

AGENDA  
LIBERTY TOWNSHIP MEETING

4 August 2022  
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  
Great Meadows Regional Board of Education

Adoption of Agenda

Adoption of Minutes  
Meeting 7 July 2022

Unfinished Business

Retention/Detention Ponds  
Green Acres Program – Kenny Acquisition  
The Lodge at Mountain Lake Suicide Awareness Walk  
Municipal Land Use Law – Climate Change Resilience Strategy  
Lien #18-005  
Concession Stand – Level 2 Assessment

New Business

2021 Audit Corrective Action Plan  
Life Guard Staffing  
Green Acres Program Fee Collection  
Reassignment from Tier B to Tier A for Stormwater Mgmt Program  
Warren County RAVE Memorandum of Understanding  
Annual Inspection Fire Violations  
2022 Community Day Contracts  
Mountain Lake Fire Company Grant Application

Resolutions

Community Day Fireworks Authorization  
Salary  
ABC – Mountain Lake Fire Company Event  
Bills List

Public Comment

Adjournment

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A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 4 August 2022. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:03 p.m.

Present: Mayor John Inscho; Pete Karcher; David Rogers; and, Wayne Spangenberg

Absent: Deputy Mayor Daniel Grover

Also, Present: Richard Wenner, Municipal Attorney; and, Diane M Pflugfelder, Municipal Clerk

REPORTS

COMMITTEEPERSON ROGERS – Mr. Rogers reported that the Mountain Lake Subcommittee has authorized weed harvesting at the southern end of Mountain Lake at the cost of \$3,500-4,000. A motion by Wayne Spangenberg authorizing Liberty Township to proceed with this project and that the municipality would cost share the financial expense will the Mountain Lake Community Association carried.

MAYOR INSCHO

Mayor Inscho reported the receipt of a commendation letter from Mountain Lake Fire Company regarding the preparation work of Liberty Township DPW for the annual Mountain Lake Fire Company Car Show.

Mayor Inscho also reported that American Rescue Act funds must be dedicated by 22 November. Following close of the 2022 beach season he intends to get quotes for a new roof and windows on the lifeguard shack at Mountain Lake Beach.

Mayor also reported the pursuit of a used 2000 International dump truck with plow, automatic transmission, pre-DEF and spreader at approximately \$13,000.

Dave Rogers will contact someone regarding the resurfacing of the tennis courts at Free Union Fields.

#### MUNICIPAL TAX COLLECTOR

A pre-printed report was received from the Municipal Tax Collector for July 2022 and placed on file

#### APPROVAL OF MINUTES

A motion by Pete Karcher to adopt the minutes of 7 July 2022 carried.

#### UNFINISHED BUSINESS

#### RETENTION/DETENTION PONDS

Attorney Wenner presented the following written letter reviewing detention basins located throughout Liberty Township, dated 4 August 2022.

Dear Mayor and Committee Members:

As you are all aware, this year the Township advised certain residents on whose property were situated retention/detention basins, that the Township would no longer be maintaining the vegetative growth located in the basins. Jeff Snyder and I personally inspected each detention basin which was the subject of the correspondence sent out by the Township. It is clear that each detention basin we inspected was constructed as part of an approved development project. In order to determine whether conditions regarding ongoing maintenance and responsibility of the basins were imposed at the time of approval, we reviewed the Planning Board Resolutions in the Township's possession.

The following is summary of what we can discern from the Resolutions and without doing formal title searches on the individual blocks and lots:

1. Block: 5, Lots 18.19 and 18.20 (Prince Edward). Pursuant to an Easement Agreement dated August 8, 1989, between the developed (Marble Hill Estates, Inc.), the County of Warren and the Township of Liberty, the obligation to maintain the "detention area" located on Lots 18.19 and 18.20 is the responsibility of the property owner. Pursuant to the Easement Agreement, the Township has the right, but not the obligations, to inspect and maintain the detention area if no done so by the owner.
2. Block 9, Lot 25 C. The developer of this project is Deerfield Estates II which obtained approval to create 14 new lots within the Township, the date of the Application was May 1987. As part of the preliminary major subdivision approval, it was acknowledged in the Resolution that:

