

AGENDA
LIBERTY TOWNSHIP MEETING

2 May 2024
7:00 pm - Meeting

Municipal Building
349 Mountain Lake Road
Great Meadows, NJ 07838

Sunshine Notice
Flag Salute
Roll Call

Reports:

New Jersey State Police
Governing Body/Mayor
Great Meadows Regional Board of Education
Municipal Committees
Recreation: Community Day Party Perfect and/or Fireworks Contract

Adoption of Agenda

Unfinished Business

2024 Appointments
Appointment of Municipal Engineer, David Clark, CP Engineers
Appointment to the Environmental Commission, (vacated by Larsen) expiration of term 31 Dec 2025
Appointment to Environmental Commission, Alternate #1, expiration of term 31 December 2024
Appointment to Environmental Commission, Alternate #2, expiration of term 31 December 2024
Appointment of LandUse Board, Alternate #3, expiration of term 31 December 2025
Appointment of LandUse Board, Alternate #4, expiration of term 31 December 2025
Appointment to the Open Space Advisory Committee, expiration of term 31 December 2025
Appointment to the Recreation Commission, Alternate #2, expiration of term 31 December 2024

Liberty Lake Dam Billing
Recreation Assistant Job Description
Stormwater Compliance Solutions 2024 Proposal
Tree Ordinance as per MS4
National Flood Insurance Program – Community Assistance Visit (CAV)
TRI Mountain Lake Sprint Triathlon 2024
Hope Township 2015-2016 Request for Costs Due
New Jersey Highlands Water Protection Plan Conformance Grant

New Business

Lead Testing of Rental Units, New Jersey PL 2021, c 182
Highlands Cross-Acceptance

Resolutions

Support of Senate Bill S-725, Unlawful Occupancy of Dwellings
ABC – Mountain Lake Fire Company Barrel Competition
Bills List

Public Comment

Adjournment

A regularly scheduled meeting of the Township of Liberty was held in the Municipal Building, 349 Mountain Lake Road, Great Meadows on 2 May 2024. The meeting was opened by Mayor John Inscho with Adequate Notice of Meeting and the Pledge of Allegiance at 7:05 p.m.

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

Absent: David Rogers; and, Wayne Spangenberg

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

REPORTS

Dan Grover reported that he is working on revisions of the MS4 Tree Ordinance for consideration at the June meeting

REPORTS

TAX COLLECTOR – Cindy Eckert, Liberty Township Tax Collector, provided an email of 19 April 2024 from Bob Lemmon requesting an assignment for 402 Mountain Lake Road, with a balance of \$2,191.51. Following discussion, the Governing Body declined the offer of \$2,191.51 and offered consideration of award when Mr. Lemmon’s offer is at full lien value.

RECREATION

COMMUNITY DAY CONTRACTS – Mayor Inscho stated that Community Day contracts are pending Attorney review

2024 APPOINTMENTS

Mayor Inscho appointed John DeHuff to the Environmental Commission, (position vacated by Larsen), expiration of term 31 December 2025.

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

RESOLUTION #2024.046
ANNUAL PROFESSIONAL SERVICES

WHEREAS, the Township of Liberty has a need to acquire professional services as non-fair and open contracts pursuant to the provisions of NJSA 19:44A-20.4 to 20.5; and

WHEREAS, the CFO has determined and certified in writing that the value of the acquisition of each service will or may exceed \$17,500; and

WHEREAS, the anticipated term of these contracts is one year (and may be extended as approved by this governing body); and

WHEREAS, the following Professional Services shall complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Liberty in the previous one year, and that the contract will prohibit the Professional Service from making any political contributions through the term of the contract; and

WHEREAS, sufficient funds are available in the 2024 Temporary Budget and will be made available in the 2023 Municipal Budget for the Township of Liberty as required in NJAC 5:30-5.4

BE IT RESOLVED That the Governing Body of the Township of Liberty, County of Warren, and State of New Jersey authorizes the Mayor of Liberty Township to enter into a contract with the following Professional Services to provide professional services from 1 January 2024 through 31 December 2024:

David Clark, CP Engineers, Architecture and Environmental Services is hereby retained as the Municipal Engineer for the Township of Liberty

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

John Inscho,
Mayor

UNFINISHED BUSINESS

LIBERTY LAKE DAM BILLING

Mayor Inscho and Dan Grover reported meeting with Pau Ferriero regarding the billing for Liberty Lake Dam. Mayor stated that Ferriero reduced the billing by thousands and Liberty Township will not pay the billing until said documents for Liberty Lake Dam Decommission are received. Mayor informed those present that Ferriero had forwarded the dam decommission documents to the State.

