

**CALL TO ORDER**

Mayor Jay Weeks 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 Weeks asked everyone to stand for the flag salute.

**ROLL CALL**

Present - Jay Weeks Patricia Schriver George Piazza  
Francis Morrison Brian Wunder

Absent

Also Present - Attorney Phil George and Clerk Karen Sandorse

**PUBLIC COMMENTS – Agenda Items Only**

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

**ORDINANCES**

**Ordinance No. 2010-12 – Bond**

**Public Hearing**

*Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2010-12 was opened.*

Concerns were raised by the public regarding the bonding for an ambulance. A resident asked if the bond ordinance can be put on hold until the mediation with the squad is resolved and if the bond is approved does it mean that an ambulance will definitely be purchased. Attorney George stated that the ambulance cannot be removed from the ordinance at this time and that the ordinance is just the start of the process for purchasing the items, nothing is set in stone.

Committeeman Piazza stated that the Committee decided to purchase an ambulance because the Township is in need of one at this time. It has nothing to do with the Squad matter. The Squad had come to the Committee at budget time requesting two new ambulances due to the failing condition of the existing ambulances.

Residents raised many concerns with the purchase of the ambulance at this time due to the litigation with the Squad still pending. They felt that it was bad timing to move forward with the purchase. A resident asked if the bond ordinance will be on the November ballot. He was informed that bond ordinances are voted on by the Committee, not the residents.

A resident stated that she did not understand what truly happened between the Committee and the Rescue Squad. She never heard anyone's point of view on it. Committeeman Piazza stated that this matter has been discussed meeting after meeting. There were two public meetings at the school and this was all covered. Attorney George stated that this matter has been discussed since 2005.

A resident stated that he has spoken to both the Fire and Rescue Squad and is not getting an answer from either party and that the residents need the facts.

Motion was made by Ms. Schriver, seconded by Mr. Piazza to close the public comment portion of the meeting. Motion carried by unanimous favorable roll call vote.

*Motion to adopt Ordinance No. 2010-12 was made by Ms. Schriver and seconded by Mr. Piazza. Motion failed on roll call vote. AYES: Schriver, Weeks, Piazza. NAYS: Morrison*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
ORDINANCE NO. 2010-12**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF LEBANON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$840,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

**RESOLUTIONS**

**Resolution No. 63-2010 – Refund and Exemption from Taxation Permanently Disabled Veteran**

*Motion by Mr. Piazza, seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 63-2010. (as written below)*

**RESOLUTION NO. 63-2010  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON**

**STATE OF NEW JERSEY  
REFUND AND EXEMPTION FROM TAXATION  
PERMANENTLY DISABLED VETERAN**

WHEREAS the Tax Collector of Lebanon Township has been shown proof and in accordance with the Tax Assessor ascertains that Gregory Mocarski, owner of Block 57, lot 2, 65 Point Mountain Road in the Township of Lebanon, is totally and permanently disabled as a result of service to the United States, and has been so declared by the Veteran's Administration, and,

WHEREAS in accordance with N.J.S.A. 54: 4-3.32, the governing body of any municipality may refund the amount of taxes collected on any property which would have been exempt from taxation if proper claim in writing had been timely made, and,

WHEREAS Gregory Mocarski has been declared totally and permanently disabled since April 14<sup>th</sup> 2009, and had only received such notification from the Department of Veteran's Affairs,

THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that Gregory Mocarski's residence, Block 57, lot 2, Lebanon Township be exempted from all property taxes from the date of his total and permanent disability, April 14<sup>th</sup> 2009, and that the \$10,156.65 which has been paid in taxes since April 14<sup>th</sup> 2009 be returned to Gregory Mocarski and,

BE IT FURTHERMORE RESOLVED that the property be tax exempt as long as it is owned and occupied by Gregory Mocarski or by his surviving spouse in accordance with the continuance of the right to exemption.

**Resolution No. 64-2010 – Refund for Overpayment of Taxes**

*Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 64-2010. (as written below)*

**RESOLUTION NO. 64-2010  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
REFUND FOR OVERPAYMENT  
OF TAXES**

WHEREAS there exists an overpayment of \$1,044.85 for 2010 taxes due to a County Board Judgment reducing the assessment for Block 38, lot 54, 8 Pine Ridge Road and,

WHEREAS this amount has been requested for refund by the owners, James and Mary Alden, THEREFORE BE IT RESOLVED, that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign this refund check to James and Mary Alden in the amount of \$1,044.85.

