

**Lebanon Township Committee
March 19, 2014**

Minutes of Regular Meeting

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 honor of our Servicemen and Women.

ROLL CALL

Present - Thomas McKee Patricia Schriver Ronald Milkowski
 Bernard Cryan Brian Wunder

Absent-

Also Present - Attorney Tara St. Angelo, Clerk Karen Sandorse and 17 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of February 19, 2014

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of February 19, 2014.

Minutes of the Regular Meeting of March 5, 2014

Motion by Mr. Wunder, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting March 5, 2014.

Minutes of the Executive Session Meeting of March 5, 2014

Motion by Mr. Wunder, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee approved minutes of the executive session of March 5, 2014.

PUBLIC COMMENTS – for agenda items only.

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

ORDINANCES

Ordinance No. 2014-03 – Emergency Management

Public Hearing

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2014-03 was opened.

There were no comments from the public.

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2014-03 was closed.

Ms. Schriver asked if the position of Deputy Emergency Management Coordinator is a paid position. The Committee stated that it is not. Section 7 of the ordinance was amended to reflect such. The Township Committee discussed adding language to Section 8 to include Township residents on the Local Emergency Planning Committee. The language in Section 8 was amended also.

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2014-03, with amendments, as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
ORDINANCE NO. 2014-03**

**ORDINANCE ADDING CHAPTER 78 ENTITLED “EMERGENCY MANAGEMENT” TO
THE GENERAL ORDINANCES OF THE TOWNSHIP OF LEBANON, COUNTY OF
HUNTERDON, AND THE STATE OF NEW JERSEY**

WHEREAS, pursuant to N.J.S.A. A:90-40.1 et seq., every municipality in the State of New Jersey must establish an office of emergency management, appoint a coordinator and deputy coordinator thereof and set up an emergency management services council;

WHEREAS, the Township of Lebanon has established its Office of Emergency Management and appointed a Coordinator thereof;

WHEREAS, it is the desire of the Township of Lebanon to amend the Code of Lebanon Township to comply with State statutes and regulations;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Lebanon, the County of Hunterdon, that Chapter 78 entitled "Emergency Management" is hereby added as follows:

SECTION 1. Section 78-1 of the Code of the Township of Lebanon entitled "Title" is hereby added as follows:

This chapter shall be known and may be cited and referred to as the "Emergency Management Ordinance of the Township of Lebanon."

SECTION 2. Section 78-2 of the Code of the Township of Lebanon entitled "Establishment" is hereby added as follows:

The Office of Emergency Management is hereby established in the Township of Lebanon in accordance with the provisions of N.J.S.A. A:90-40.1 et seq.

SECTION 3. Section 78-3 of the Code of the Township of Lebanon entitled "Duties" is hereby added as follows:

The Lebanon Township Office of Emergency Management will be the coordinating agency for all activity in connection with emergency management; it will be the instrument through which the Mayor and Council may exercise the authority and discharge the responsibilities vested in them in the New Jersey Civil Defense Act of 1942, P.L. 1942, c. 251, as amended and supplemented and by authority of this chapter.

SECTION 4. Section 78-4 of the Code of the Township of Lebanon entitled "Effect on existing departments and agencies" is hereby added as follows:

This chapter will not relieve any Township department of any of the responsibilities or authority given to it by any statute, regulation, or local ordinance, nor will it adversely affect the work of any volunteer agency organized for relief in disaster emergencies.

SECTION 5. Section 78-5 of the Code of the Township of Lebanon entitled "Definitions" is hereby added as follows:

As used in this chapter, the following terms shall have the meanings set forth:

COORDINATOR

The Coordinator of the Lebanon Township Office of Emergency Management, appointed as prescribed in this chapter.

DEPUTY COORDINATOR

The Deputy Emergency Management Coordinator, appointed as prescribed in this chapter.

DISASTER

An unusual incident or the imminence thereof, resulting from natural or unnatural causes which endangers the health, safety or resources of the residents of the Township and which is or may become too large in scope or unusual in type to be handled in its entirety by regular Township operating services.

EMERGENCY

Includes "disaster," "local disaster," and "war emergency" as defined in this chapter.

VOLUNTEER

Any person duly registered, identified and appointed by the Coordinator and assigned to participate in the emergency management activity without remuneration.

LOCAL DISASTER

Any disaster, or the imminence thereof, resulting from natural or unnatural causes other than enemy attack and limited to the extent that action by the Governor under the New Jersey Emergency Management - Disaster Control Act is not required.

WAR EMERGENCY

Any disaster occurring as a result of enemy attack or the imminent danger thereof.

SECTION 6. Section 78-6 of the Code of the Township of Lebanon entitled “Emergency Management Coordinator; appointment; duties and powers” is hereby added as follows:

A. There is hereby created the position of Emergency Management Coordinator for the Township of Lebanon. The Mayor shall appoint an Emergency Management Coordinator, from among the residents of the Township. The Emergency Management Coordinator shall serve a term of 3 years. At the time of his appointment or within one (1) year following his appointment, the Emergency management Coordinator shall have completed any and all necessary courses in civil defense and the professional development series from the Federal Emergency Management Agency. The Coordinator must comply with all federal, state, county or municipal training guidelines.

