

AGENDA
LIBERTY TOWNSHIP MEETING

7 April 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

Adoption of Agenda

Adoption of Minutes

Meeting of 3 March 2022

Unfinished Business

Assignment of Municipal Tax Lien, Block 46, Lot 15
Public Hearing: Ordinance #2022.002, Salary
Retention/Detention Ponds
NJDEP Bureau of Safe Drinking Water Bureau Level 2 Assessment
Municipal Land Use Law – Climate Change Resilience Strategy
Dam Safety Inspection Report for Liberty Lake Dam
Old Lake Just-It Road over Mountain Lake Brook
Green Acres Program – Kenny Acquisition

New Business

Self-Examination Resolution
Introduction of Budget 2022
Security System Hardware
Boom Mower Bids
12 Lewis Lane request
Mountain Lake Weed Harvesting Program 2022
Consideration of Introduction: Ordinance #2022.003, Solar
Warren County Historical Grant Marker Program
Warren County Charitable Conservancy Trust Fund
NJDEP Municipal MS4 Stormwater Permit

Resolutions

Tax Lien Refund
ABC Social Permits – Mountain Lake Fire Company
Raffle License Application – Mountain Lake Fire Company
Bills 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 7 April 2022. 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; Peter Karcher; and Wayne Spangenberg

Absent: David Rogers

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

REPORTSCOMMITTEEPERSON ROGERS

In his absence Mr Rogers submitted the following report;

After quite a bit of planning our subcommittee has established a relationship with Warren County Community College that will culminate in some really cutting-edge drone work that will literally give us an eye on our progress in the coming year. We are going to continue with our water monitoring program starting April 18th, and should have drones over and in the water around that same time.

The subcommittee and myself are also pleased to announce that we have found a new Weed Harvester for this season, Mr Jason Hall from Northern Lights in Denville. Mr Hall has a harvesting unit that can operate in just a foot deep of water and has given us great terms on our planned Spring Weed Harvesting Contract. The MLCA and the town are going to split the spring project which will be around \$5,000 total. We are hoping that residents around the lake will be interested to hear what Mr. Hall has to say about his services for their weed issues on the lake I believe he will be speaking at the next MLCA meeting. It should be noted that Solitude will not be doing an herbicide work on the lake this year for residents.

We are still waiting to hear the verdict of our grant proposal from the state.

COMMITTEEPERSON SPANGENBERG

Mr Spangenberg reported that the basketball season had 55 participants and to date Spring Soccer has 114 registered players. Spring soccer is in need of financing for league and referee fees.

COMMITTEEPERSON GROVER

Mr Grover stated that the Great Meadows Board of Education are discussing the 2022-2023 budget and the Liberty Township school building.

GREAT MEADOWS BOARD OF EDUCATION – Amber Gratacos reported that GMRBOE has had \$950,000 in state funding cut from the 2022-2023 budget. It was stated that Senator Steven V Oroho is appealing these budget cuts on the state level.

MAYOR INSCHO

Mayor Inscho presented a request from Muskies Inc, Wildwood, MO, to conduct a Muskie Tournament at Mountain Lake on 23 April. A Certificate of Insurance has been provided. A motion by Dan Grover to approve the Muskies Ince muskie tournament on 23 April at Mountain Lake carried.

MUNICIPAL CLERK/ADMINISTRATOR

A pre-printed report was received from the Municipal Clerk/Administrator for March 2022 and placed on file

MUNICIPAL TAX COLLECTOR

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

APPROVAL OF MINUTES

A motion by Wayne Spangenberg to adopt the public minutes of 3 March 2022 carried.

