

CALL TO ORDER

Mayor Wunder called the meeting to order at 7:00 p.m. and stated that in compliance with the “Open Public Meeting Act” this is a Regular Meeting of the Township Committee as published in the Hunterdon Review, the agenda has been posted at the Municipal Building and distributed to the Hunterdon Review, Courier News, the Express Times, the Hunterdon County Democrat and the Star Ledger.

FLAG SALUTE

Mayor Wunder asked everyone to stand for the Flag Salute and for a Moment of Silence.

ROLL CALL

Present - Brian Wunder Patricia Schriver Francis Morrison
 Ron Milkowski Tom McKee

Absent-

Also Present - Attorney Lorraine Staples, Clerk Karen Sandorse and 14 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of February 15, 2012

Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of February 15, 2012.

Minutes of the Executive Session of February 15, 2012

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the executive session of February 15, 2012.

PUBLIC COMMENTS – for agenda items only.

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting.

There were no comments from the public.

Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting.

RESOLUTIONS

Resolution No. 32-2012 – Environmental Consultant Agreement

Motion by Mr. Milkowski, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 32-2012 as written below.

TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 32-2012
RESOLUTION APPOINTING ENVIRONMENTAL CONSULTANT

WHEREAS, there exists a need for the performance of special environmental consulting services during the year 2012 to perform an environmental site inspection and data gathering, historical and regulatory file review, and report preparation, which services cannot be handled by the Municipal Engineer; and

WHEREAS, funds are or will be made available for this purpose to be certified by the Chief Financial Officer of the Township of Lebanon; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1, et seq.*) authorizes the hiring of an environmental consultant without competitive bidding providing that the Resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection; and

WHEREAS, the contract is awarded in accordance with NJSA 19:44A-20.5 as a non-fair and open contract; and,

WHEREAS, Quest Environmental & Engineering Services, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Quest Environmental & Engineering Services, Inc., has not made any reportable contributions to a political or candidate committee in the Township of Lebanon in the previous one year, and that the contract will prohibit Quest Environmental & Engineering Services, Inc. from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon Hunterdon County, New Jersey, as follows:

1. Darin P. Vogel of Quest Environmental & Engineering Services, Inc. is hereby appointed to serve as Environmental Consultant for the Township of Lebanon during the year 2012 in order to provide environmental consulting services for the Township of Lebanon.
2. The Clerk and the Municipal Attorney have negotiated with the Environmental Consultant a mutually agreeable written compensation agreement, the form of which is acceptable to the Mayor and Committee. The Mayor and Clerk are hereby authorized to sign said agreement in the form presented.

3. This contract is awarded without competitive bidding as a “Professional Services” under the provisions of the Local Public Contracts Law, *N.J.S.A. 40A:11-5* and *N.J.S.A. 19:44A-20.5*.

OLD BUSINESS

Schedule Budget Meeting

The Township Committee scheduled Budget Work Sessions to be held on March 15, 2012 and March 22, 2012 at 6:00 p.m. The Clerk will confirm dates with the CFO and advertise.

Polt Property

Mr. Milkowski stated that Mr. Polt has agreed to pay for the Initial Assessment for the property. If the Township takes ownership of the property, Mr. Polt will be reimbursed for the cost.

Blues Festival

Mr. McKee stated that the Park Committee sent a letter to the Blues Fest event organizers stating their concerns, which included the number of attendees that should be present at the event. Mr. Milkowski stated that he believes that the permit states 7500 attendees however, Mr. McKee noted that the Park Committee would prefer to see 3000. There were a number of other concerns stated in the letter also, such as parking and the number of days they will be in the park setting up for the event.

Mr. McKee stated that he spoke to the OEM Coordinator regarding EMS and Fire protection. Mr. Gabriel stated that a call can be made to 911 for response. Mr. McKee stated that he does not believe that there is an ordinance in place that governs emergency services in this regard.

Mayor Wunder stated that in the future the Township Committee may need to consider an ordinance. He has a large concern with safety. Mr. McKee stated that the Park Committee feels that the event has grown and they have concerns also. Mayor Wunder asked Mr. McKee for a copy of the letter sent by the Park Committee to the organizers.

Mr. Milkowski stated that at the last meeting there was a Social Affair Permit on the agenda for approval. Mr. Milkowski stated that the permit was for the Blues Festival to sell alcohol not to have the function. Mr. Milkowski stated that he voted against the Permit as he had concerns with it.

NEW BUSINESS

Raffle Application – PTSO Voorhees High School Inc. - Calendar Raffle-05/14/12-05/25/12

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved a Calendar Raffle Application for PTSO Voorhees High School Inc. for 05/14/12 – 05/25/12.

Raffle Applications (2) St. John Neumann Church - June 2, 2012

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved two Raffle Applications for June 2, 2012.