The Applicant proposed to construct a detention basin on the property and noted as Lot 7 on the preliminary plat and further purposes to direct outflow from said detention area onto the adjoining Block 9, Lot 9 owned by Rudolph Pasko. The Applicant was directed at previous meeting, to meet and discuss the obtaining of a drainage easement with Mr. Pasko. As the August 1988 meeting of the Planning Board, it was determined that discussions relative to the drainage easement had taken place between the Applicant and Mr. Pasko, but no agreement had been reached. The Planning Board having heard the testimony of the Applicant, that he was unable to come to an agreement with Mr. Pasko for a drainage easement, the Planning Board felt that a waiver from the requirement that a drainage easement be obtained was proper, in view of the fact that the Applicant had agreed to provide a hold harmless agreement to the planning Board.

Interestingly, the Resolution references Block 9, Lot 7 as the lot in which the detention basin would be constructed, but our records indicate it remains as Lot 25. Our records further indicate that we are maintaining this basin, although there is nothing in the resolution of approval that I have which identifies it as being the Township's responsibility to do so.

3. Block 11, Lot 52.38 and 42.39. Pursuant to a Resolution adopted by the Township Planning Board on March 16, 1988, an easement was granted to the Township to maintain the detention pond located on proposed Lots 42.38 and 42.39.
4. Block 17, Lot 14 (Deerfield Road). Our records indicate that this is a municipality-maintained detention basin; however, pursuant to the Resolution of Approval dated March 18, 1987 "There shall be a Deed restriction placed in the Deed to propose Lot 14, which shall indicate that the owner shall be responsible for the maintenance of the detention pond located on said property. Said Deed shall be subject to the approval by the planning Board Attorney." Therefore, to the extent that we are maintaining this detention basin, it appears that we should not be doing so.

- 5. Block 11, Lot 46.09 (Hanzel Woods). There is an unsigned Detention/Drainage Facilities Easement which obligates the Township as Grantee to assume responsibility for the maintenance of the detention facilities. For completeness' sake, we should ensure that the easement was recorded in the office of the County Clerk.
- 6. Block 5, Lot 21.14 (Pheasant Run). The resolutions (initial and amended) reference, but do not specify, ownership and control over the detention basin located on Block 5, Lot 21.14. Reference is also made to a Developer's Agreement which should be located and the minutes from the hearing (if available) should also be located as the drainage was a significant part of the discussion. In correspondence dated December 17, 1997, the Township Planning Board Engineer, French and Parrello, commented that:

If the detention basin is considered a dam, DEP approval will be needed. The ownership of the detention basin and maintenance facilities should become the responsibility of another body other than the Township AS DISCUSSED at the November 1997 meeting (in his case, the new Homeowner's Association).

In the 2000 resolution granting amended site plan approval, extensive reference is made to a detention basin which is to be constructed, but there is no clear direction or language addressing ownership or maintenance obligations, although it clearly appears that the Township did not want that responsibility. In short, we have thus far been unable to locate a document which establishes responsibility for this basin; however, it appears that the intention was for the Township NOT to maintain it.

In conclusion, of the basins targeted by the Township, there appears to be one basin (Block 11, Lot 46.09) which is the Township's obligation to maintain and one (Block 17, Lot 14) that we may be maintaining but should not be. As to the remaining basins, with the exception of Block 5, Lot 21.14 which remains unclear, the position taken by the Township is correct vis-a-vis maintenance responsibility.

Rachel Bernard, owner of Block 5, Lot 21.14 was advised by Attorney Wenner to maintain the flow of water within this detention pond and that the detention pond area cannot be filled with soil.

**GREEN ACRES PROGRAM – KENNY ACQUISITION**

Dave Rodgers stated that he would investigate a local vendor who may be able to address the tennis court resurfacing.

**THE LODGE AT MOUNTAIN LAKE SUICIDE AWARENESS WALK**

Attorney Wenner reported that the documentation provided is inconsistent and clarification is necessary to proceed with approval on this application.

**MUNICIPAL LAND USE LAW – CLIMATE CHANGE RESILIENCE STRATEGY**

No action taken

**LIEN #18-005**

Attorney Wenner reported that the funds were received for this lien and assignment has been provided to the purchaser.

**CONCESSION STAND – LEVEL 2 ASSESSMENT**

An email was received 28 July from Kathryn Della-Terza, Warren County Board of Health, advised that a \$250 fine is outstanding for this Level 2 Assessment. Mayor Inscho reported that he would follow-up with Ms Della-Terza in person.

**NEW BUSINESS**

**2021 AUDIT CORRECTIVE ACTION PLAN**

A motion by Wayne Spangenberg to adopt the following 2021 Corrective Action Plan carried.

MUNICIPALITY: Township of Liberty  
 COUNTY: Warren  
 YEAR AUDITED: 2021  
 DATE AUDIT ACCEPTED: 7 July 2022

**Finding #1:**

Description: An adequate segregation of duties be maintained with respect to the recording and treasury functions.  
 Analysis: We have a limited amount of personnel doing 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: Purchase orders are prepared and approved prior to the purchase of goods or services to ensure the availability of funds.

Analysis: Some orders were placed before the purchase order was entered.  
Corrective Action: We will review the proper procedures with all current and new staff.  
Implementation Date: Immediately

GREEN ACRES PROGRAM FEE COLLECTION

Review of fees collected via boat launch and NJDEO Green Acres Program Rules – NJAC 7:36-25.9 concluded with a motion by Wayne Spangenberg to identify all funds collected at the Mountain Lake boat launch be dedicated for the maintenance and repair of the boat launch area/equipment carried.

REASSIGNMENT FROM TIER B TO TIER A FOR STORMWATER MGMT PROGRAM

A letter of 1 July 2022 was received from State of New Jersey Department of Environmental Protection advising Liberty Township of reassignment from a Tier B to Tier A municipality under the municipal separate storm sewer system (MS4) NJPDES Permit Program. A summary of the additional permit conditions in the Tier A permit are;

- Creation/implementation of a Stormwater Pollution Prevention Plan (SPPP)
- Creation of a dedicated stormwater page on the municipal website to house all of the stormwater-related documents that are required to be posted
- Adoption of community-wide ordinances
- Implementation of community-wide pollution prevention measures such as street sweeping, storm drain inlet/catch basin cleaning, and roadside vegetative waste management
- Implementation of best management practices (BMPs) at all municipal maintenance yards and other ancillary operations
- Stormwater training for municipal employees, stormwater design review training for municipal engineers, and training for municipal board and governing body members
- Electronic mapping of stormwater infrastructure
- Stream scouring and illicit discharge detection and elimination

WARREN COUNTY RAVE MEMORANDUM OF UNDERSTANDING

A motion by Pete Karcher authorizing Mayor Inscho to execute the RAVE Memorandum of Understanding between the Township of Liberty and the County of Warren for the benefit and safety of all persons within Warren County carried.

ANNUAL INSPECTION FIRE VIOLATIONS

On 22 June 2022, Liberty Township municipal building and DPW garage was inspected by Mario Abbruzzese, Fire Inspector Code Enforcement. Three violations were noted.

1. Need to obtain 1F06 permit for welding/cutting equipment
2. Update exit light batteries in meeting room
3. Coordinate emergency repairs and conduct annual testing report

2022 COMMUNITY DAY CONTRACTS

A sample flyer for Community Day 2022 was presented for Governing Body approval. Following discussion, a motion by Dave Rogers to approve the proposed Community Day 2022 flyer with the amendment to entitle the document “Liberty Township Community Day sponsored by Liberty Township Recreation Commission, Mountain Lake Fire Company and Mountain Lake Community Association”.

The Recreation Commission presented a contract from Party Perfect Rentals, with an estimate of \$3,132.50 for 2022 Community Day Amusements. Following discussion and contract revisions by the Municipal Attorney, a motion by Dave Rogers to adopt the following Resolution carried.

Resolution #2022.053  
Award of Contract

*BE IT RESOLVED*, That the Township of Liberty hereby awards the contract for Community Day 2022 Amusements to Party Perfect Rentals, LLC, 312 Squantum Yellow brook Road, Farmingdale, NJ 07727 whose bid amounted to \$3,132.50 as amended by Attorney Wenner.

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

\_\_\_\_\_  
John Inscho,  
Mayor

The Recreation Commission presented a contract from Garden State Fireworks, with an estimate of \$6,000.00 for 2022 Community Day Fireworks. Following discussion and contract revisions by the Municipal Attorney, a motion by Dave Rogers to adopt the following Resolution carried.