UNFINISHED BUSINESSASSIGNMENT OF MUNICIPAL TAX LIENS

Cindy Eckert, Tax Collector, received an inquiry from NJSL 301, LLC with an interest in taking assignment of lien 18-005 on 167 Lakeside Drive West from the Township. The Municipal Attorney reported the lien could be acquired in one of three options. #1. Public auction which is awarded to the highest bidder #2. Private sale at face value of all current liens #3. The municipality could foreclose on the property and auction off at highest bidder. This option would leave the municipality responsible for any environmental/zoning concerns. With this option the purchaser would proceed with the foreclosure process and need to matrin current taxes.

In conclusion it was greed to have the Tax Collector provide the value of all current liens on this property.

ORDINANCE #2022.002 - PUBLIC HEARING - A motion by Wayne Spangenberg to open public hearing carried. A motion by Wayne Spangenberg to adopt the following Resolution carried.

RESOLUTION #2022.031
ADOPTION OF ORDINANCE #2022.002

WHEREAS, said Ordinance entitled “An Ordinance to Amend an Ordinance Entitled an Ordinance to Provide for and Determine the Salaries and Compensation for the Officers and Employees of the Township of Liberty, County of Warren, State of New Jersey” was passed on first reading on 3 March 2022; 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 an Ordinance Entitled an Ordinance to Provide for and Determine the Salaries and Compensation for the Officers and Employees of the Township of Liberty, County of Warren, State of New Jersey” be passed on second reading and final adoption.

Vote: absent - Rogers
aye - Grover

John Inscho, Mayor

aye - Spangenberg
 aye - Karcher
 aye - Inscho

DETENTION/RETENTION PONDS

Documentation was provided to the Municipal Attorney following the 3 February 2022 meeting for his determination of private vs. municipal ownership and maintenance responsibility. This issue is carried to the 5 May meeting

NJDEP BUREAU OF SAFE DRINKING WATER BUREAU LEVEL 2 ASSESSMENT

Mayor Inscho reported that the water test last week was clean. He would contact Warren County Board of Health to resolve the issue.

MUNICIPAL LANDUSE LAW - CLIMATE CHANGE RESILIENCE STRATEGY

Dan Grover reported that this is a work in progress with the Land Use Board.

DAM SAFETY INSPECTION REPORT OFOR LIBERTY LAKE DAM

Mayor Inscho questioned who authorized the bridge study of Old Lake Just-It Road Bridge. Municipal engineer Ferriero is supposed to be working on the decommissioning of the dam. This has no relation to the stone bridge.

GREEN ACRES PROGRAM – KENNY ACQUISITION

Mayor Inscho reported that the DPW is collecting quotes for tennis court resurfacing.

NEW BUSINESS

INTRODUCTION OF BUDGET 2022

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

RESOLUTION #2022.032 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 - Grover
aye - Spangenberg
aye - Karcher
aye - Inscho
absent - Rogers

John Inscho,
Mayor

A motion by Dan Grover to introduce the 2022 Municipal Budget carried. The budget will be published 14 April 2022 and scheduled for public hearing and considered of adoption on 5 May 2022.

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

SECURITY SYSTEM HARDWARE

A motion by Wayne Spangenberg authorizing the purchase of a new Watchdog DW-VA1P164T at the cost of \$14000 with installation and setup, which enables remote access to the current security system carried.

BOOM MOWER BIDS

Boom Mower bids were published 10 March 2022 and bids were opened 30 March 2022 at 10 am
Bids were received from the following;

<i>Company</i>	<i>Price</i>
Frank Rymon and Sons	\$24,400.00
Moose Repair LLC	\$25,800.00

Following brief discussion, a motion by Dan Grover to adopt the following Resolution upon legal review carried.

RESOLUTION #2022.033
AWARD OF CONTRACT

BE IT RESOLVED, That the Township of Liberty hereby awards the contract for purchase of a Ferri 3pt Boomer Mower TM46 Cable Control with installation, to Frank Rymon and Sons, 399 State Route 31 South, Washington, NJ whose bid amounted to \$24,400.00

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

John Inscho,
Mayor

12 LEWIS LANE

A request of 9 March 2022 was received from Alice and Rob Bechok for the Liberty Township DPW to mow the property formerly known as 12 Lewis Lane. Following discussion, it was agreed that the DPW would mow this area occasionally throughout the season.

