

**CALL TO ORDER**

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

**ROLL CALL**

Present -                      Brian Wunder                      Patricia Schriver                      Francis Morrison  
    Ron Milkowski                      Tom McKee

Absent-

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

The audio equipment was not working during the meeting.

**PRESENTATION OF MINUTES**

**Minutes of the Regular Meeting of May 2, 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 May 2, 2012 as amended.*

**Minutes of the Executive Session of May 2, 2012**

*Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the executive session meeting of May 2, 2012 as amended.*

**PUBLIC COMMENTS – for agenda items only.**

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

## **2012 BUDGET –**

### **Public Hearing**

*Motion by Mr. Milkowski, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee opened the meeting for public comments relative to the proposed 2012 Municipal Budget.*

There were no comments from the Public.

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

### **Resolution No. 47-2012 – Budget Self Exam**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 47-2012 as written below.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 47-2012  
BUDGET SELF EXAM**

**WHEREAS**, N.J.S.A.40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,

**WHEREAS**, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

**WHEREAS**, pursuant to N.J.A.C.5:30-7.2 thru 7.5 the Township of Lebanon has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Lebanon meets the necessary conditions to participate in the program for the 2012 budget year, so now therefore,

**BE IT RESOLVED**, by the Township Committee of the Township of Lebanon that in accordance with N.J.A.C.5:30-7.6a & b, and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes

- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C.5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated;
  - b. Items of appropriation are properly set forth;
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.40A:4-5, shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

### **Budget Adoption**

*Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee adopted the 2012 Municipal Budget.*

### **RESOLUTIONS**

**Resolution No. 48-2012** – Intent to Withdraw from the Municipal Court of North Hunterdon

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 48-2012 as written below.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 48-2012  
INTENT TO WITHDRAW FROM THE  
MUNICIPAL COURT OF NORTH HUNTERDON**

**WHEREAS** the Township of Lebanon is a member of the Municipal Court of North Hunterdon pursuant to an Interlocal Services Agreement effective January 1, 2010; and

**WHEREAS** the Township of Lebanon has expressed their intent to withdraw from the Municipal Court; and

**WHEREAS** in accordance with the Interlocal Services Agreement, a Town must provide written notification to all members of their intent to withdraw on or before July 1 of the year prior to withdrawal, and

**NOW THEREFORE, BE IT RESOLVED**, that the Township of Lebanon does hereby wish to withdraw from the Municipal Court of North Hunterdon effective December 31, 2012.

## **OLD BUSINESS**

### **Mr. Tom Burrell – Historian**

Mr. Tom Burrell presented the Township Committee with a proposed plan for the new parking lot at the museum. There will be thirteen spaces with one being handicapped. Mr. Burrell stated that the estimated cost is between \$21,000.00 and \$23,000.00. The Historians will be looking for grant money for the project. Mr. Burrell said that the County Road Department Supervisor had no problems with the preliminary proposal and seemed in favor of it. Mr. Burrell noted that there is no need for Committee action at this time, he just wanted to keep the Committee informed.

### **Mr. Dewey Polt – Polt Property**

Mr. Polt stated that he was asked to come to speak to the Committee regarding his property. Mr. Polt told the Committee that he was under the impression that the Committee wanted the fueling tanks removed from his site as the Township will be installing tanks at the DPW garage location. Mr. Polt noted that his two tanks are at half life, state of the art and installed to comply with pending regulations.

Mr. Polt stated that he met with experts from Quest Environmental yesterday and should have a report in two or three weeks. Mr. Polt also noted his request for a memorial to be placed on the property in honor of his parents and grandparents.

The Committee suggested that Mr. Polt leave the tanks in place until the Environmental Assessment is received.

Mr. Polt stated that insurance coverage can be obtained for the tanks at approximately \$1300.00 per year.

### **Planning Board Clerk Memo – Joint Meeting**

The Planning Board Clerk sent a memo to the Township Committee notifying them of a joint Planning Board – Township Committee to be held on June 5, 2012 at 7:00 p.m. to discuss the Highlands. Ms. Schriver, Mr. Milkowski, Mr. McKee and Mr. Morrison will be in attendance. Mayor Wunder will respond at a later date.

## **NEW BUSINESS**

### **Ms. Dawn Pascale – Turn the Town Teal Request**

Ms. Dawn Pascale sent correspondence to the Township Committee requesting to tie teal colored ribbons around the Township during the month of September 2012. The purpose of the ribbons is to raise awareness of ovarian cancer through the Turn the Town Teal Campaign.

*Motion by Ms. Schriver, seconded by Mayor Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Ms. Pascale's request to place ribbons around the Township during the month of September, 2012.*

**DPW Manager – Request to Purchase Recycling Cans for the Park**

DPW Manager Warren Gabriel is requesting permission to purchase four permanent recycling cans for the park and one set of ten temporary cans to be used for larger events. The cans will be purchased from Windsor Barrel Works under State Contract. The cost for the cans is \$4913.00 and will be covered through the Clean Communities grant funds. The CFO has certified the availability of funds.

*Motion by Ms. Schriver, seconded by Mayor Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of recycling cans from Windsor Barrel Works under State Contract at a cost of \$4913.00.*

**DPW Manager – Request to Advertise for the Sale of Surplus Equipment/Vehicles**

Mr. Warren Gabriel requested permission to advertise for the sale of the following surplus equipment.

2006 Dodge Durango 135,937 Miles	Vin # 1D4HB38P46F190099
1998 3500HD Chevrolet Ambulance 38,102 Miles	Vin # 1GBKC34J6WF059410
1972 Ford 2000 Tractor W/ Front Mount Broom 5403 Hours	Serial # C345640
1988 GMC 7000 Rescue Truck 9,763 Miles	Vin # 1GDK7D1EOKV500571
1982 GMC Brigader Fire Engine 750 pump, 22,493 Miles 1417 Hours	1600 gal. water Vin # 1GDP8C1Y8CV570571
International Tractor W/ Bomford Mower Hours 4045	Serial # B480207B010832X

*Motion by Ms. Schriver, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee authorized Mr. Gabriel to advertise for the sale of surplus equipment as listed above.*

**DPW Manager – Request to Appoint Summer Help**

Mr. Gabriel informed the Committee that the Township had advertised for two summer help positions for the 2012 year. Mr. Gabriel recommended the appointment of Brandon Peschel and Preston Ambrosky for the positions.

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by favorable roll call vote, the Township Committee appointed Brandon Peschel and Preston Ambrosky to the position of DPW Summer Help for the 2012 year. Salaries for each employee will be \$13.00 per hour and will be paid through Clean Communities grant funds. AYES: Schriver, Wunder, McKee, Morrison ABSTAIN: Milkowski*

## **COMMITTEE REPORTS**

**COMMITTEEWOMAN SCHRIVER**– Ms. Schriver is working on possible grant money for the Museum parking lot. Quest Environmental is conducting a Phase I Environmental study at the Polt Property. Hagedorn Hospital is nearly unoccupied in preparation for Veteran’s Haven to move into a portion of the facility.

**DEPUTY MAYOR MILKOWSKI**- Mr. Milkowski stated that the permits have been issued for the construction of the DPW Garage. The GenPsych matter was heard by the Planning Board at their May 10, 2012 meeting. Witnesses provided testimony. The matter will be continued at the June 19, 2012 Planning Board meeting.

**MAYOR WUNDER**- Attorney Cushing stated that the past Squad members executed the Deed for the building as well as other necessary documents and the Settlement Agreement. