

CALL TO ORDER

Deputy Mayor Patricia Schriver 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 Patricia Schriver asked everyone to stand for the flag salute.

ROLL CALL

Present - Patricia Schriver Brian Wunder Ron Milkowski

Absent George Piazza Francis Morrison

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 6 members of the public.

PRESENTATION OF MINUTES

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee approved minutes of the regular meeting of April 6, 2011. AYES: Schriver, Milkowski ABSTAIN: Wunder

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by favorable roll call vote, the Township Committee approved minutes of the executive session of April 6, 2011. AYES: Schriver, Milkowski ABSTAIN: Wunder

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of April 20, 2011.

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the executive session of April 20, 2011.

PUBLIC COMMENTS – for agenda items only.

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

OLD BUSINESS

Maple Lane & Trimmer Road Drainage Issue

The DPW Manager, Warren Gabriel stated that last year Mr. and Mrs. Brown had approached him about water that runs down Maple Lane and Trimmer Road. The water runs across Maple Lane, under the road and then along their property where there is a drainage ditch. Mr. Gabriel stated that there is no easement for a ditch, however, it has always been there since the house was built. In July 2010, Mr. Gabriel met with the Township Engineer, Steve Risse and Mr. Adam Ambielli, the adjacent property owner, to discuss possible drainage improvement.

Attorney Cushing stated that he received a call from Mr. and Mrs. Brown's attorney stating that they will be in attendance at the May 18, 2011 meeting. Discussion will be held over to the next meeting.

Zoning Officer's Request to Meet with the Township Attorney

Zoning Officer John Flemming sent a written request to the Township Committee asking for authorization to meet with the Township Attorney to review the approval and the court's action relative to the Edwards Planning Board application. Mr. Flemming would like recommendations on how to proceed as he has been receiving calls from the objectors of the Edward's approvals.

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee authorized the Zoning Officer to meet with the Township Attorney and Ms. Schriver regarding the Edward's matter.

DPW Manager's Request to Proceed with Capital Purchases

Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the DPW Supervisor's request to proceed with capital purchases in accordance the DPW Manager's letter of April 23, 2011. (listed below)

Overlay of Township Roads	\$200,000.00
Replacement of a Dump Truck	\$150,000.00
Change Orders for Township Garage Project	\$100,000.00

NEW BUSINESS

DPW Manager's Request to Replace a 1995 Ford F-800 Dump Truck

The DPW Manager sent correspondence to the Township Committee stating that during one of the last snow storms in March, the 1995 Ford F-800 Dump Truck, with 78,246 miles, snapped an axle. While attempting to make repairs it was found that the rear and the engine were also damaged and would need to be replaced. The truck was towed to Jim Flynn's Truck Repairs

where they evaluated it and estimated the cost of repairs to be \$21,103.50.

The Township Committee approved the purchase of a paver, for \$125,000.00, in the 2010 Capital Budget. Mr. Gabriel had later requested to use these funds to replace the Township backhoe, which needed repairs. Since then, the repairs were made for far less than originally anticipated and did not need to be replaced. Mr. Gabriel spoke to the CFO, Greg Della Pia, and found that the money for the backhoe can now be used for the replacement of the second dump truck, with the Township Committee's approval.

Mr. Wunder stated that "not knowing what is going to happen with the Township Garage Project, he would hate to spend any more money." Ms. Schriver asked if the truck is usable at this time. Mr. Gabriel stated that the truck is used around town however, not on the highway.

Ms. Schriver asked if the DPW would be hard pressed if the second truck was not replaced. Mr. Gabriel stated that they can manage at this time but they would have a difficult time in the winter. Mr. Gabriel stated that the DPW is using a small truck now due to being down a truck.

Mr. Milkowski asked how many dump trucks the DPW has, minus the two trucks he is requesting. Mr. Gabriel stated that there would be four (4). Mr. Milkowski stated that, regarding winter snow, the Township Committee may have to look into outside contractors to fill in the gaps. Mr. Milkowski stated that he knows that the Township cannot go for two trucks at this time.

Mr. Milkowski stated that to repair this truck it would cost \$20,000.00 - \$30,000.00 and the Township would have a good, usable truck. The DPW would then be down only one truck with 5 major trucks on hand. Mr. Milkowski stated that there may be a few more things to be done to the truck for a total of perhaps \$30,000.00 - \$40,000.00 and then it would be a good truck.

Mr. Milkowski stated that he feels that the Township should put the money out to repair the truck and hold off from purchasing a new one at this time.

Ms. Schriver asked Mr. Gabriel how it would affect the DPW to be minus a truck. Mr. Gabriel stated that he can put an employee in a small truck, however, if there are 6 or 8 inches of snow it does not work. Mr. Milkowski agreed and said that they will have that.

Mr. Gabriel stated that he had many complaints about the DPW ability to cover the Township, in a timely fashion, during snowfalls since Paul Jones was not replaced when he retired. Mr. Gabriel stated that if they lose a vehicle they will really be kicked back.