MOUNTAIN LAKE WEED HARVESTING PROGRAM 2022

Mountain Lake weed harvesting and herbicide treatments are tabled for further discussion at the May 2022 meeting.

ORDINANCE #2022.003 - A motion by Dan Grover to introduce Ordinance #2022.003, as amended, on First Reading carried. Public Hearing and consideration of adoption are scheduled for 5 May 2022.

ORDINANCE #2022.003

AN ORDINANCE OF THE TOWNSHIP OF LIBERTY, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 105 OF THE CODE OF THE TOWNSHIP OF LIBERTY ENTITLED *ZONING* IN ORDER TO ADD A NEW ARTICLE XXI ENTITLED *SOLAR AND PHOTOVOLTAIC FACILITIES*

Statement of Legislative Intent

This ordinance amendment is intended to regulate solar installations, both freestanding and building mounted so as to ensure that realizing the important benefits of solar power does not result in a degradation of the rural and agricultural character of Liberty Township.

BE IT ORDAINED by the Township Committee of the Township of Liberty, County of Warren, State of New Jersey that Chapter 105, *Zoning*, of the Code of the Township of Liberty is hereby amended in order to create a new Article XXI, *Solar and Photovoltaic Facilities*, as follows:

Section 1.

ARTICLE XXI. SOLAR AND PHOTOVOLTAIC FACILITIES.

Section 105-92 Solar and Photovoltaic Facilities

- A. Definitions. For the purposes of this chapter, the following words and their derivations shall have the meanings given herein:

SOLAR ENERGY SYSTEMS AND FACILITIES - Principal Use: An alternative energy facility that consists of one or more ground-mounted, free-standing, or building-integrated solar collection devices, solar energy related equipment and other associated infrastructure with the primary intention of generating electricity or otherwise converting solar energy for primarily off-site use.

ACCESSORY GROUND MOUNTED SYSTEM: A ground-mounted solar energy system with the purpose of primarily generating electricity for the principal use on the site, not to exceed 20 feet in height.

ACCESSORY ROOF MOUNTED SYSTEM: A solar energy system mounted on racking that is attached to or ballasted on the roof of a building or structure with the purpose of generating electricity for the principal use on the site.

- B. Solar and photovoltaic facilities.
1. In all agricultural, residential, and commercial zones, only the following solar and photovoltaic systems shall be permitted:
 - a. Accessory Ground Mounted Systems
 - b. Accessory Roof Mounted Systems
 2. General Requirements. The following general requirements shall apply to all solar and photovoltaic facilities regardless of whether or not they are permitted or accessory uses.
 - a. Systems shall be ground mounted or mounted to principal and accessory structures and buildings. Systems mounted to the roof of a principal and/or accessory building and/or structure shall not be located within four feet of the edge of any roof in order to facilitate fire operations.
 - b. Solar facilities shall not be counted in the calculation of impervious cover, for stormwater management purposes, unless the surface below the installation (excluding the footings) is impervious such as pavement. All other impervious surfaces such as access drives, parking shall be considered impervious for the purpose of stormwater calculations. All installations shall be designed to avoid concentration of stormwater runoff.
 - c. Ground mounted systems with an area less than 1000 square feet, including the aggregate of all installations shall require a zoning permit only subject to compliance with all other provisions of this ordinance.
 - d. Ground mounted systems with an aggregate area of 1,000 square feet or more, up to an area of 10 acres, shall require minor site plan approval prior to obtaining a zoning permit. Installations occupying properties of 10 acres or more shall require preliminary and final major site plan approval prior to obtaining a zoning permit.
 - e. Ground systems greater than 1,000 square feet shall provide one or more of the following beneath the solar panel structures: meadow grasses or agricultural area for crops or grazing farm animals.
 - f. Where the subject site consists of active agriculture, site disturbance, including but not limited to grading, soil removal, excavation, and soil compaction, including beneath a ground-mounted system, shall be minimized to the extent practical so that the subject site can subsequently returned to active agricultural production after the useful life and removal of the solar energy facility.
 - g. Installation of the solar panel structures shall to the extent practical be accomplished without the use of footings, concrete, or other impervious surfaces.
 - h. Roadways within the site shall not be constructed of impervious materials and shall be designed to minimize the extent of roadways constructed and associated soil compaction. Roadways shall be designed to accommodate appropriate fire-fighting equipment, including areas for parking and turnaround of vehicles as well as

adequate clearance between solar structures to permit the opening of doors and equipment.

- i. Wooded sites may not be clear cut to construct renewable energy facilities.
 - j. All electrical and control equipment shall be labeled and secured to prevent unauthorized access in accordance with the National Electric Code (NEC) and state solar regulations.
 - k. All solar and photovoltaic facilities shall provide a Knox-Box®, or approved equal, to allow twenty-four-hour access to the facility for emergency service personnel.
 - l. Prior to a solar or photovoltaic facility being energized, the owner shall offer safety training for emergency service personnel. This shall include instruction and documentation on fire-fighting considerations, potential hazards from burning panels and any other special considerations associated with the facility.
 - m. Other than during initial construction of the facility, solar panels shall not be stored in open areas or on the ground. All broken panels shall be removed from the site immediately upon replacement and disposed of in accordance with standard industry practice and any applicable law(s). Should storage of new replacement panels be required on site, such panels shall be stored within a permanent building or structure.
 - n. No soil shall be removed from any site upon which major solar or photovoltaic energy facilities and structures, or other necessary equipment required for the solar facility are constructed as per the Liberty Township Soil Removal Ordinance (Chapter 87).
 - o. Grading within farmlands identified as prime, or of statewide, unique, or local significance shall be limited to only that necessary to construct access roads and for construction of inverter and switching equipment pads.
 - p. Applicants for new solar energy facilities shall coordinate with Township emergency services personnel to provide materials, education and/or training to the departments serving the property with emergency services in how to safely respond to on-site emergencies.
3. In addition to those items required for an application to be deemed complete, a site plan application shall also provide the following:
- a. Location of proposed and existing underground or overhead utility or transmission lines.
 - b. Location of any proposed or existing substation, inverter or transformer.
 - c. Description of any necessary upgrades or modifications to existing substations or the necessity for a new substation.
 - d. Description of how the energy generated by the facility will be connected to the electrical distribution or transmission system or the electrical system of the intended energy user.
 - e. For utility-scale renewable energy facilities rated to produce greater than four hundred kilowatts, the following shall be provided:
 1. Plans, details and specifications, as may be necessary, to adequately depict all improvements and upgrades associated with interconnection into the existing off-site electrical infrastructure.
 2. Documentation detailing the available capacity of the existing electric infrastructure in the region and the amount of that capacity to be allocated for the proposed energy facility.
 3. An interconnection agreement with PJM and all other applicable regulatory agencies.
 4. Location of existing hedgerows and vegetated windbreaks. Trees within this area that have a caliper of six inches diameter breast height (dbh) or greater shall also be identified by species and overall condition.

5. A decommissioning plan and estimate. Before beginning any decommissioning activities, the applicant shall submit a performance bond, in a form and amount satisfactory to the Township Attorney, which shall be based upon an estimate approved by the Township Engineer assuring the availability of adequate funds to restore the site to a useful nonhazardous condition in accordance with the decommissioning plan. The plan shall include the following provisions:
 - a. Deactivate, disconnect and remove all structures, unless otherwise noted herein.
 - b. Restore the surface grade and soil after removal of aboveground structures and equipment, including but not limited to removal of all components of the facility within the top 12 inches of the soil profile.
 - c. Soil replacement, as necessary, within the top 12 inches of the soil profile shall be comprised of topsoil meeting the texture of loam as described in the USDA soil classification system, and the pH shall be in the range of 6.5-7. Tests shall be reviewed and approved by the Township.
 - d. All land shall be restored to original or better soil permeability where necessary to promote healthy plant growth prior to installation of topsoil and vegetation, subject to approval of the Township. Tests are to be reviewed and approved by the Township.
 - e. Restoration of soil areas with native grasses, agricultural crops or plant species suitable to the area and which do not include any invasive species;
 - f. Provide quantities take-offs, unit prices and overall cost estimates for decommissioning in current dollars as well as projections for 15 years and 25 years.
 - g. The plan may provide for restoration of agricultural crops or forest resource land.
 - h. The plan may provide for the retention of access roads, fences, gates, buildings and buffer plantings at the discretion of the Township.
 - i. If the property owner fails to remove the facility and restore the facility in accordance with the decommissioning plan, the Township may perform in place of the owner. All costs incurred by the Township in connection with same shall be a first- priority lien enforceable pursuant to municipal tax lien statutes.
 - j. In major solar energy systems and facilities, except as standby power supplies for control systems.

4. Abandonment.

- a. A solar energy system that is out of service for a continuous twelve-month period will be deemed to have been abandoned.
- b. The Township may issue a notice of abandonment to the owner of a solar energy system that is deemed to have been abandoned. The notice shall be sent return receipt requested.
- c. The owner shall have the right to respond to the notice of abandonment within 30 days from the notice receipt date.
- d. If the owner provides information that demonstrates the solar energy system has not been abandoned, the Township shall withdraw the notice of abandonment and notify the owner that the notice has been withdrawn.
- e. If the designated Township official determines that the solar energy system has been abandoned, the owner of the solar energy system shall remove the solar energy system and properly dispose of the components at the owner's sole expense within six months after the owner receives the notice of abandonment.

- f. In the event that the owner fails to remove the solar energy system, the Township and/or its employees and/or contractors may enter the property to remove the solar energy system (but shall not be obligated to remove same); and in the event that the Township performs the removal, all costs and expenses of such removal shall be reimbursed to the Township by the owner. In the event the owner fails to reimburse the Township, the Township may place a lien on the property in the amount of the costs and expenses of said removal; and in the event that the Township incurs any additional costs and expenses in enforcing the lien and/or collecting the money owed, the owner shall be obligated to reimburse the Township for the additional costs and expenses, including reasonable attorneys' fees
5. Principal use requirements. The following requirements shall apply to, and be bulk requirements for, solar and photovoltaic facilities where they are permitted principal uses.
- a. Minimum lot size shall be 10 contiguous acres.
 - b. No more than 50% of the lot shall be covered by the renewable energy facility.
 - c. The following setbacks shall apply to ground-mounted principal use systems:
 1. Front yard: 200 feet.
 2. Side yard: 100 feet.
 3. Rear yard: 100 feet.
 4. Inverter pads, switch gear, and related appurtenances shall be set back a minimum of 150 feet from a property line.
6. The following minimum screening requirements shall be met. However, notwithstanding the minimum requirements, the applicant shall demonstrate, to the satisfaction of the approving Board, that the proposed screening provides a year-round visual screen of the facility from neighboring residential properties. Additional screening may be needed to meet this requirement, or the design and location of the solar facility shall be revised to mitigate the visual impact upon the neighboring residential properties.
- a. The proposal shall comply with the landscaping screen requirements as established by Chapter 90 of the Township Code with the following additions:
 1. Required perimeter security fencing shall have a minimum height of six feet. Such fencing shall be provided inside of, and screened by, any required landscaping screens.
 2. Where the proposed facility is located on lands higher in elevation than surrounding properties, berms shall be used in conjunction with landscape screening to offer a more effective visual buffer. Berms shall not be constructed at slopes greater than three horizontal to one vertical (3:1).
 3. Landscaping screens shall have a minimum width of 35 feet except when abutting a residential use, or where found to be necessary by the Board, a fifty-foot width shall be required.
 4. More stringent landscaping screening requirements may be required by the Land Use Board as deemed necessary to mitigate visual impacts of the proposed energy facility.
 5. Existing hedgerows or vegetated windbreaks that provide screening of the proposed facility from neighboring properties shall be retained and augmented unless otherwise directed by the approving Board.
7. All landscaping, as installed, shall conform to and be in accordance with the site plan approved and/or signed by the Board. Prior to the issuance of a permanent certificate of occupancy, completion or compliance (whichever is applicable) and prior to the release of any performance guarantee, the landscaping shall be installed and a two-year maintenance guarantee in a form acceptable to the Township Attorney and in an amount acceptable to the Township Engineer and Planner, shall be posted with the Township. All screening shall be effective as of the date of installation. If the applicant applies for a certificate of occupancy during a season not appropriate for planting, the applicant may obtain a temporary certificate of occupancy without installation of the approved landscaping, but if and only if the applicant posts a performance guarantee in a form acceptable to the Township Attorney and in an amount acceptable to the

