

CALL TO ORDER

Mayor Thomas McKee 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 McKee asked everyone to please stand for the Flag Salute and for a Moment of Silence in remembrance of Retired County Sheriff William Doyle who passed away this week.

ROLL CALL

Present - Thomas McKee Patricia Schriver
 Ronald Milkowski Brian Wunder

Absent- Bernard Cryan

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 8 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of October 15, 2014

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of October 15, 2014.

Minutes of the Executive Session of October 15, 2014

Motion by Mr. Wunder, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Executive Session of October 15, 2014

PUBLIC COMMENTS – for agenda items only.

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:04 p.m.

There were no comments by the public.

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

ORDINANCES

Public Hearing

Ordinance No. 2014-08 - Bond Ordinance

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2014-08 was opened.

Ms. Laurie Hoffman asked for clarification on the ordinance.

Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2014-08 was closed.

Mr. Wunder asked where the money is actually coming from. Mayor McKee stated that funds were appropriated for in Bond Ordinance No. 2008-07 to obtain certain items that were not purchased. Ordinance No. 2014-08 will enable the Committee to use the funds for current needs as outlined in the ordinance.

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2014-08 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE NO. 2014-08

BOND ORDINANCE TO AMEND SECTIONS 4.A AND 10 OF THE BOND ORDINANCE (ORD. NO. 2008-07) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT 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 \$346,500 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," ADOPTED SEPTEMBER 3, 2008.

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

Section 1. Section 4.A of Ordinance No. 2008-07 entitled: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT

EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT 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 \$346,500 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"

adopted by the Township Committee of the Township of Lebanon, in the County of Hunterdon, New Jersey (the "Township") on September 3, 2008 (the "Prior Ordinance") is hereby amended to (A) delete the acquisition of a generator for the Municipal Complex from the purposes authorized, (B) add (i) improvements to the Municipal Building basement and (ii) acquisition of radios for the use of the Fire Department, to the purposes authorized, and (C) decrease the period of usefulness of the purposes authorized from 15 years to 10 years, and shall hereafter read as follows:

"[Section 4.]A. Undertaking various public improvements and the acquisition of new additional or replacement equipment and machinery consisting of: (i) renovations at the Municipal Building, including renovating a garage for use as a Police multi-purpose room, improvements to interior lighting and improvements to the basement, (ii) acquisition of radios for the use of the Fire Department and (iii) acquisition of fireproof file cabinets. It is hereby determined and stated that said public building being improved is 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	\$ 71,500
Down Payment Appropriated	\$ 3,500
Bonds and Notes Authorized	\$ 68,000
Period of Usefulness	10 years."

Section 2. Section 10 of the Prior Ordinance is hereby amended to decrease the average period of usefulness of the purposes authorized from 9.95 years to 8.92 years (a decrease of 1.03 years), and shall hereafter read as follows:

"Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 8.92 years computed from the date of said bonds."

Section 3. The capital budget is hereby amended to conform with the provisions of this amendatory bond 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 4. This ordinance shall take effect twenty days after the first publication thereof after final passage.

RESOLUTION

Resolution No. 72-2014 – Chapter 159 – Body Armor Grant

Motion by Mr. Wunder, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No.72-2014 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 72-2014
CHAPTER 159

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

SECTION 1,

NOW, THEREFORE BE IT RESOLVED that the Township of Lebanon, Hunterdon County, hereby requests the Director of the Division of Local Government Services to approve the increase of \$ 1,259.16 for an item of revenue in the budget of the year 2014 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations – Body Armor Grant
Total with increase to be \$ 1,259.16

SECTION 2,

BE IT FURTHER RESOLVED that a like sum of \$ 1,259.16 be and the same is hereby appropriated under the caption of:

General Appropriations -
Public & Private Programs Offset by Revenues – Body Armor Grant
State/Federal Share \$ 1,259.16
Non State Share \$
Total with increase to be \$ 1,259.16

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

Resolution No. 73-2014 – Consenting to the Proposed WQM Plan Amendment

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 73-2014 subject to the Township Engineer’s review and approval.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
RESOLUTION NO. 73-2014
A RESOLUTION CONSENTING TO THE PROPOSED
WATER QUALITY MANAGEMENT (WQM) PLAN
AMENDMENT

ENTITLED “Amendment to the Upper Delaware and Upper Raritan Water Quality Management Plans (WQMP)”

WHEREAS, the Board of Chosen Freeholders of Hunterdon County desires to provide for the orderly development of wastewater facilities with Hunterdon County; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on October 20, 2014 for the above Amendment has been prepared by the Hunterdon County Planning Department;

NOW, THEREFORE, BE IT RESOLVED on this 5th day of October, 2014, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, New Jersey, that:

1. The Township Committee hereby consents to the amendment entitled “Amendment to the Upper Delaware and Upper Raritan Water Quality Management Plans (WQMP)”, and publicly noticed on October 20, 2014, prepared by the Hunterdon County Planning Department, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with the N.J.A.C. 7:15-3.4.

