

CALL TO ORDER

Deputy Mayor Ron Milkowski 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

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

ROLL CALL

Present -	Patricia Schriver	Francis Morrison
	Ron Milkowski	Tom McKee

Absent- Brian Wunder

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 14 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of March 21, 2012

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of March 21, 2012.

Minutes of the Executive Session of March 21, 2012

Motion by Mr. Morrison, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the executive session meeting of March 21, 2012.

Minutes of the Regular Meeting of April 4, 2012

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of April 4, 2012.

Minutes of the Executive Session of April 4, 2012

Motion by Mr. McKee, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved the minutes of the executive session meeting of April 4, 2012.

PUBLIC COMMENTS – for agenda items only.

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

Mr. Anthony Casale requested information on the Cell Tower project such as the inception date and if the permits were in order. Mr. Casale also discussed the matter of rent, relative to the project.

Mr. Casale asked the Committee if the Township has monitored the electric use at the Squad building as it used to be very high.

Mr. Donald LeFevre, from the Food Pantry, informed the Committee that the electric at that Squad building is \$300.00 - \$400.00 per month unless the lights are left on. There is just a basic refrigerator being used. Mr. LeFevre stated that the building has been broken into. The lock was broken and there is no need to use a key to gain access. Mr. LeFevre is concerned about the Food Pantry items being stolen. Attorney Cushing will speak to Tino DeSantis and unless the Squad has a problem with it, the Township will secure the door. Mr. Gabriel will look at the door and report the break-in to the police.

JCP&L Representative, Mr. Stan Prater, was present to introduce himself to the Committee and to inform them that JCP&L is in process of upgrading their liability system and wiring. Mr. Prater provided the Committee with his contact information for future needs.

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. 37-2012 - Abandoned Vehicle - Conveyance of Title

Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 37-2012 as written below.

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 37-2012
RESOLUTION AUTHORIZING CONVEYANCE OF TITLE TO ABANDONED
VEHICLE TO STORAGE FACILITY IN SATISFACTION
OF STORAGE CHARGES**

WHEREAS, a 2007 Ford Focus, VIN #: 1 1FAHP 31N27 W2039 78 (“Abandoned Vehicle”) came into police possession of a result of police activities; and

WHEREAS, the Abandoned Vehicle was stored at J&D Auto Body; and

WHEREAS, the storage charges incurred were \$25,578.55;

WHEREAS, the title to the Abandoned Vehicle was conveyed to the Township through the Division

of Motor Vehicles; and
WHEREAS, the storage charges exceed the value of the Abandoned Vehicle; and
WHEREAS, the fair market value of the Abandoned Vehicle at the present time is \$7040.00.
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, New Jersey, that the Mayor and Clerk are authorized to sign such necessary documents so as to transfer title to the Abandoned Vehicle to J&D Auto Body in full compensation for any and all storage charges incurred in connection with the storage of that vehicle.
BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to execute an Agreement with the Storage Company granting conveyance of the Abandoned Vehicle.

Resolution No. 38-2012 - Delay in Budget Introduction

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 38-2012 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 38-2012**

WHEREAS, under provisions of N.J.S.A.40A:4-5, a municipality shall introduce the Local Municipal Budget no later than March 9 of the fiscal year; and,
WHEREAS, the Township of Lebanon has delayed the introduction of the 2012 Municipal Budget past the statutory deadline; and,
NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey, that the Township of Lebanon hereby petitions the Director of the Division of Local Government Services to allow a delayed introduction of the 2012 Lebanon Township Municipal Budget; and,
BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services, 101 South Broad Street, P.O. Box 803, Trenton, New Jersey 08625-0803.

Resolution No. 39-2012- Special Item of Revenue~

Clean Communities Program-2012
Clean Communities Program – Prior Year Unapprop.
Drunk Driving Enforcement Grant- Prior Year Unapprop.
Highland Water Protection and Planning Grant
Public Safety Grant – Prior Year Unapprop.

Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 39-2012 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 39-2012**

WHEREAS, the 2012 Local Municipal Budget was introduced on the 18th day of April, 2012; and,
WHEREAS, during the fiscal year 2012 the Township of Lebanon has been allocated a state grant for various programs in the amount of \$184,255.00.
NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2012 Local Municipal Budget include a special item of revenue under the heading of "Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations."