RECREATION ASSISTANT JOB DESCRIPTION

The Municipal Clerk was directed to repost this position

STORMWATER COMPLIANCE SOLUTIONS 2024 PROPOSAL

A motion by Dan Grover authorizing Mayor Inscho to execute the 2024 contract between the Township of Liberty and Stormwater Compliance Solutions carried.

TREE ORDINANCE AS PER MS4

Dan Grover repeated that he is working on revisions of the MS4 Tree Ordinance for consideration at the June meeting

NATIONAL FLOOD INSURANCE PROGRAM – COMMUNITY ASSISTANCE VISIT (CAV)

Mayor Inscho stated that the floodplain person was finishing schooling

TRI MOUNTAIN LAKE SPRINT TRIATHLON 2024

Mayor Inscho stated that he is awaiting insurance documentation. No action taken

HOPE TOWNSHIP 2015-2016 REQUEST FOR COSTS DUE

A letter of 20 March 2024 was received from Hope Township with a 2017 voucher for a final report conducted by their Auditor, Anthony Ardito, in connection with 2015-2016 court costs. Mayor Inscho reported that he would discuss this issue with Rich Wenner, Municipal Attorney.

NEW JERSEY HIGHLANDS WATER PROTECTION PLAN CONFIRMANCE GRANT

A motion by John Inscho authorizing the Mayor and CFO to execute the New Jersey Highlands Water Protection Plan Performance Grant documentation carried.

NEW BUSINESS

LEAD TESTING OF RENTAL UNITS, NEW JERSEY PL 2021, c 182

Attorney Wenner shall prepare a brief memo for the Governing Body to clarify the legality of lead testing on rental units for the June meeting.

HIGHLANDS CROSS-ACCEPTANCE

Mayor Inscho stated that Liberty Township represents ourselves.

ORDINANCE #2024.004

A motion by Pete Karcher to introduce Bond Ordinance #2024.004 on First Reading carried. Public Hearing and Adoption are scheduled for 6 June 2024.

BOND ORDINANCE AUTHORIZING VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LIBERTY, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, APPROPRIATING \$1,000,000 THEREOF, AND AUTHORIZING THE ISSUANCE OF \$ 950,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED by the Township Committee of the Township of Liberty, in the County of Warren, State of New Jersey, as follows:

Section 1. The Township of Liberty, in the County of Warren, State of New Jersey (the "Township") is hereby authorized to make various road improvements, in, by and for said Township, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the down payment appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The purpose hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvement, Purpose and Amount" which schedule also shows (1) the amount of the appropriation and the estimated cost of such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for such purpose, and (4) the period of usefulness, according to its reasonable life, computed from the date of said bond:

SCHEDULE OF IMPROVEMENT, PURPOSE AND AMOUNT

A. Undertaking of improvements to various roads, as set forth on a list prepared or to be prepared by the Township Engineer and placed on file with the Township Clerk and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Township Committee, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 1,000,000.00
Down Payment Appropriated	\$ 50,000.00
Bonds and Notes Authorized	\$ 950,000.00
Period of Usefulness	10 years

Section 5. The cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$80,000.00 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$50,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$50,000.00 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds or notes of said Township of an aggregate principal amount not exceeding \$950,000.00 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds or notes shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$950,000.00 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the mayor and by the Chief Financial Officer and shall be under the seal of said Township and attested by the Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of the purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 10 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$950,000.00 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Warren, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

The Bond Ordinance published herewith was introduced and passed on first reading at a meeting of the Governing Body of Liberty Township, in the County of Warren, State of New Jersey on 2 May 2024. It will be further considered for final passage after public hearing at a meeting of said Governing Body to held at the Liberty Township Municipal Building on 6 June 2024 beginning at 7:00 pm. During the week prior to and including the date of such meeting, copied of the full ordinances will be made available at no cost and during the regular business hours at the Municipal Clerks’ office for members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

TITLE: Bond Ordinance Authorizing Various Road Improvements in and by the Township of Liberty in the County of Warren, State of New Jersey, Appropriating \$1,000,000 Thereof, and Authorizing the Issuance of \$ 950,000 Bonds or Notes to Finance Part of the Cost Thereof.