Mr. Milkowski stated that the Township has to look at outside contractors. He questioned if it made sense to purchase a truck just for the winter months. Mr. Gabriel stated that in most cases when you hire outside contractors you have to provide a retainer for the year and may not use them. Mr. Milkowski stated that that could be a possibility however, the Township never really looked into the option.

Mr. Wunder asked Mr. Gabriel if he would like to buy a new dump truck and not repair the second one or would he rather fix the second one and not purchase a new one. Mr. Gabriel stated that the money was already placed in capital to replace the first dump truck and there is money is

in the 2010 Capital Budget to cover the cost of this truck, so he does not understand why the two trucks cannot be purchased at this time. Mr. Gabriel stated that he will do whatever it is that the Township Committee desires, however, someone will need to answer questions from the residents if the DPW cannot get things done in the Township. Mr. Gabriel commented that he feels that in order to keep the Township covered they need the two trucks. Mr. Gabriel stated that he does not feel that looking into outside contractor's beneficial; however, if the Township Committee would like to consider it he will look into it.

Ms. Schriver stated that she feels that the Township should purchase both trucks at this time because it is going to cost money to contract with outside vendors. Ms. Schriver stated this option has been looked at before and when it was priced out it was determined that outside services was not the way to go.

Mr. Gabriel stated that if the Township keeps putting off taking care of items like this it will catch up with the Township.

Mr. Wunder stated that he would like to table the matter until he has the time to go and view the truck at Jim Flynn's. Mr. Wunder asked Mr. Gabriel about the condition of the rest of the truck. Mr. Gabriel stated that the truck is starting to rot out but it is not in terrible condition, possibly one of the better trucks. Mr. Milkowski stated that the truck needs attention and that the \$21,000.00 is a very conservative figure.

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee tabled the request until a later meeting

DPW Manager's Request to Hire Summer Employees

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee authorized the DPW Manager to hire (2) summer employees. The salaries for the employees will be paid out of the Clean Communities Grant.

Township Engineer Steve Risse – Authorization to File the 2010 Stormwater Compliance Report

The Township Engineer, Steve Risse sent correspondence to the Township Committee informing them that the NJDEP has changed its reporting protocol for filing the annual storm water compliance report. Previously, the Township Engineer completed the forms and had the Mayor "electronically sign" the forms and emailed them to the DEP. Now, the Township has to create an online account @ mynew jersey online. Mr. Risse spoke with a woman at the NJDEP to see if the online account was to be created for the Mayor or for the Engineer. She informed Mr. Risse that either the Mayor could establish the account and allow the Engineer to access the

account to create the report and then the Mayor could file the report, or, the Township Committee could issue a letter addressed to the NJDEP authorizing the Township Engineer to file the report on their behalf.

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee authorized Stephen M. Risse, PE, Lebanon Township Engineer, to file the 2010 annual Tier B Municipal Stormwater Compliance Report on its behalf using the Annual Report Submission through the New Jersey State Regulatory Service Portal.

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 May 4, 2011 bill list in the amount of \$986,230.91. The Walter Poppe Gen. Contractor check in the amount of \$50,960.00 is to be held until the May 18, 2011 meeting.

CORRESPONDENCE

- a. Warren & Ginger Lessing – Width of Woodglen Road
- b. Minutes of the Township Historians – April 7, 2011
- c. Franklin Cosmen – Letter of Commendation - LTVFD

PUBLIC COMMENTS

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

Mr. Anthony Casale stated that the Township Committee agreed to have Mayor Piazza speak to Attorney Bernstein's office about the progress on the cell tower matter. Mr. Casale stated that the Township only gets back comments such as "we are working on it" or "we are getting there." Mr. Casale asked the Township Committee to consider requesting a response from Mr. Bernstein, in writing, stating specifically the status of the project.

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee authorized the Clerk to request in writing that Attorney Bernstein submit a detailed status report on the cell tower project. The Attorney is to respond by May 16, 2011.

Ms. Nancy Darios asked if the Rescue Squad bankruptcy case has been settled yet?

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

4EXECUTIVE SESSION

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 43-2011 and convened in executive session at 7:45 p.m. It is not anticipated that action will be taken at the close of the meeting.

TOWNSHIP OF LEBANON RESOLUTION NO. 43-2011

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:

Collective Bargaining Negotiations
Contract Negotiations -Shared Services

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 8:19 p.m.

Attorney Cushing stated that during the closed session the Township Committee discussed the question of the negotiations regarding an interlocal services agreement with another municipality. The Township Attorney was directed to speak with representatives of the other municipality about moving the process forward. Also discussed, was the issue of PBA Negotiations which will be progressing ahead in accordance with directions given to the negotiating parties.

Having no further business to come before the Committee a motion was made by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote to adjourn the meeting at 8:20 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: May 18, 2011

Patricia Schriver, Deputy Mayor