Hunterdon County Dept of Parks and Recreation – Change in Teetertown-Columbia Connector Trail

The Hunterdon County Dept of Parks and Recreation is proposing a change in the Teetertown-Columbia Connector Trail and has asked for the Township Committee's consent on the alterations. Ms. Schriver stated that she feels that the alterations make a lot of sense because part of the area that led to Ravine Road is narrow, dirt covered and very dangerous. Ms. Schriver feels that this would help to take care of the problem.

Mr. Milkowski stated that he feels that the EOS Committee should take a look at the proposal.

Motion by Ms. Schriver, seconded by Mr. McKee and carried by favorable roll call vote, the Township Committee approved the Dept of Parks and Recreation's change in the pathway from Columbia Trail to Teetertown Ravine. AYES: Schriver, Wunder, McKee, Morrison ABSTAIN: Milkowski

Request to provide Community Service

Mayor Wunder asked the Committee if there is any protocol regarding providing Community Service hours. He said he has been receiving phone calls on the issue. Ms. Schriver stated that the Township Committee has to approve the authorization and in some instances the Police Department should approve it.

COMMITTEE REPORTS

COMMITTEEWOMAN SCHRIVER–

Administration & Finance – Ms. Schriver stated that there are three Committee Members who do not have their pictures on the wall in the meeting room. It needs to be done.

Ms. Schriver stated that lights in the Township have been discussed. Mr. Locker has stated his concerns with the flashing lights at the schools not working. Ms. Schriver found out that the school speed limit lights are not working and the company is out of business. The school needs to figure out a way to repair them or replace them. Ms. Schriver stated that the three lights along Bunnvale Road, in front of the Woodglen school, have been out for a long period of time. Ms. Schriver noted that the lights are once again shinning this evening.

Hagedorn- The Veterans Administration is going to take over the Hagedorn hospital when the psychiatric/geriatric center is moved out. The facility will house homeless Veterans and Veterans who need substance abuse treatment.

DEPUTY MAYOR MILKOWSKI

Public Works- The DPW has been busy this past month. They have been doing drainage work on several roads in the Township as well as clearing hanging limbs which came down from the October storm. The DPW placed the order for the two new dump trucks.

Planning Board – The February 7, 2012 meeting had to be rescheduled to the Woodglen School due to overcapacity in the Municipal Office. The Genpsych application was to be discussed. The meeting was then held on February 27, 2012 at the Woodglen School, in which one witness was heard. The continuation of the meeting will be held on March 20, 2012 at 7:00 p.m. at the Woodglen School.

Highlands – The Planner has provided that Township Committee and the Planning Board with the rough draft of the Land Use Ordinance portion of the Highlands which is being discussed by the Planning Board.

MAYOR –

Municipal Court of North Hunterdon – There will be a meeting on March 14, 2012 at the Court. Franklin Township and the Town of Clinton are asking for the Court Committee to rework their numbers to see if their contribution percentage can be lowered.

Legal Matters – The Squad is working with Committeeman McKee regarding donating the building back to the Township. Mayor Wunder stated that the Squad had a meeting and did dissolve as a Squad. Mr. McKee stated that in the past two weeks he has met with Attorney Cushing and had rather productive meetings with a representative from the Squad. There is an attempt to work things out, we are not there yet, but getting close.

DPW Garage Project – The Bond for the Garage Project is hopefully in the final stages of review for approval.

Cell Tower – Attorney Staples stated that she did contact the Attorney for the Cellco and she was informed that they intend on applying for building permits within the next couple of weeks.

Local School District- NHVRHS Board of Education approved a preliminary budget for the 2012-2013 school year. The proposed budget is supposed to have no increase to local tax levies with help from some State Aid.

Shared Services- The Shared Services meeting scheduled for March 1, 2012 at the Lambertville Station has been canceled. The meeting will be held on March 29, 2012.

Food Pantry – The Food Pantry is tomorrow.

Recycling – Recycling will be held on March 17, 2012

Fire Department- The Fire Department Pancake breakfast will be held on March 11, 2012.

FEMA- Engineer Steve Risse informed Mayor Wunder that there is some confusion with FEMA regarding the grant deadline for the hurricane damage. Mr. Risse will attempt to backtrack to see what can be recovered.

COMMITTEEMAN MCKEE –

LTEOS – Mr. McKee is receiving correspondence regarding land acquisitions that the LTEOS Committee is interested in. There is a piece of property which would connect the Schaaf property to the Ken Lockwood Gorge. They would like to meet with Mr. McKee and Mayor Wunder to discuss the possibilities of an acquisition in the future.

The LTEOS Committee has mentioned Sustainable New Jersey to Mr. McKee. Mr. McKee would like to meet with the EOS members to discuss the program and to bring the information back to the Township Committee.

