTATION

ENVIRONMENTAL COMMISSION CHAIRPERSON RESIGNATION

A letter, dated 31 October 2019, was received from Philip Wooldridge, announcing his registration as the Environmental Commission Chairperson due his relocation out of Liberty Township. Mayor Inscho read the following Proclamation.

**LIBERTY TOWNSHIP
WARREN COUNTY, NEW JERSEY
PROCLAMATION**

WHEREAS, Philip and Lorna Wooldridge came to Liberty Township, Warren County from England;
and

WHEREAS, Philip and Lorna Wooldridge have announced their intention to return to England; and

WHEREAS, Philip and Lorna Wooldridge became active residents of the Township of Liberty, Warren County; and

WHEREAS, Philip Wooldridge, Chairperson of the Liberty Township Environmental Commission, and Lorna Wooldridge, Member of the Liberty Township Environmental Commission, have announced their retirement from the Liberty Township Environmental Commission due to relocation; and,

WHEREAS, Philip and Lorna Wooldridge upon the occasion of their retirement from the Liberty Township Environmental Commission, from an outstanding tenure of municipal service, during which they have demonstrated an exemplary measure of public-spiritedness and for which they have earned the deepest respect and admiration of many; and

WHEREAS, Philip Wooldridge has served on the Environmental Commission for many years and during that tenure also served Liberty Township as the Environmental Commission Chairperson; and,

WHEREAS, Lorna Wooldridge has served on the Environmental Commission as a member for several years; and,

WHEREAS, Phil and Lorna Wooldridge have contributed to the community in multiple projects.

BE IT RESOLVED, I John E. Inscho, Mayor of Liberty Township, on behalf of the residents of Liberty Township applaud and appreciate Phil and Lorna Wooldridge for their outstanding service to our community and extend our best wishes for their continued success in England.

APPROVAL OF MINUTES

A motion by Mike Beyer to adopt the public and executive session minutes of 3 October 2019 carried.

UNFINISHED BUSINESS

MARBLE HILL NJDOT GRANT BID

Publication for Marble Hill Road Improvements Bids was published on 1 November 2019 in the Liberty Township official newspaper, Star Gazette. Bids are to be opened on 26 November 2019 at 1:00 pm at the Liberty Township Municipal Building, 349 Mountain Lake Road, Great Meadows, NJ with the potential consideration to award on 5 December 2019.

ENVIRONMENTAL COMMISSION

Phil Wooldridge advised that porcupine cages have been placed within Mountain Lake to promote fish habitat.

NEW BUSINESS

2019 LIBERTY TOWNSHIP COMMITTEEPERSON GENERAL ELECTION RESULTS

Daniel Grover and David Rogers were the highest vote recipients on the 5 November 2019 General Election ballot for Liberty Township Committeepersons.

APEX TELECOM PROPOSAL

Two separate proposals were received from Apex Telecom to rectify security camera reception between the Liberty Township Complex and the recreation building at Free Union field. A motion by Dan Grover to adopt the following Resolution carried.

RESOLUTION #2019.076
AWARD OF CONTRACT

BE IT RESOLVED, That the Township of Liberty hereby awards the contract for security camera repair to Apex Telecom, LLC, 15 Merrill Creek Road, Washington, NJ for the following services;

- ✓ Provide and install surveillance storage drive in 4 channel unit at recreation field and program accordingly \$230.00
- ✓ Relocate both ends of the point to point wireless network between the main building and the recreation field for clean line of sight away from trees currently totally block connectivity. Some minor trimming may be required providing equipment is functional (to be determined when leaves are done falling) \$369.00

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

John Inscho,
Mayor

FREEDOM BUSINESS MACHINES

A motion by Dan Grover authorizing the Mayor to execute the one-year Maintenance Agreement between the Township of Liberty and Freedom Business Machines, Inc. carried.

Resolution #2019.077
Award of Contract

BE IT RESOLVED, That the Township of Liberty hereby awards the Maintenance Agreement on Canon IR-2800, Serial #MPJ14346 to Freedom Business Machines, Inc., 333 Sparta Avenue, Sparta, NJ 07871 whose proposal amounted to \$69.00 per month; up to 40,000 images made during the year; and, excess pages will be billed at \$0.0185 per page with the understanding that due to the age of the equipment replacement parts that are needed to perform necessary functional repairs may be difficult to obtain.

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

John Inscho,
Mayor

REORGANIZATION 2020

Mayor Inscho announced that Reorganization 2020 would be conducted Thursday, 2 January 2020, 6:00 pm at the Municipal Building, 349 Mountain Lake Road, Great Meadows, NJ

RESOLUTIONS

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

RESOLUTION #2019.078
RESOLUTION TO ADOPT PAY-TO-PLAY POLICY AND PROCEDURE

WHEREAS, the Township of Liberty, Warren County is a municipality incorporated within the State of New Jersey in the year 1926 and governed by five Committee people that are elected by the members of the municipality at large; and

WHEREAS, the Township of Liberty, Warren County must comply with PL 2004, Chapter 19 (as amended by PL 2005, c 51) NJSA 19:44-20.4 et seq., known as the “New Jersey Local Unit Pay-to-Play” law; and

WHEREAS, the Township Committee believes that it is in the best interests of the municipality to accept an “Alternate” procedure, as defined in law, for the award of 2020 professional services contracts that are not publicly bid and may exceed \$17,500.00 annually or during the life of the contract; and

WHEREAS, the Township Committee believes that contracts for goods and services, from a single vendor, with a value greater than \$17,500.00 and less than the Local Public Bidding Threshold should be decided on a case-by-case basis; and

WHEREAS, the Township Committee requires contracts for goods and services, from a single vendor, except professional contracts, with a value greater than the Local Public Bidding Threshold will be bid according to the Local Public Bidding requirements.