**Resolution No. 65-2010 – Refund for Overpayment of Taxes**

*Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 65-2010. (as written below)*

**RESOLUTION NO. 65-2010  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON**

STATE OF NEW JERSEY  
REFUND FOR OVERPAYMENT  
OF TAXES

WHEREAS there exists an overpayment of \$800.00 for third quarter 2010 taxes due to a duplicate payment for Block 69, lot 2.03, 38 Dutch Hill Road and,

WHEREAS this amount has been requested for refund by the owners, Michael and Mary Mastro,

THEREFORE BE IT RESOLVED, that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign this refund check to Michael and Mary Mastro in the amount of \$800.00.

**Resolution No. 66-2010 – Contract for Purchase of Paving Materials**

*Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 66-2010. (as written below)*

RESOLUTION NO. 66-2010  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

RESOLUTION AUTHORIZING A CONTRACT FOR THE PURCHASE OF PAVING MATERIALS FOR THE TOWNSHIP FROM MANNON EXCAVATING AND PAVING MATERIALS, INC. THROUGH THE COUNTY OF HUNTERDON COOPERATIVE PRICING SYSTEM

WHEREAS, the Township of Lebanon is a member of the County of Hunterdon Cooperative Pricing System (the "Cooperative"), as defined and regulated by N.J.A.C. 5:34-7; and,

WHEREAS, under the Cooperative system, the County of Hunterdon advertises and solicits bids for the services and/or materials required by the Cooperative members so that there is no necessity for the Township of Lebanon to separately advertise for such services and/or materials; and,

WHEREAS, the Township of Lebanon was in need of paving resurfacing and surface treatment program services and/or materials (the "Project") and therefore submitted to the County of Hunterdon an estimated quantity of such that it required so the County of Hunterdon, in accordance with the Cooperative, could advertise for bids on behalf of the Cooperative for such paving services and/or materials; and,

WHEREAS, the County of Hunterdon, after publicly advertising for bids for the Project on behalf of the Cooperative, awarded the master contract for such to Mannon Excavating and Paving Materials, Inc.; and,

WHEREAS, pursuant to N.J.A.C. 5:34-7.11, prior to entering into any contract with the successful bidder and/or ordering any materials from the successful bidder, the Township must pass a resolution awarding a contract to the successful bidder; and,

WHEREAS, the Township of Lebanon wishes to enter into a contract with Mannon Excavating and Paving Materials, Inc. for the purchase and/or order of the paving services and/or materials it requires based on the estimated quantities it submitted to the County of Hunterdon, in an amount not to exceed Forty Thousand Dollars (\$40,000).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the Township hereby awards the contract for

paving resurfacing and surface treatment program services and/or materials for the Township to Mannon Excavating and Paving Materials, Inc. in accordance with its membership in the Hunterdon County Cooperative Pricing System for an amount not to exceed Forty Thousand Dollars (\$40,000), and the Mayor and Township Clerk are hereby authorized to execute any such contract on behalf of the Township.

**Resolution No. 67-2010 – Notice to Bidders – Rear Mounted Boom Flail Mower**

*Motion by Ms. Schriver, seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 67-2010. (as written below)*

RESOLUTION NO. 67-2010  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

RESOLUTION AUTHORIZING THE ADVERTISEMENT OF A NOTICE TO BIDDERS FOR A  
REAR MOUNTED BOOM FLAIL MOWER FOR THE TOWNSHIP

WHEREAS, the Township of Lebanon has determined that it is necessary to purchase a 2010 rear mounted boom flail mower for the Township (the “Project”); and,

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., the Township of Lebanon must publicly advertise for bids for the Project; and,

WHEREAS, the Township of Lebanon has prepared Bid Specifications for the Project and is now ready to request and accept bids for the Project; and,

WHEREAS, the Township of Lebanon has also prepared a Notice to Bidders, a copy of which is attached hereto and made a part hereof, which will be published and will serve as the public advertisement for such bids for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the Township is hereby authorized to advertise and request bids for the Project by publishing the attached Notice to Bidders in a newspaper of general circulation in the Township.