Historians – At the last Township meeting, Mr. McKee mentioned to the Township Committee that the Historians had requested to keep the proceeds from the sale of the Township's History book for the Historian's use. The Committee agreed with the request.

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee authorized for the proceeds from the Township's History book sales to be given to the Township Historians.

Mr. McKee stated that the Historians have submitted a purchase order for Township pottery. They would like to make an expenditure of \$2000.00 to make the purchase. The pottery will be purchased with the use of grant funds and sold to residents in the Township.

Motion by Mr. McKee, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of pottery from Bunjo Pottery for approximately \$2000.00.

COMMITTEEMAN MORRISON –

Police, Fire and Rescue- Mr. Morrison read the police report.

PRESENTATION OF VOUCHERS

Committee Members provided a description of vouchers exceeding \$1000.00.

Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the March 7, 2012 bill list in the amount \$2,773,854.35.

CORRESPONDENCE

No Correspondence

PUBLIC COMMENTS

Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting.

Mr. Anthony Casale inquired on a voucher being paid to Gebhardt and Keifer. Ms. Schriver read what the charges were associated with.

Ms. Nancy Darois asked if the Township is taking the Polt property. Mr. Milkowski stated that the Phase I will be conducted soon.

Mr. Deborah Goodsite was in attendance to see if the Township Committee was aware of the proposed cell tower application which is before the Board of Adjustment for consideration. Ms. Goodsite informed the Township Committee of concerns she has with the application and with the residents who have received notification regarding the application.

Attorney Staples stated that the only agency that has the capability to do anything with this application at this time is the Board of Adjustment. It is important for any resident who has an interest to attend the meetings to state their concerns. In an appeal process, the record of the Board of Adjustment will be considered.

Ms. Jean Lang Boyer provided the Township Committee with documents including; a letter, a press release from the US Department of Justice and an email. Ms. Boyer read the letter to the Township Committee which pertained to a Property Tax Sale Certificate. Ms. Boyer stated that the name on the Deed of her home of 37 years will be changed to Crusader due to the Property Tax Sale Certificate. Ms. Boyer requested that the Committee instruct the Township Tax Appeal Attorney, Mr. Martin Allen, to support her request to Stay the March 15, 2012 date to take possession of her home.

Ms. Boyer informed the Township Committee that Crusader's CEO, Rob Stein, has pleaded guilty to bid rigging at property tax sales. Ms. Boyer stated her concerns with the process in which Attorney Allen handled her litigation.

Mayor Wunder stated that this is an unfortunate and complicated issue and that he will speak with Attorney Allen.

Mr. EJ Skidmore encouraged the Township Committee to take a human approach with Ms. Boyer's request.

Mr. Skidmore requested additional information on the Blues Fest Social Affair Permit.

Mr. Skidmore asked who is representing the Squad. Mr. McKee stated that it is Sabatino DeSantis. Mr. Skidmore asked if the Squad is dissolved than how can they have a representative and negotiate? Mayor Wunder stated that he misspoke, as the Squad had a meeting and agreed to dissolve pending closure of the negotiations. Mr. McKee stated that the Judge said to work it out and that is what the parties are trying to do.

Mr. Skidmore stated that Executive Session minutes need to state when they will be made available.

Mr. Bernie Cryan stated that in the State of New Jersey you have to file incorporation papers listing the officers of the organization, annually. Mr. Cryan asked if anyone has done an investigation to see if the Squad has kept the papers current and who the list of officers are on record? Attorney Staples stated that this has been done however, she does not have the information at the present time. Mr. Cryan stated that he thinks that this is a relevant concern as the Township could be negotiating with just anyone.

Mr. Cryan asked the Committee to upturn any rock possible before putting one of the Township's families on the street.

Ms. Adrienne Collett inquired on the appeal process for an application before the Board of Adjustment. She asked how lengthy and difficult the appeal process is. Attorney Staples stated that the process could be lengthy and would be held in court.

Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting.

EXECUTIVE SESSION

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 33-2012 and convened in executive session at 8:12p.m.

TOWNSHIP OF LEBANON RESOLUTION NO. 33-2012

BE IT RESOLVED by the Mayor and Township Committee of the Township of Lebanon, that in compliance with N.J.S.A. 10:4-12, this meeting will be closed to the Public to discuss the following matters:

Contract Negotiations/Cell Tower
Squad Litigatin
Collective Bargaining
Pending Litigation
Personnel
Mutual Aid Agreement
Litigation - Boyer

The Township Committee reconvened the Regular Committee meeting at 9:20p.m.

Having no further business to come before the Committee a motion was made by Ms. Schriver, seconded by Mr. Milkowki and carried by unanimous favorable roll call vote to adjourn the meeting at 9:23 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: March 21, 2012

Brian Wunder, Mayor