B. The Emergency Management Coordinator and his/her designee shall be directly responsible to the Mayor. The duties and responsibilities of the Emergency Management Coordinator are as follows:

- a. Planning, activating, coordinating and conducting emergency management operations within the Township, which shall include the following:
 - i. Coordinating the recruitment of volunteer personnel for emergency management purposes;
 - ii. Obtaining supplies and equipment needed to carry out the duties of the Coordinator;
 - iii. Preparing the Township’s Emergency Operations Plan;
 - iv. Educating the public regarding preparations for emergencies;
 - v. Conducting training exercises of the Emergency Operations Plan;
- b. Serving as a member and Chairman of the Local Emergency Planning Committee
- c. Proclaiming a state of local disaster emergency when, in the Coordinator’s opinion, a disaster has occurred, or is imminent in the Township.
- d. In accordance with regulations promulgated by the State Director of Emergency Management, issuing and enforcing such orders as may be necessary to implement and carry out emergency management operations and to protect the health, safety, and resources of the residents of the Township.

SECTION 7. Section 78-7 of the Code of the Township of Lebanon entitled “Deputy Emergency Management Coordinator; appointment; duties and powers” is hereby added as follows:

There is hereby created the position of Deputy Emergency Management Coordinator for the Township of Lebanon. The Mayor shall appoint a Deputy Emergency Management Coordinator from among the residents of the Township. At the discretion of the Mayor, more than one Deputy

Coordinator may be appointed if needed. The Deputy Coordinator shall be responsible directly to the Coordinator. The duties of the Deputy Coordinator shall be prescribed by the Coordinator. The Deputy Coordinator shall be required to have all of the training, certificates and credentials that are required of the coordinator. The position of Deputy Emergency Management Coordinator is not a paid position.

SECTION 8. Section 78-8 of the Code of the Township of Lebanon entitled “Local Emergency Planning Committee; membership” is hereby added as follows:

The Mayor shall appoint not more than 15 members to a Local Emergency Planning Committee and may consist of representatives from the Township Committee, Police Department, Fire Department, Broadcast or print media, and Township residents. Members shall hold office at the will and pleasure of the Mayor. The Emergency Management Coordinator shall be a member and shall serve as Chairman of the Local Emergency Planning Committee. The Local Emergency Planning Committee shall assist the Township in establishing the various local volunteer support needed to meet the requirements of all emergency management and disaster control activities and to assist in the development of emergency management plans in pursuance of the provisions of P.L. 1942, c. 251, as amended.

SECTION 9. Section 78-9 of the Code of the Township of Lebanon entitled “Emergency Operations Plan” is hereby added as follows:

A comprehensive Emergency Operations Plan shall be maintained by the Coordinator. In the preparation of this plan as it pertains to Township organization, it is the intent that the services, equipment, facilities and personnel of all existing departments and agencies, including volunteer fire companies and first aid squads (said department agencies and companies hereinafter referred to as "departments"), shall be utilized to the fullest extent to protect the peace, health and safety of citizens. When approved, it shall be the duty of all municipal departments to perform the functions assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. The Emergency Operations Plan shall be considered supplementary to this chapter and have the effect of law whenever a disaster, as defined in this chapter, has been proclaimed. The plan shall be compatible with county and state plans.

SECTION 10. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 11. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 13. This Ordinance shall take effect upon final passage and publication according to law.

Ordinance 2014-04 – Highlands Area Land Use

Introduction

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the introduction of Ordinance No. 2014-04 as entitled below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
ORDINANCE NO. 2014-04
HIGHLANDS AREA LAND USE ORDINANCE**

**A SUPPLEMENT TO THE LAND USE ORDINANCES OF
THE TOWNSHIP OF LEBANON**

Public Hearing to be held on April 16, 2014

RESOLUTION

Resolution No. 29-2014 – Assignment of Municipal Tax Lien Certificate #200814

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 29-2014 as written below.

**STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON
RESOLUTION NO. 29-2014**

WHEREAS, N J S A 54:5-112 and 5-113 provide the governing body the authority for a municipality to sell municipally held liens at private sale to such person and for such sum, not less than the amount of municipal liens charged against same; and,

WHEREAS, the Tax Collector has notified the owner of record as appearing on the Tax Duplicate, Marshall Hann c/o D. Crosby at least five days prior to affirmation of this resolution and public notice was posted in three public places within this municipality,

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of Lebanon, County of Hunterdon, State of New Jersey, hereby authorize the Tax Collector to assign municipal Tax Lien Certificate #200814, together with subsequent liens thereon, in the amount of \$604.92 at private sale to John Zsilavetz.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Tax Collector, the Municipal Attorney and the Assignee.

Resolution No. 30-2014 – Assignment of Municipal Tax Lien Certificate #200903

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 30-2014 as written below.

**STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON
RESOLUTION NO. 30-2014**

WHEREAS, N J S A 54:5-112 and 5-113 provide the governing body the authority for a municipality to sell municipally held liens at private sale to such person and for such sum, not less than the amount of municipal liens charged against same; and,

WHEREAS, the Tax Collector has notified the owner of record as appearing on the Tax Duplicate, Elmer Weeks at least five days prior to affirmation of this resolution and public notice was posted in three public places within this municipality,

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of Lebanon, County of Hunterdon, State of New Jersey, hereby authorize the Tax Collector to assign

municipal Tax Lien Certificate #200903, together with subsequent liens thereon, in the amount of \$192.59 at private sale to John Zsilavetz.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Tax Collector, the Municipal Attorney and the Assignee.

Resolution No. 31-2014 – Consent to NJDES Permit Application

Motion by Mr. Wunder, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 31-2014 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 31-2014
CONSENT TO NJDES PERMIT APPLICATION**

WHEREAS, Anthony Briggs of Cross Roads Camp and Retreat, Block 51- Lot 13, has requested consent by the Governing Body of the submission of a Treatment Works Approval Application for Cross Roads Camp and Retreat to the Department of Environmental Protection; and

WHEREAS, Cross Roads Camp and Retreat has submitted a copy of the application to the Township for consideration;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon and State of New Jersey to consent to the submission of the aforementioned application, and to authorize the Mayor to execute the required Statement of Consent.

OLD BUSINESS

Budget Meeting

Mayor McKee stated that the Budget Meeting scheduled for March 20, 2014 is canceled due to the CFO having the flu.

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee canceled the Thursday, March 20, 2014 budget meeting and scheduled two budget meetings to be held on Thursday March 27, 2014 and Monday March 31, 2014. Both meetings will be held at 6:00 p.m.

NEW BUSINESS

Social Affair Permit Application – St. John Neumann Church – June 7, 2014

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved a Social Affair Permit for St. John Neumann Church for an event to be held on June 7, 2014.

Social Affair Permit Application – Bourbon Street Blues Fest, Inc. – May 17, 2014

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved a Social Affair Permit for Bourbon Street Blues Fest, Inc. for an event to be held on May 17, 2014.

Raffle License Application – Raritan Headwaters Association – May 10, 2014

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved two Raffle License Applications for Raritan Headwaters Association for an event to be held on May 10, 2014.

Resignation of Board of Adjustment Member

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee accepted the resignation of William Machauer from the Board of Adjustment with regret and thanked him for his many years of service. Ms. Glashoff was asked to send a letter of appreciation to Mr. Machauer.

Park Committee Request to Appoint a New Member

Motion by Mr. Milkowski, seconded by Mr. Cryan and carried by favorable roll call vote, the Township Committee appointed Aiko Thurlow to the Park Committee as requested by Chairman Kirk Petrik.
AYES: McKee, Milkowski, Wunder, Cryan ABSTAIN: Schriver

Board of Adjustment Request to Appoint New Members

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee appointed John Locker to the Board of Adjustment as Alternate I, term expiring on December 31, 2014 and Kathryn Koch as Alternate II, term expiring on December 31, 2015.

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 March 19, 2014 bill list in amount of \$141,355.18.

CORRESPONDENCE

- a. Tax Collector's Report for the Month of February 2014
- b. Hunterdon County Department of Health – Mosquito Control Program

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 7:35p.m.

Ms. Barbara O'Rourke asked for information on Resolution No. 31-2014 and asked if the septic system alteration is being done at Cross Roads Camp. Mr. Ed Kozic, of Ferriero Engineering, stated that the system will serve the single family dwelling on the Cross Roads Site.

Mr. Anthony Casale asked for clarification on a voucher approved for legal fees. Mayor McKee provided Mr. Casale with a description of the charges.

Mr. Casale asked about the content of a letter that was sent to Nextel relative to the Cell Tower Co-locator agreement and questioned what the status is of the agreement. Attorney St. Angelo stated that she spoke to the attorney for Verizon and for some reason Nextel was not responding to them or the Township about the Co-locator lease. Apparently Nextel has now gotten back on board and are expected to sign the agreement shortly. Mayor McKee stated that progress is being made and the Committee will continue to keep a watchful eye on it.

Ms. Annette Lemenze stated that there have been bridge issues at Valley View School. Ms. Lemenze asked what the process is in checking other bridges in the Township for safety. Mayor McKee informed Ms. Lemenze that it is the County's responsibility to check the bridges.

Ms. Lemenze asked about well testing requirements for a Continuing Certificate of Occupancy and the language in the Township's ordinance relative to such. Mayor McKee asked for Ms. Lemenze to put her concerns in writing for the Board of Health to address at their next meeting.

Ms. Laurie Hoffman stated that the Hunterdon County Tricentennial Committee is having their parade this Sunday, March 23, 2014 at 4:00 p.m. with fireworks at 7:00 p.m. There will also be Muskets and Cannons at 10:00 a.m. at Deer Path Park.

Motion by Mr. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:48 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 7:50 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: April 2, 2014

Thomas McKee, Mayor