Clean Communities Program-2012	\$19,888
Clean Communities Program-Prior Year Unapprop.	289
Drunk Driving Enforcement Grant – Prior Year Unapprop.	4,060
Highland Water Protection an Planning Grant	147,800
Public Safety Grant – Prior Year Unapprop.	<u>12,188</u>
	<u>\$184,255</u>

**Resolution No. 40-2012 – Special Item of Revenue ~
Uniform Fire Safety Act**

Motion by Mr. Morrison, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 40-2012 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 40-2012**

WHEREAS, the 2012 Local Municipal Budget was introduced on the 18th day of April, 2012; and,
WHEREAS, during fiscal year 2012, the Township of Lebanon has been allocated a state grant for the Uniform Fire Safety Act in the amount of \$8,500.00.
NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2012 Local Municipal Budget include a special item of revenue under the heading of "Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Other Special Items: Uniform Fire Safety Act", in the amount of \$8,500.00.

Resolution No. 41-2012 - Deferral of School Taxes

Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 41-2012 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION NO. 41-2012

WHEREAS, the provisions of C.63, P.L.1991 (The Supplemental Municipal Property Tax Relief Act) under Section 13 required municipalities whose school tax year is on a fiscal basis to defer twenty-five (25) per cent of the maximum allowable amount and anticipate it into their budget over a four (4) year period beginning in budget year 1991, and ending in budget year 1994 as additional Municipal surplus to offset the local property tax levy for local purposes; and, WHEREAS, the provisions of C.63, P.L.1991 were amended in calendar year 1993 that changed the mandatory provision of the use of this deferred school tax to a permissive provision; and, WHEREAS, the revised provisions for electing to utilize the deferred school tax require the governing body to make such election by introduction of the municipal budget. NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon that election be made to defer school taxes as of December 31, 2012, and be reflected in the Annual Financial Statement for the year 2012 as follows:

	<u>FY 11-12</u> <u>SCHOOL LEVY</u>	<u>MAXIMUM AMOUNT</u> <u>OF DEFER TAX</u>
Local School Tax	\$10,356,595	\$5,178,297.50
TOTAL MAXIMUM DEFER TAX 12/31/11		5,303,297.50
LESS – DEFER TAX 12/31/10		2,896,263.38
INCREASE IN MAXIMUM DEFER TAX ALLOWABLE FOR CALENDAR YEAR 2012		\$2,282,034.12
ACTUAL AMOUNT INCREASE OF DEFERRED AT 12/31/11		\$670,000

Resolution No. 42-2012 - 2012 Municipal Budget Introduction

Motion by Mr. McKee, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 42-2012 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 42-2012**

WHEREAS, the Township of Lebanon is holding a meeting on April 18, 2012, for the purpose of introducing the 2012 Municipal Budget and conducting other matters; and, NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey, that the Township of Lebanon hereby petitions the Director of the Division of Local Government Services that the 2012 Local Municipal Budget be introduced and approved on April 18, 2012.

2012 LEBANON TOWNSHIP MUNICIPAL BUDGET

Surplus anticipated general revenues	\$ 999,838.00
Total Miscellaneous revenue	2,983,147.00
Receipts from Delinquent Taxes	275,000.00
Local Property Taxes	740,622.00
Total General Revenues	<u>\$4,998,607.00</u>
Total Operations	\$3,816,185.00
Capital Improvements	23,000.00
Debt Service	243,715.00
Statutory Expenses	430,532.00
Reserve for Delinquent Taxes	485,175.00
Total 2012 Municipal Budget	<u>\$4,998,607.00</u>
Municipal Tax Rate	\$.09938

OLD BUSINESS

Mayor's Request - Food Pantry Electric Costs

Ms. Schriver suggested that the Township begin to pay for the electric costs at the Squad building to assist the Food Pantry. Ms. Schriver also requested that the Food Pantry be reimbursed by the Township for the cost of the electric back to January 1, 2012.

Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved reimbursing the Food Pantry for electric costs back to January 1, 2012 and will pay the cost for all future electric expenses. Electric bill are to now be forwarded to the Township for payment.

NEW BUSINESS

Personnel – Zoning Officer

Board of Adjustment Members, Mr. Gary MacQueen and Mr. Abe Abuchowski were present to discuss with the Committee concerns they have with the Zoning Officer. Mr. MacQueen stated that Mr. Flemming had recommended that Raritan River Road residents, affected by the storms, attend a Board of Adjustment meeting to ask the Board questions on how to rebuild their homes. Mr. MacQueen stated that the Board of Adjustment is not permitted to answer questions or give advice to the residents. Mr. Abuchowski questioned why Mr. Flemming did not give the appropriate information and advice to the residents and why he did not make a decision as the Zoning Officer.