Township Engineer guaranteeing installation of the landscaping during the next planting season and further guaranteeing the subsequent posting of a two-year maintenance guarantee. The applicant shall have a continuing obligation to maintain all landscaping for its intended purpose (i.e., for screening if planted for buffering purposes or for aesthetics if planted for enhancement purposes), which shall include but not be limited to repairing and/or replanting to the satisfaction of the Township Planner any and all landscaping that becomes damaged and/or dies. (This continuing maintenance obligation is in addition to, and notwithstanding, the fact that a maintenance guarantee may or may not be required in any particular application.) In the event that the Township Zoning Officer determines that utilization of an outside expert (e.g., Board landscape architectural expert) is necessary to fulfill the intent of this section, all costs and expenses of such outside experts shall be reimbursed to the Township by the applicant or operator of the facility in the event that the applicant is no longer associated with the facility.

8. The site plan shall include the provision of adequate and appropriate drainage features, which shall be designed such that site grading and construction maximizes the natural drainage patterns of stormwater originating within the property boundaries and beyond property boundaries. If grading is proposed, then a grading and drainage plan shall be submitted, which shall demonstrate that the project is in compliance with the Township's Stormwater Ordinance and other applicable state standards.
 - a. A grading and drainage plan, including a soil erosion, a soil stabilization and a soil grading plan shall be submitted under the seal of a licensed professional engineer prior to any permits being issued. The plan shall adequately demonstrate to the board of jurisdiction's engineer that no stormwater runoff or natural water shall be diverted as to overload existing drainage systems or create flooding. Such plan shall also address the need for additional drainage structures on other private properties or public lands.
 - b. The grading and drainage plan shall show, among other things:
 1. All existing and proposed natural and artificial drainage courses and other features for the control of drainage, erosion, and water generally.
 2. The calculated volume of water runoff from the slope and from the lot in question, as proposed to be improved; the existence of all natural and artificial drainage courses and facilities within 500 feet of the lot, which are or will be used to carry or contain the runoff from the slope and the lot; and
 3. The effect of any increased water runoff on all adjacent properties and any other property which will be materially affected by increased water runoff.
 - c. Calculations shall be provided to adequately demonstrate that existing pre construction stormwater drainage velocities shall not be exceeded in the post-development condition.
 - d. The use of stone shall not be permitted for soil erosion control and soil stabilization unless as part of an overall plan approved by the board of jurisdiction.
9. The applicant shall submit an affidavit agreeing that any approval for a solar energy facility shall be subject to site plan approval for any necessary new substations or modifications to existing substations.
10. Accessory use requirements. The following requirements shall apply to solar and photovoltaic facility accessory uses.
 - a. Ground systems which do not exceed 1,000 square feet (including the aggregate area of multiple systems, and other accessory structures and/or buildings) and shall meet the side and rear yard setback standards for accessory structures for the zone in which the structure is located.
 - b. Ground systems shall not be located between a building line and a public street (i.e., ground systems shall not be located in a front yard).
 - c. The gross area of ground-mounted systems, including the aggregate area of multiple systems, which are greater than 1,000 square feet (including the aggregate area of multiple systems) shall meet the following screening requirements.
 1. A solid screen of plantings and/or a fence shall be provided along property lines shared with a residential zone district and rights-of-way.