PURPOSE(S): Various Road Improvements

BONDS/NOTES AUTHORIZED: \$950,000

GRANTS: None

SECTION 20 COSTS: \$80,000.00

USEFUL LIFE: ten (10) years

This Notice is published pursuant to N.J.S.A. 40A:2-17

RESOLUTIONS

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

RESOLUTION #2024.047

A RESOLUTION IN SUPPORT OF SENATE NO. 725 CONCERNING UNLAWFUL OCCUPANCY OF DWELLINGS AND SUPPLEMENTING TITLE 2C OF THE NEW JERSEY STATUTES OF THE STATE OF NEW JERSEY

WHEREAS, the occupancy of a dwelling without the permission of the property owner, also known as "squatting" is an increasing occurrence throughout the State of New Jersey and Warren Country; and

WHEREAS, persons engaging in squatting often do so with the express intention of depriving the lawful property owners of the use and possession of their own property for as long as possible, with the express knowledge that squatting is not a criminal offense, thus requiring a property owner to undertake expensive, time-consuming civil litigation to recover their property, which said litigation can be subject to delay tactics including, but not limited to, bankruptcy applications, resulting in squatters successfully depriving lawful owners of the use and benefit of their own property for extended periods of time; and

WHEREAS, Senators Steinhardt, Testa and Polistina have introduced and are sponsoring Senate No. 725, which said legislation would establish squatting in various contexts as criminal offenses and crimes of the fourth degree, thus permitting property owners to avail themselves of filing criminal complaints with local law enforcement that can be duly investigated, and, when appropriate, permit police officers to arrest and remove persons found to be engaged in said criminal squatting activities.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of Liberty Township that it hereby adopts this Resolution to memorialize its support for Senate No. 725 and certified copies of this Resolution shall be forwarded by the Municipal Clerk to the Office of the Governor and Lieutenant Governor, the Town's elected Representatives in the State Legislature, and the New Jersey League of Municipalities.

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

John Inscho,
Mayor

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

RESOLUTION #2024.048

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;

Barrel Competition
7 June 2024 from 5:00 pm 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;

Barrel Competition
7 June 2024 from 5:00 pm to 11:00 pm

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

Vote: absent - Rogers

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

John Inscho,
Mayor

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

RESOLUTION #2024.049
DEFERRED SCHOOL TAX

WHEREAS, the Liberty Township Governing Body adopted Resolution #2024.011 on 4 January 2024;
and

WHEREAS, Resolution #2024.011 contained incorrect information. It is the intent of the Liberty Township Governing Body to resend Resolution #2024.011; and

WHEREAS, the local district school tax for the fiscal year 1 July 2023 to 30 June 2024 was raised in the 2023 tax levy in the amount of \$5,603,330.00

WHEREAS, the statutes permit the deferral of the cash liability of such school tax up to 50% of the school tax levy or \$2,801,665.00.

BE IT RESOLVED by the Mayor and Committee of the Township of Liberty, that the deferred school tax for the local school district will remain unchanged at \$1,520,074.75

BE IT FURTHER RESOLVED that two certified copies of this Resolution be filed with the Director of the Division of Local Government Services.

Vote: aye - Grover

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

John Inscho,
Mayor

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

RESOLUTION #2024.050
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 \$1,047,262.72.

Vote: aye - Grover

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

John Inscho,
Mayor

PUBLIC COMMENT was opened at 7:24 pm

Lisa Thomas – Ms. Thomas requested the need for an explanation of the squatters Bill. Following discussion with multiple residents, a motion by Mayor Inscho to adopt the following Resolution carried.

RESOLUTION #2024.051

A RESOLUTION IN SUPPORT OF SENATE NO. 725 CONCERNING UNLAWFUL OCCUPANCY OF DWELLINGS AND SUPPLEMENTING TITLE 2C OF THE NEW JERSEY STATUTES

OF THE STATE OF NEW JERSEY

WHEREAS, the occupancy of a dwelling without the permission of the property owner, also known as "squatting" is an increasing occurrence throughout the State of New Jersey and Warren Country; and

WHEREAS, persons engaging in squatting often do so with the express intention of depriving the lawful property owners of the use and possession of their own property for as long as possible, with the express knowledge that squatting is not a criminal offense, thus requiring a property owner to undertake expensive, time-consuming civil litigation to recover their property, which said litigation can be subject to delay tactics including, but not limited to, bankruptcy applications, resulting in squatters successfully depriving lawful owners of the use and benefit of their own property for extended periods of time; and

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

John Inscho,
Mayor

Larry Supp – Mr. Supp questioned the ability to build a new home on a wooded lot with a tree Ordinance in place.

Mr. Supp reported that the 2024 herbicide contract with Lake Management Services for Mountain Lake treatment has been executed and that there will be no 2024 weed harvesting in Mountain Lake.

Dana Huber – Ms. Huber inquired into the status of the 2024 Triathlon application and was advised that it is pending Attorney review.

John DeHuff – Mr. DeHuff inquired to intentions for Liberty Lake Dam. Mayor Inscho advised that it needs to be drained and remediation as per DEP approval

Bob Tracy – A request by Bob Tracy to place a Memorial Day display of 144 American Flags in the front yard of the municipal complex was approved.

ADJOURNMENT

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

Meeting adjourned at 7:45 p.m.

Diane M Pflugfelder RMC/MMC
Municipal Clerk/Administrator
Minutes Approved 6 June 2024