Resolution #2022.054  
Award of Contract

*BE IT RESOLVED*, That the Township of Liberty hereby awards the contract for Community Day 2022 Fireworks to Garden State Fireworks, inc., PO Box 403, Millington, NJ 07946 whose bid amounted to \$6,000.00 as amended by Attorney Wenner.

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

\_\_\_\_\_  
John Inscho,  
Mayor

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

Resolution #2022.055  
2022 Community Day Fireworks Event

*WHEREAS*, Liberty Township Recreation Commission has scheduled a Community Day Fireworks Event for 24 September 2022, rain date 1 October 2022, to be held on the municipal property located at Block 52, Lot 42, 137 Lakeside Drive West; and

*WHEREAS*, it is desired that the Township sponsor fireworks display for the entertainment of the residents during the Community Day event; and

*WHEREAS*, the Mountain Lake Fire Company will be in attendance.

*BE IT RESOLVED*, By the Township Committee of the Township of Liberty, Warren County, New Jersey that the Township of Liberty Township Committee hereby grants permission for and agrees to sponsor a display for fireworks to be performed by Garden State Fireworks, The Santore Bros. World Champions, PO Box 403, Carlton Road, Millington, NJ 07946, telephone number 908.647.1086, on 24 September 2022, rain date 1 October 2022, provided that Garden State Fireworks, The Santore Bros. World Champions provide the Township of Liberty with a Certificate of Insurance naming the municipality as additionally insured in a form acceptable to the Municipal Attorney.

*BE IT FURTHER RESOLVED*, By the Township Committee of the Township of Liberty, Warren County, New Jersey that the Township of Liberty Township Committee waives all liability for any municipal structure located upon the beach area of Block 52, Lot 42 which is situated within the fallout zone of the 2022 fireworks display area

*BE IT FURTHER RESOLVED*, That a true copy of this Resolution shall be forwarded to the New Jersey Division of Fire Safety.

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

\_\_\_\_\_  
John Inscho,  
Mayor

MOUNTAIN LAKE FIRE COMPANY GRANT APPLICATION

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

RESOLUTION #2022.056

*WHEREAS*, the Mountain Lake Fire company is applying for a Firehouse Grant NJ ARPFFG (PPE) for the acquisition of twenty (20) sets of turnout gear and a PPE Extractor (washer and dryer)

*BE IT RESOLVED*, that the Liberty Township Governing Body endorses the Mountain Lake Firehouse Grant NJ ARPFFG (PPE) application for the acquisition of twenty (20) sets of PPE (each including coat, pants, boots, helmet, hood and gloves) at an estimated cost of \$59,761.20 and PPR Extractor (washer and dryer)