2. The minimum height of the screening shall be the height of the solar facility or five feet, whichever is greater.
3. Existing vegetation shall be retained to the extent practical and may be incorporated or used as screening as approved by the Land Use Board.
4. Residential-scale renewable energy facilities.
5. Facility components shall be permitted to be mounted to principal and accessory structures and buildings or ground mounted. If ground mounted, the maximum permitted height shall be eight feet.
6. A zoning permit must be issued for all systems. Ground systems which do not exceed 1,000 square feet (including the aggregate area of multiple systems, and other accessory structures and/or buildings) shall meet the side and rear yard setback standards for accessory structures for the zone in which the structure is located.
7. Facility components shall be mounted parallel to the roof of the supporting structure and shall not protrude above 12 inches from the roof or closer than four feet to the edge of any roofline.

11. Farm-scale renewable energy facilities, solar.

- a. Ground-mounted systems which are rated to generate 15 kilowatts of electricity or greater shall require site plan approval prior to obtaining a zoning permit. Systems covering greater than 10 acres are prohibited.
- b. On non-preserved, agriculturally assessed farms, ground-mounted facilities shall be permitted on a farm management unit at a ratio of one acre devoted to the solar facility to five acres devoted to agriculture (approximately 17%) up to a maximum of 10 acres coverage. This area shall be calculated including required roadways and buffers. In no case shall a facility be rated to generate more than ~~two mega~~ four hundred kilowatts of electricity.
- c. Ground-mounted farm-scale facilities which are to be located as accessory uses on an agriculturally assessed farms or preserved farms shall be placed as far from public rights-of-way and viewsheds in the most visually remote areas as practical.
- d. All farm-scale solar energy facilities shall comply with the State Agricultural Development Committee (SADC) agricultural management practice for solar energy generation. The SADC has established an agricultural management practice (AMP), or standards, which commercial farms must meet to be eligible for right-to-farm protection for the on-farm generation of solar energy.
- e. The energy facility location should avoid prime soils.
- f. Any approval of a solar energy system does not create any actual or inferred solar energy system easement against adjacent property and/or structures. The owner and/or property owner of a solar energy system shall not infer or claim any rights to protective writs to any caused shadows or operating ineffectiveness against future development adjacent to or higher than the property location of the solar energy system. The approval of any solar energy system granted by the Township of Liberty under this article shall not create any future liability or infer any vested rights to the owner and/or property owner of the solar energy system on the part of the Township of Liberty or by any other officer or employee thereof for any future claims against said issuance of approval of the solar energy system that result from reliance on this article or any administrative decision lawfully made thereunder.

12. The use of lead-acid batteries shall not be permitted except as standby power supplies for control systems. Solar energy generation facilities shall be designed to comply with either of the following standards for sound emission:

- a. The sound level shall not exceed 40 dBA when measured at any point on the property line of the solar facility; or
- b. The sound level shall not exceed the ambient sound levels measured at locations at the property line of the solar facility that reasonably represent current or potential off-site sensitive receptors in accordance with the following requirements:

1. Ambient sound level measurements shall be made with an octave-band sound-level meter during daylight hours for periods of at least 1/2 hour and on three separate occasions, a minimum of four hours apart, representing morning, midday and evening, at least one of which shall be during a non-rush hour. The meter shall be set for slow response with a one-second sampling interval; and
2. The data reported for each occasion shall be the octave-band values (31.5 Hz to 8,000 Hz) from the one- second sample that represents the L90 or Lmin broadband value ("unweighted" or "flat" response, e.g., dBZ).