**Resolution No. 68-2010 – Notice to Bidders – 30,000 Gallon Fire Tank**

*Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 68-2010. (as written below)*

RESOLUTION NO. 68-2010  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

RESOLUTION AUTHORIZING THE ADVERTISEMENT OF A NOTICE TO BIDDERS FOR A  
30,000 GALLON FIRE TANK FOR THE TOWNSHIP

WHEREAS, the Township of Lebanon has determined that it is necessary to purchase a thirty thousand (30,000) gallon fire tank for the Township (the “Project”); and,

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., the Township of Lebanon must publicly advertise for bids for the Project; and,

WHEREAS, the Township of Lebanon has prepared Bid Specifications for the Project and is now ready to request and accept bids for the Project; and,

WHEREAS, the Township of Lebanon has also prepared a Notice to Bidders, a copy of which is attached hereto and made a part hereof, which will be published and will serve as the public advertisement for such bids for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the Township is hereby authorized to advertise and request bids for the Project by publishing the attached Notice to Bidders in a newspaper of general circulation in the Township.

### **Resolution No. 70-2010 – DOT Grant/Overlaying of Hoffman's Crossing Rd/Pleasant Grove Rd**

*Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 70-2010 (as attached)*

### **OLD BUSINESS**

#### **Kathleen Paige – Lebanon Township Brochure**

Ms. Kathleen Paige, one of the nine Township Historians, was present to discuss the newly designed brochure. Kathleen had received written notice that the Committee had decided that one person could not receive credit for writing the brochure, credit should be given to the Historians as a group. Kathleen asked the Township Committee how they came up with their decision. Kathleen informed the Committee that the Historians voted to name her as the person who wrote the brochure as she was the person who created it.

Committeewoman Schriver stated that the Committee's position on the matter was that a grant was received by the Historians for the brochure to be produced and that it was to be created by a volunteer organization. One individual should not receive credit for doing the work. Kathleen stated that she confirmed that the grant was strictly for publication costs and that it did not cover the cost to do the work. Kathleen stated that no one on the Historians could do the work, she is a volunteer but she is also a technical writer. Kathleen said that she worked on the brochure for six months. She worked with Ralph Lomerson, who provided her with information in addition to her own research. Kathleen stated that if anything, Ralph Lomerson's name could be added because he did work with her, however, no other historian did. Kathleen would bring the brochure to meetings for the Historians additions and comments, which they never had either of.

Committeewoman Schriver stated that this is unusual for the Township, as in the past, when a group has done something, the group gets credit, not an individual.

The Township Committee requested that the Township Historians enact a resolution stating their desire for Kathleen Paige and Ralph Lomerson to be named as the creator of the brochure.

### **Speed Limit on County Road 513**

Committeeman Piazza stated that he called the Hunterdon County Engineer's office regarding the speed limit on County Road 513. He was informed that the speed limit's on county roads are governed by the County. The County follows state guidelines when determining speed limits. A resident has raised concerns with the speed limit on County Road 513 in the area past Voorhees State Park to the High Bridge line.

*Motion by Mr. Piazza, seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee approved a resolution requesting that the County reexamine the speed limit on County Road 513 from Voorhees State Park to the Township/High Bridge line and to consider the speed of 40 mph.*

### **NEW BUSINESS**

#### **Approve Raffle Applications – Voorhees High School PTSA – 10/08/10**

*Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved a raffle application for Voorhees High School PTSA for an event to be held on October 8, 2010.*

#### **Freedom House, Inc. – Request for Letter of Support for Shelter Support Grant**

Freedom House has applied for a state Shelter Support Grant for the paving of their driveway and for the installation of air conditioning. They are requesting a letter of support from the Township Committee.

*Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee authorized the Mayor to sign the support documentation and to send a letter of support to the DLGS for Freedom House's grant application.*

#### **Lebanon Township Environmental and Open Space Committee – Land Acquisition**

Ms. Nancy Lawler and Mr. Warren Newman, members of the Environmental and Open Space Committee, were present to discuss a land acquisition opportunity with the Township Committee. Nancy stated that the EOS Committee would like to pursue the purchase of two properties on Anthony Road using Green Acres money. Nancy stated that this will require no Township funds. The two properties total 62 acres. One property is known as the Tullo property which consists of five acres. The other property is the Fischer property which consists of 57 acres. The two properties are adjacent to the Nicholson tract which is jointly owned by NJWSA and the Township. The Nicholson property is approximately a 70 acre property and there are two small accesses to the property. Each access travels through someone else's property, therefore, you could not encourage public use. If the Township does move forward with the acquisition of the two properties, it will provide for additional access to the Nicholson property as well as provide for public parking on the Tullo tract as they both have road frontage on Anthony Road.

Nancy stated that one nice thing the properties have to offer is the access to the Spruce Run Creek. There are also many tributaries so there is a lot of headwater streams which is important for drinking water purposes.