OLD BUSINESS

Use of Retired Police Patrol Vehicle – Dodge Durango #19-15

Mayor McKee stated that the Committee received correspondence from the Fire Chief and the DPW Manager stating their departments need for the retired Dodge Durango, #19-15. Ms. Schriver stated that the request was tabled at an earlier meeting because one of the Committee members had a concern as to whether the DPW needed the vehicle. Ms. Schriver stated that the Committee has received a letter from the DPW Manager stating that they do need the vehicle so they do not have to use their personal ones. Mr. Milkowski stated that the Fire Department has spent a lot of money on their Deputy Chief vehicle and it has to be replaced. Mr. Milkowski suggested moving #19-15 to the Fire Department. Mr. Milkowski noted that in reviewing the bill list he noticed that the DPW buys a lot of their parts in Washington. Mr. Milkowski stated that there is a vendor in the Township who supplies the same items. He suggested using the local vendor as it will cut down on the DPW’s need to travel. Mr. Milkowski stated that he does believe that the Committee will need to do something for the DPW, when it comes to their vehicles. The Committee has put off the issue for a while but it is time to make a move, which will relieve some of their problems. Mr. Milkowski noted that the DPW is down a dump truck and a mason dump truck due to engine issues. Mayor McKee stated that when #19-15 was first retired the DPW used it as a utility vehicle. They traveled to pick up parts instead of using the mason dump or a pick up. Mayor McKee stated that it was not necessary but it was helpful. When the engine blew in the Police Chief’s Crown Vic the Chief and the DPW Manager decided to put #19-15 back into the police rotation because they were down a vehicle. The Police now have a new vehicle so they are ready to retire #19-15 again. The Dodge Durango presently used by the Fire Department has a lower motor and front end problem and they do not feel that it is worth putting more money into it. 19-15 will be used as a first responder vehicle and for errands. Mayor McKee stated that the DPW is in a need of a dump truck or a pickup truck which will need to be addressed in the near future. Mayor McKee stated that he spoke to the DPW Manager and he was informed that the DPW could use #19-15, however; if the Committee feels otherwise he will accept their decision. Mayor McKee said that he feels that having a

vehicle respond to an emergency in the Township is more important than picking up parts for the DPW. Ms. Schriver questioned if #19-15 will hold up for the Fire Department or will the Township end up having to get a new one for them. Mayor McKee stated that he feels that the Township is fulfilling the Fire Departments needs in providing them with the vehicle. Ms. Schriver stated that the other party needs to be taken care of because the Committee will get into a jam by putting it off. Mayor McKee stated that the DPW Manager has a plan and the Township has received some funds for the damaged dump truck which he plans to use toward the purchase of a new truck.

Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee gave Durango #19-15 to the Fire Dept. for their use.

The DPW Manager is to attend the next meeting to provide the Committee with his suggestions for DPW vehicles.

Lebanon Township Volunteer Fire Department Request for Radios

Mayor McKee stated that the County is changing the radios for the Fire/EMS and the Township's radios need to be replaced before the end of the year. The radios will now be ultra-high radio ban frequency to promote safety for the firemen. The cost for the radios through state contract is \$55,740.10. Mayor McKee feels that the Township can support the Fire Department by paying half of the cost for the radios. Ms. Schriver asked if there is grant money available to assist in the cost of the radios.

Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved covering half the cost of the upgraded radios at a cost of \$55,740.10.

Centurion Lawsuit

Attorney Cushing provided the history of the Centurion Lawsuit. Issues arose with the first contractor of the DPW building, Walter Poppe, who in turn was removed from the project. The subcontractors were not paid and subsequently submitted liens against the Township. The Township withheld money from the contractor due to the liens and other matters. The money that has been held is payments that were certified by the architect and due to the contractor for worked performed. The contractor was theoretically due the money but it was held. When the contractor was removed from the job by the Township a new contractor completed the building. The lien holders wanted their money, however; the Township was reluctant to provide it because the Township was concerned about possible issues with the first contractor and the Township wanted to be sure that all of the lien holders would be satisfied. Nevertheless, there was not enough money to satisfy all of the lien holders. One of the lien holders filed suit against the original contractor and the Township. The Township made a motion for them to join all of the other lien holders to make sure that once there was a complete resolution of the matter the Township would not be subject to serial claims against them. The Court agreed and granted the motion. The remaining lien holders were then brought in and there was somewhat of a battle as there were limited funds available. In the final resolution the funds were apportioned among the lien holders in an equivalent way based on their claims. There was a Court Order entered stating how much goes to each lien holder. The Court Order was discussed with the Township CFO and he is asking for a check in the amount of \$59,290.00 to be sent to the Gebhardt & Kiefer Trust Account for payments to be distributed to the lien holders. The matter will then be resolved.

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee authorized the CFO to issue a check in the amount of \$59,290.00 to the Gebhardt and Kiefer Trust Account which will be held in trust pending disbursement to the lien holders.