Section 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to remedy the inconsistency.

Section 3. In the event any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall only apply to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

Section 4. This ordinance shall take effect immediately upon its final passage and publication as provided by law.

WARREN COUNTY HISTORICAL GRANT MARKER PROGRAM
No action at this time

WARREN COUNTY CHARITABLE CONSERVANCY TRUST FUND
This topic is carried to the 5 May 2022 meeting

NJDEP MUNICIPAL MS4 (STORMWATER) PERMIT
Following discussion, Mayor Inscho stated that he would write a letter of opposition to the proposed stormwater regulation changes.

RESOLUTIONS
TAX LIEN REFUND

A motion Dan Grover to adopt the following Resolution carried.

RESOLUTION #2022.034
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.

Block	Lot	Lien #	Name/Address	Lien Amount	Interest	Premium	Total Refund
51	7	21-00002	Bala Partners, LLC P.O. Box 303 Pottersville NJ 07979	\$7,445.72	\$ 398.01	\$17,000.00	\$24,843.73

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

John Inscho,
Mayor

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

RESOLUTION #2022.035
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;

Dinner/Dance
16 April 2022, 1:00 pm to 17 April 2022, 1:00 am
Rain date: 2 October 2021, 9:00 am to 3 October 2021, 1:00 am

Dance Night
7 May 2022, 1:00 pm to 8 May 2022, 2:00 am
Rain date: 2 October 2021, 9:00 am to 3 October 2021, 1:00 am

Wine/Spirits Palm Reading
13 May 2022, 4:00 pm to 14 May 2022, 1:00 am

Hose Competition
3 June 2022, 4:00 pm to 4 June 2022, 1:00 am
Rain date: 4 June 2022, 4:00 pm to 5 June 2022, 1:00 am

Car Show
31 July 2022, 9:00 am to 11:00 pm
Rain date: 2 October 2021, 9:00 am to 3 October 2021, 1:00 am

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;

Dinner/Dance
16 April 2022, 1:00 pm to 17 April 2022, 1:00 am
Rain date: 2 October 2021, 9:00 am to 3 October 2021, 1:00 am

Dance Night
7 May 2022, 1:00 pm to 8 May 2022, 2:00 am
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Car Show
31 July 2022, 9:00 am to 11:00 pm
Rain date: 2 October 2021, 9:00 am to 3 October 2021, 1:00 am

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

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

John Inscho,
Mayor

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

RESOLUTION #2022.036
RAFFLE APPLICATION

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 19 June 2022 to be held at Mountain Lake Fire Company, 99 Tamarack Road, Belvidere, New Jersey 07823 to be held at 1:00 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
aye - Grover
aye - Spangenberg

John Inscho,
Mayor

abstain - Inscho
absent - Rogers

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

RESOLUTION #2022.037
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 \$554,082.06

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

John Inscho,
Mayor

PUBLIC COMMENT was opened at 7:40 pm.

Todd Pantuso – Mr. Pantuso introduced himself as a Warren County Sheriff Candidate for 2022

Larry Supp – Mr Supp stated that the Mountain Lake Community Association was proposing various means to cleanout floating masses within Mountain Lake.

Bob Ballou – Through an email Bob Ballou informed the Governing Body of the Town Wide Yard Sale at Mountain Lake Firehouse on Saturday, 21 May 2022 from 8 am to 12 noon

Lisa Thomas – Ms Thomas inquired into details regarding the Dam safety inspection report, solar ordinance and DEP municipal stormwater permit regulations.

ADJOURNMENT

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

Meeting adjourned at 7:50 p.m.

Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 5 May 2022