BE IT RESOLVED That the Township Committee does hereby adopt the Pay-to-Play Policy and Procedures as the official purchasing policy for contracts covered under the above mentioned statutes.

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

John Inscho,
Mayor

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

RESOLUTION #2019.079
RESOLUTION CALLING FOR STUDY COMMISSION
TO REVIEW THE OPEN PUBLIC RECORDS ACT

WHEREAS, the Township of Liberty strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

WHEREAS, on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

WHEREAS, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

WHEREAS, over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

WHEREAS, Liberty Township has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney’s fees should the requests turn into litigated matters as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

WHEREAS, it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

WHEREAS, Liberty Township received and responded to 131 OPRA requests received in 2017, 112 OPRA requests received in 2018, and to date has received and responded to 83 OPRA requests as of September 1, 2019; and

WHEREAS, Liberty Township municipal staff has spent approximately 8.5 hours responding to OPRA requests received in 2019 to date, and a yearly average of approximately 23 hours since 2017; and

WHEREAS, due to the often conflicting case law and Government Record Council decisions, as well as the unique characteristics of OPRA request, the Township of Liberty may rely on the municipal attorney to review certain OPRA requests, resulting in additional fees; and

WHEREAS, with limited exceptions OPRA has not be amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever increasing cost to taxpayers; and

WHEREAS, as the current law approaches its twentieth (20th) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform;

NOW, THEREFORE BE IT RESOLVED that the Governing Body of Liberty Township appeal to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and needs to be fulfilled by the law, and use the Commission’s findings to perform a comprehensive reform of OPRA; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to Assemblyman Parker Space, Assemblyman Harold J Wirths, Senator Steven V Oroho, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

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

 John Inscho,
 Mayor

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

Resolution #2019.080
 Appropriation Transfers

WHEREAS, there appears to be insufficient funds in one or more current budget appropriations to meet the demand thereon for the balance of the current year; and

WHEREAS, there appears to be a surplus in one or more current budget appropriations over and above the demand deemed to be necessary for the balance of the current year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Liberty, Warren County, New Jersey that in accordance with the provision of RS 40A:4-58, that the Treasurer be and is hereby authorized and directed to make the following transfer:

	FROM	TO
Municipal Clerk S/W (9-01-20-120-011)	\$2,000.00	
Legal O/E (9-01-20-155-205)	\$1,000.00	
Engineering O/E (9-01-20-165-203)	\$1,089.70	
DPW S/W (9-01-26-290-012)	\$2,000.00	
Group Insurance O/E (9-01-23-220-293)		\$6,089.70
Total	\$6,089.70	\$6,089.70

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

 John Inscho,
 Mayor

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

RESOLUTION #2019.081
 RAFFLE APPLLICATION

WHEREAS, Mountain Lake Fire Company, 99 Tamarack Road, Belvidere, New Jersey 07823, is the licensee on the application to conduct an Off-Premises Merchandise Draw Raffle on 2 February 2020 to be held at Mountain Lake Fire Company, 99 Tamarack Road, Belvidere, New Jersey 07823 to be held between 12:00 pm and 3:00 pm; and

WHEREAS, the appropriate application forms and fees have been submitted to the Municipal Clerk; and

WHEREAS, there appears to be no reason to deny the aforesaid applications.

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

1. The off-premises raffle application is approved contingent to the Legalized Games of Chance Control Commission adoption of aforesaid application.

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

John Inscho,
Mayor

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

RESOLUTION #2019.082

GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE JULY 2021-JUNE 2025

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Committee of the Township of Liberty, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED by the Township of Liberty, County of Warren, State of New Jersey hereby recognizes the following:

- 1. The Township Committee does hereby authorize submission of a strategic plan for the Great Meadows Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR	\$3,192.00
Cash Match	\$798.00
In-Kind	\$2,394.00

- 2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

John Inscho,
Mayor

PUBLIC COMMENT

Lisa Thomas – Ms. Thomas thanked the Wooldridge family for their dedication to Liberty Township. She also asked for additional information on the Resolution calling for study commission to review the open public records act.

Ethan Hashagen – Mr. Hashagen inquired into the status of road repair on Hillside Avenue. Mayor Inscho advised that paving was scheduled for Wednesday, 20 November.

EXECUTIVE SESSION

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

RESOLUTION #2019.083

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.

- ✓ Collective Bargaining Agreement - Samson Concrete and Masonry LLC

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

Vote: absent - Cummins

aye - Grover

aye - Beyer

aye - Karcher

aye - Inscho

John Inscho,

Mayor

A motion by Mayor Inscho to reconvene the public meeting carried. Mayor Inscho stated that during executive session matters of contractual consideration were discussed. Action to follow.

SAMSON CONCRETE AND MASONARY

Mayor Inscho reported that no discussion would be conducted regarding change orders for Samson Concrete and Masonry. It was agreed, that Samson Concrete and Masonry would be paid \$39,709.03 for work completed. A deduction of \$17,908.20 for Maintenance Bond would be held until the Bond was surrendered, and at that time Samson Concrete and Masonry would receive the \$17,908.02.

BILL LIST

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

**RESOLUTION #2019.084
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 \$1,087,182.34.

Vote: aye - Grover

aye - Beyer

absent - Cummins

aye - Karcher

aye - Inscho

John Inscho,

Mayor

ADJOURNMENT

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

Meeting adjourned at 7:44 p.m.

Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 5 December 2019