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

\_\_\_\_\_  
John Inscho,  
Mayor

RESOLUTIONS

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

RESOLUTION #2022.057  
SALARY

*WHEREAS*, Salary Ordinance #2022.002 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 2022 in the amounts designated below. All salaries are retroactive to 1 January 2022 unless otherwise noted:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
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John E Inscho	Township Committee	2,129.00
Dan Grover	Township Committee	2,129.00
David Rogers	Township Committee	2,129.00
Wayne Spangenberg	Township Committee	2,129.00
Pete Karcher	Township Committee	2,129.00
Diane M Pflugfelder	Administrator	5,175.00
Diane M Pflugfelder	Municipal Clerk/Registrar	80,071.00
Jennifer Breslin	Deputy Municipal Clerk/Registrar	17.49/hour
Jennifer Breslin	Treasurer/CFO	10,355.00
Cindy Eckert	Tax Collector	25,140.00
Penny Holenstein	Tax Assessor	25,358.00
Desiree Dunn	Zoning Code Official	10,200.00
Eric Snyder	Zoning Code Official	11,935.00*
		Effective 1 July 2022
Desiree Dunn	Zoning Code Official	\$850.00/month
		Effective 1 Jan-30 June 2022
Alan DeCarolis	Animal Control Officer	6,339.00
Carrie Gajda	Environmental Commission Secretary	13.91/hour
John Ward	Recreation Commission Assistant	13.94/hour
Carrie Gajda	Recreation Commission Assistant	13.94/hour
Steven Ciecwiczc	Emergency Management Coordinator	3,215.00
Section 2: Public Works		
Jeffrey Snyder	DPW Supervisor	33.62/hour
Michael Mecsey	Laborer	23.69/hour
Marty Merritt	Mechanic	25.24/hour
Summer Recreation Employees		
Emilia Thompson	Head Counselor	21.00/hour
Rebecca Grace Kahler	2 <sup>nd</sup> year counselor	12.25/hour
Daisy Crubaugh	2 <sup>nd</sup> year counselor	12.25/hour
Katherine Spuckes	2 <sup>nd</sup> year counselor	12.25/hour
Morgan Lapshanski	2 <sup>nd</sup> year counselor	12.25/hour
Hailey Pandorf	2 <sup>nd</sup> year counselor	12.25/hour
Noelle Treanor	2 <sup>nd</sup> year counselor	12.25/hour
Jonathan Arcona	1 <sup>st</sup> year counselor	12.00/hour
William Buchanan	1 <sup>st</sup> year counselor	12.00/hour
Sarah Ann Arcona	1 <sup>st</sup> year counselor	12.00/hour
Melike Salim	1 <sup>st</sup> year counselor	12.00/hour
Mikayla Gina Tingolie	1 <sup>st</sup> year counselor	12.00/hour
Summer Beach Employees		
Alexa French	Beach Manager	17.50/hour
Jacqueline Lunden	Beach Manager	17.50/hour
Caroline Muscat	Assistant Beach Manager	16.50/hour
Nicole Crowder	4 <sup>th</sup> year Lifeguard	16.00/hour
Kayla French	3 <sup>rd</sup> year Lifeguard	16.00/hour
Gianna French	2 <sup>nd</sup> year Lifeguard	15.50/hour
Laura Gruener	2 <sup>nd</sup> year Lifeguard	15.50/hour
Drew McBride	1 <sup>st</sup> year Lifeguard	15.00/hour
Sophia Lyons	1 <sup>st</sup> year Lifeguard	15.00/hour
Kaylee Harrison	1 <sup>st</sup> year Lifeguard	15.00/hour

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

\_\_\_\_\_  
 John Inscho,  
 Mayor

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

RESOLUTION #2022.058  
 APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR  
 MOUNTAIN LAKE FIRE COMPANY

*WHEREAS*, “Applications for Special Permit for Social Affair” has been filed by the Mountain Lake Fire Company, 99 Tamarack Road, Belvidere, New Jersey 07823 for said the following social affair;

Community Day  
 24 September 2022 from 9:00 am to 11:00 pm  
 Rain date: 1 October 2022 from 9:00 am to 11:00 pm

*WHEREAS*, the submitted application form is complete in all respects, and the State fee has been paid.

*BE IT RESOLVED*, that the Liberty Township Committee does hereby approve the following social affair for the Mountain Lake Fire Company located at 99 Tamarack Road, Belvidere, New Jersey;

Community Day  
24 September 2022 from 9:00 am to 11:00 pm  
Rain date: 1 October 2022 from 9:00 am to 11:00 pm

to be held in the area delineated on the application form.

Vote: aye- Karcher

aye - Rogers  
aye - Spangenberg  
aye - Inscho  
absent - Grover

\_\_\_\_\_  
John Inscho,  
Mayor

A motion by David Rogers to adopt the following Resolution carried.

RESOLUTION #2022.059  
PAYMENT OF BILLS

*RESOLVED*, That the Governing Body 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 Governing Body in the amount of \$ 1,011,924.38

Vote: aye - Karcher

aye - Spangenberg  
aye - Rogers  
absent - Grover  
aye - Inscho

\_\_\_\_\_  
John Inscho,  
Mayor

PUBLIC COMMENT was opened at 7:40 pm.

Joe Thomas - Mr. Thomas questioned if a cell tower would be installed within Free Union Park.

Amber Gratacos – As GMRBOE member, Ms Gratacos detailed information on the 7<sup>th</sup> grade CRT (critical race theory) curriculum. She advised that the State threaten to withhold State funding if the program is not offered to the students.

Lisa Thomas – Ms. Thomas inquired into the opt in/opt out CRT (critical race theory) school program

ADJOURNMENT

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

Meeting adjourned at 7:49 p.m.

Diane M Pflugfelder RMC/MMC  
Municipal Clerk/Administrator  
Minutes Approved 1 September 2022