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Cell Tower

Mr. Wunder asked if there is any merit in the information provided by Mr. Anthony Casale relative to the commencement of rent for the co-locator. Attorney Cushing stated that he is working on it and hopes to have an answer by the next meeting.

NEW BUSINESS

Raffle Application – PTSO Voorhees High School Inc.

Motion by Mr. Wunder, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved a Raffle Application for PTSO Voorhees High School Inc. for an event to take place on May 6, 2015.

DPW Dump Truck

Mr. Milkowski stated that the DPW is down a large dump truck. He would like to authorize the DPW Manager to come up with designs for a new truck. Mr. Milkowski would also like to seek outside contractors for snow removal this year until new equipment is acquired. Mr. Milkowski suggested looking into a large dump truck and a mason truck. Mr. Milkowski feels that a mason truck is better than a pickup truck. Mr. Milkowski will call Warren to let him know. Ms. Schriver suggested involving Mr. Cryan. Mr. Milkowski stated that he agreed but would like to give Warren as much time as possible. Ms. Schriver stated that Mr. Cryan will need to be informed.

Mayor McKee stated that the DPW Manager truly tries to work with the equipment he has. As an example; when the dump truck was destroyed, Warren tried to piece two trucks together to make a functional vehicle. Unfortunately, they did not match up.

Food Pantry

Mr. Wunder stated that Ruth from the Food Pantry informed him that the food pantry has a new freezer. Mr. Milkowski said that the Fire Department will be doing some remodeling on the Squad building and the Food Pantry may need to relocate until it can be worked out. Mr. Wunder stated that the Food Pantry is aware. Mr. Milkowski suggested that Mr. Wunder reach out to the Fire Department to see what their plans are.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the November 5, 2014 bill list in amount of \$ 945,045.13.

CORRESPONDENCE

There was no Correspondence.

PUBLIC COMMENTS

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:48 p.m.

Ms. Laurie Hoffman recommended that the Township Committee form a sub-committee to plan ahead for things that need to be done in the Township. The Committee should be proactive as opposed to reactive on purchases and things that need to be done in the Township.

Ms. Hoffman asked when the Committee discovered that the bond money was available. Mayor McKee stated that CFO looked back into past bonds and found that there were funds in Bond 2008-07 that had not been used. Attorney Cushing provided Ms. Hoffman with a summary of the bonding process.

Ms. Hoffman asked if the Township receives energy receipt taxes from the solar field on Buffalo Hollow Road. Attorney Cushing stated that the Township does not receive energy receipt taxes from the property but it does receive taxes on the property and some of the equipment.

Ms. Annette Lemenze asked if the need to change the radios for the Fire Department includes pagers. Mr. Milkowski stated that it is strictly radios, not pagers. Ms. Lemenze questioned that if the Township pays for half of the radios can the Fire Department afford the cost of the second half of the radios. Mr. Milkowski stated that he spoke to the Fire Department and they said that they will have to move some purchases around and delay some purchases but they can cover it.

Ms. Lemenze asked how old Durango #19-15 is and how many miles it has on it. She also questioned if the Township is just passing a car back and forth that is "on its last leg". Mr. Milkowski stated that the Police Department rotates vehicles out on a four years basis and before they will require much more maintenance. The Fire Department spoke to the mechanic and they feel that there is enough life in the vehicle for what they need.

Ms. Lemenze inquired on the insurance money that was received for damaged truck. Mayor McKee stated that the insurance money received will hopefully be used to offset the cost of the trucks needed by the DPW.

Ms. Lemenze asked if the Committee asked around to see if a resident can get a better price for the Township when purchasing an item like a truck. Mayor McKee stated that the truck would need to be bid for and the DPW Manager understands the bidding process as he has done this many times. Warren always works to get the best price.

Ms. Lemenze asked if fundraising can be done to help offset the cost of equipment needed by the Township. Attorney Cushing stated that he does not believe that the Township can conduct a fundraiser and suggested that it would be better for a not for profit to conduct one.

Ms. Laurie Ann Williams asked if the Fire Department is getting all of the 69 radios that they need with and the Township paying for half and Fire Department paying for half. Ms. Williams wants to be sure that they will have the tools they need. Ms. Williams stated that she supports the Fire Department and would not argue at all if the Township spent more money on the radios so the Fire Department can do their job.

Mr. Victor Hoffman asked if there are any charges for Attorney Cushing to process the payments to the Centurion lien holders and questioned if the cost should come out of the money held to pay the lien holders. Mr. Hoffman does not feel that the Township residents should pay for something that is not their fault. Attorney Cushing explained how and why the Township has to distribute the money to the lien holders.

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Mr. Hoffman stated that the Township seems to be trading vehicles a lot and asked why. He questioned if it the age of the vehicle. Mayor McKee stated that age is the factor and that the Township has kept vehicles longer than they should have because of the budget.

Motion by Mr. Wunder, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:12 p.m.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote to adjourn the meeting at 8:13 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: December 3, 2014

Thomas McKee, Mayor