Acquiring these tracts will also promote connectivity which is one of the purposes of recent acquisitions.

Nancy stated that since there is so much water on the properties the NJSWA and Hunterdon Land Trust would like to help in funding the acquisition. The proposed funding partnership contributions would be Lebanon Township 50% (from Hunterdon County Open Space Trust Allocation) \$222,600, NJ Water Supply Authority 30%, \$133,560 and Hunterdon Land Trust Alliance 20%, \$89,040, for a total of \$445,200.

Nancy stated that what they are asking for is a commitment from the Township Committee to allow the EOS Committee to pursue the possible purchase of the properties.

Mayor Weeks inquired on the Township's portion of the \$222,600. Nancy stated that since the Pelio property acquisition did not move forward, the EOS Committee was told that the Township will be losing all of the Green Acres Grant money. Kate Buttolph of Hunterdon Land Alliance spoke to Pam Thier at Green Acres and was informed that if the Township Committee provides their commitment to the acquisition of the two tracts of land, we can use a portion of the Green Acres money to do so.

Warren Newman stated that this transaction will require the use of some of the Hunterdon County Open Space Trust Funds. The Township will need approximately \$60,000. in Open Space Trust funds for the proposed project.

There was discussion on the permitted uses of the Open Space Trust Fund money. Committeeman Piazza stated that he feels that all of the money that we have put into the Trust Fund should come back to the Township to pay off debt from prior acquisitions.

Warren stated that if there are restrictions and we cannot use the County Open Space Funding for debt services the Township will be without the money altogether. He asked, if that should be the case, will the Committee be amenable to having 25% of the OST Funds put toward the acquisition of the Tullo and Fischer properties?

Nancy stated that NJWSA makes their schedule for acquisitions at this time. If we don't move forward at this time we will have to wait until next year. Julie Hajdusek of the NJWSA stated that they are planning for their acquisitions in 2011 and they are prepared to ask the Board for 30% of the cost of the properties. Julie stated that Ralph Lomerson had a connection with the property and some of the nearby streams. They would like to dedicate this property in his honor if preserved. Green Acres has a policy now in which they are rewarding Township's for using their Green Acres money and almost punishing the Township's that do not. If the Township loses the Green Acres funding, it is not likely to receive more in the near future. The opportunity at this point is to have the Committee's endorsement that if we are able to purchase this property we will use the Green Acres grant, or a portion of. In the mean time, the Township can inquire on the debt service issue.

The Township has \$750,000. in Green Acres funding which may be taken away in the near future, however, if the Township commits to using the Green Acres funds, pending financial support, Green Acres will extend the existing grant at a lesser amount.

Attorney Phil George will contact Kevin Richardson from the County to inquire on the possible uses for the Trust money. Attorney George stated that he should have an answer by next week.

*Motion by Mr. Piazza, seconded by Mr. Morrison and carried by unanimous favorable roll call vote,* the Township Committee authorized the attorney to prepare a resolution stating that Lebanon Township commits to beginning the process of the Fischer and Tullo land acquisitions subject to other Green Acres, Hunterdon County and Local regulations with regard to debt service.

## **PRESENTATION OF VOUCHERS**

Committee Members provided a description of vouchers exceeding \$1,000.00.

*Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote,* the Township Committee approved the September 1, 2010 bill list in the amount of \$2,874,774.99.

## **CORRESPONDENCE**

### **PUBLIC COMMENTS**

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

Ms. Sharon Herson of 270 of Rocky Run Road stated that she has concerns with there being no speed limit on Rocky Run Road.

Ms. Laurie Hoffman stated concerns with stone running off of resident's driveways and DPW having to clean up the stones. Ms. Hoffman also stated her concerns with residents snow plowing their driveways into the roadway.

Mr. James Trotta of 292 Rocky Run Road stated that 50 mph is too fast for Rocky Run Road. Mr. Trotter also asked if there is a possibility for adding radar signs along County Road 513.

Mr. Ron Milkowski stated that he thought that Mr. Peter Schroeder had asked for County Open Space Trust funds for his land and was denied. Mr. Milkowski asked if that could be a problem with the possible Fischer and Tullo acquisition.

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

LTCM  
09/01/2010  
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**ADJOURN**

Having no further business to come before the Committee a motion was made by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote to adjourn the meeting at 8:51 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: October 6, 2010

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Jay D. Weeks, Mayor