Mr. Flemming stated that he did not disagree with Mr. MacQueen and Mr. Abuchowski's comments. Mr. Flemming said that he does make decisions however, if the resident argues with his decision he then recommends that they seek a variance. Mr. Flemming stated that he did not meet with all of the residents that were in attendance at the Board of Adjustment meeting. He met with one individual

and due to limitations with setbacks he informed her that she would need a variance. When asked if she could just attend the meeting, Mr. Flemming informed her that it was a public meeting.

Request to Conduct Race - Reach the Beach Relay

A request has been received from Reach the Beach Relay to have a relay race travel through the township. The race will be held on October 12th & 13th with approximate hours of 7pm-2am.

Motion by Ms. Schriver, seconded by Mr. McKee and carried by favorable roll call vote, the Township Committee approved the Reach the Beach Relay request in the Township on October 12, 2012 and October 13, 2012 AYES: Schriver, McKee, Morrison ABSTAIN: Milkowski

SWAC Appointment

Ms. Schriver stated that the Committee had received a letter stating that a resident was appointed to the County SWAC Board. Ms. Schriver stated that in the past the Township Committee made a recommendation for the appointment. Attorney Cushing will look into the matter.

COMMITTEE REPORTS

COMMITTEEWOMAN SCHRIVER– Ms. Schriver stated that she tried to reach out to Kevin Richardson at the County to discuss the use of the Township’s Open Space Funds. Ms. Schriver and the Clerk met with Mr. Sean VanLew of Veteran’s Haven. It was a good meeting and Mr. VanLew is working on the transition. He is hoping to be in the Hagedorn facility by early June. Mr. VanLew will be at the next Township meeting to meet with the Committee.

DEPUTY MAYOR MILKOWSKI- There is a holdup with the DPW building contractor obtaining his building permits. He needs two, one for the main building and one for the salt building. Hopefully this will be resolved by the end of the week. There were no Planning Board or Highlands meetings. Mr. Milkowski spoke to a solar consultant for information on adding solar to the DPW building.

COMMITTEEMAN MCKEE – Mr. McKee stated that the Library Committee is asking for \$20,000.00 to paint the Library. The Historians are waiting for a cost analysis for the proposed parking lot. The Park Committee is trying to narrow down the number of Blues Fest attendees. They need to look into the number of those attending in the future.

COMMITTEEMAN MORRISON –

Police, Fire and Rescue- Mr. Morrison stated that all is in order with the Police.

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 April 18, 2012 bill list in the amount \$ 3,530,469.37.

CORRESPONDENCE

- a. Tax Collector's Report for the Month of March 2012
- b. Tax Collector's Report or Uncollectible Taxes
- c. Dept. of Transportation – 2012 Municipal Aid Program

PUBLIC COMMENTS

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

Mr. EJ Skidmore inquired on what SWAC is. Mr. Skidmore stated that he attended the Township Volunteer Dinner and it was very nice. Mr. Skidmore stated that an accolade should be given to those who put it together possibly through a resolution.

Fire Department President Bernie Cryan, Chief Edd Schaffer, and Vice-President Paul Ibsen were present. Mr. Cryan stated that there is a discrepancy in the anticipated number of attendees for the Blues Fest and the request for EMS. The Fire Chief will be meeting with the organizers of the event to discuss the amount of assistance that the Fire Department can provide. Ms. Schriver stated her concerns with the prospect of approximately 7500 attendees and the parking.

Mr. Cryan stated that the Fire Department is requesting for the senior members of the Fire Department to meet with Attorney Cushing to discuss LOSAP. There has been concerns raised with the way the program is being administered by the Fire Department and since they have not been able to speak to anyone with a strong background in the Program, they would like to speak to the Township Attorney about it.

Attorney Cushing stated that he received a call from Fire Department requesting to meet with him to discuss LOSAP. Attorney Cushing stated that he spoke to the Mayor and he was directed not to meet with them. Attorney Cushing suggested that the discussion be held for the closed session.

Ms. Nancy Darois questioned the status of the Squad building and stated her concerns with seeing two trucks at the building. Ms. Darois stated that when the occupants saw her they left.

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. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 43-2012 and convened in executive session at 8:20 p.m.

**TOWNSHIP OF LEBANON
RESOLUTION NO. 43-2012**

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:

It is not anticipated that action will be taken when the public meeting convenes.

The Township Committee convened the Regular Committee meeting at 9:48 p.m.

Collective Bargaining
Personnel Issues – Fire Department
Status Contract Negotiations – Polt
Contract- Chambers
Status of Negotiations - Squad

Having no further business to come before the Committee a motion was made by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote to adjourn the meeting at 9:50 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: May 2, 2012

Ron Milkowski, Deputy Mayor