

AGENDA
LIBERTY TOWNSHIP WORKSHOP

27 October 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
Great Meadows Regional Board of Education

Adoption of Agenda

Unfinished Business

Detention/Retention Ponds
Concession Stand – Level 2 Assessment
NJDEP Transition from Tier B to Tier A Municipal Stormwater General Permit

New Business

Comcast Franchise Renewal Process
EverStream
Planet Network

Public Comment

Adjournment

A regularly scheduled workshop of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 27 October 2022. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:06 p.m.

Present: Mayor John Inscho; Deputy Mayor Daniel Grover; and, Wayne Spangenberg

Absent: David Rogers; and, Pete Karcher

Also, Present: James Moscagiuri, Municipal Attorney; and, Diane M Pflugfelder, Municipal Clerk

REPORTS

COMMITTEEPERSON GROVER – Mr. Grover reported that Eric Snyder, Zoning Official, is working on the solar ordinance.

UNFINISHED BUSINESS

DETENTION/RETENTION PONDS

Attorney Moscagiuri reported that a title search has been ordered for the detention/retention pond off Pheasant Run.

CONCESSION STAND – LEVEL 2 ASSESSMENT

Mayor Inscho reported that the UV light unit has been purchased and shall be installed.

NJDEP TRANSITION FROM TIER B TO TIER A MUNICIPAL STORMWATER GENERAL PERMIT

Mayor Inscho reported that a town meeting is scheduled for Tuesday, 1 November with multiple municipalities in opposition of this transition from Tire B to Tier A

NEW BUSINESS

COMCAST FRANCHISE RENEWAL PROCESS

As per State of New Jersey Board of Public Utilities Guide to Franchise Renewal Liberty Township is currently in the optional two-year fact-finding period where the municipality examines the past performances of the cable operator and determines the future cable-related needs of the community.

A renewal of a franchise can only be denied for one or more of the following reasons (47 USCA §546(d)):

1. The cable operator has not substantially complied with the material terms of the existing franchise and with applicable law
2. The quality of the operator's service, including signal quality, response to consumer complaints, and billing practices, but without regard to the mix or quality of cable services other services provided over the system, have not been reasonable in light of community needs.
3. The operator does not have the financial, legal and technical ability to provide the services, facilities and equipment it has proposed to provide
4. The operator's franchise renewal proposal Is not reasonable to meet the future cable-related needs and interests of the community, taking into account the cost of meeting such needs and interests.

During this ascertainment phase the municipality may;

1. Review and be familiar with federal and state statutes
2. Receive notification from the cable operator to begin the ascertainment phase of franchise renewal
3. Create a cable television advisory committee
4. Review the expiring Ordinance (request for proposal); any amendments to the franchise or the certificate of approval; any regulations/agreements concerning PEG (public, educational and governmental) access channels; and records of public hearings/meetings.
5. Request certain financial, technical, and consumer information in order to document the cable operator's performance within Liberty Township
6. Examine whether the cable operator has complied with the franchise agreement, as well as all the financial, technical, and consumer requirements as outlined in the federal and state regulations. May review consumer services, rates, notices, telephone responsiveness, consumer rights, technical performance, or financial responsibilities.
7. Access channels and local origination channels
8. Institutional networks
9. Comparison
10. Surveys
11. Public Hearings
12. Compile a municipal report containing surveys; comparative studies; meetings; public hearings; reports obtained from OCTV and the cable operator; recorded complaint reports obtained from the complaint officer and/or the OCTV; other franchise agreements; and, community cable-related needs provided by organizations/institutions within Liberty Township
13. Dialogue with cable operator

No action was taken at this time.

EVERSTREAM

An email was received on 13 April 2022 from Tracy Matlock, (Warren County Board of County Commissioners Office) presenting a request by Everstream Solutions LLC for Municipal Consent from the Township of Liberty for Everstream's use of the public right-of-ways to attach or install telecommunications fiber optic cable to existing utility poles or conduits. This action would result in additional network infrastructure which aggregates dark fiber, internet, and backhaul on high bandwidth fiber optic cables that span from corporate campuses, to metropolitan, to inner-city networks competitive services for local customers. This email of 13 April is requesting identification of those areas within the municipality that have no access to broadband. No action was taken at this time.

PLANET NETWORK

An email of 1 September 2020 was received from Jeanine Murphy, Executive Assistant of Planet Networks, it was a letter of introduction explaining Planet Networks intentions to use the Liberty Township public right-of-way's (citing legal references) and providing a model Resolution to deploy high speed fiber optic internet access within Liberty Township. Bob Boyle, Planet Networks CEO, presented the intentions and legal responsibilities of Planet Networks within Liberty Township.

Mr Boyle stated that they provide;

1. Provide Liberty Township with Proof of Insurance
2. Provide traffic control during sire installation
3. Restore land/lawn to original condition following underground installation
4. Reimburse Municipal attorney fees for documentation review
5. With municipal consent, they shall replace any poles less than 17'18' in height. Planet Networks shall cover expenses incurred for Municipal Engineer to review plan for new pole installation
6. Planet Networks provides free service to non-profits (Fire and Rescue). Liberty Township service would be with a fee

Planet Networks stated that they do not charge the residents an installation fee, other than those with a long driveway installs involving conduit. They use a boring machine for underground installations and encase the fiber in conduit in rocky terrains.

PUBLIC COMMENT was opened at 7:44 pm.

No public comment

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 1 December 2022
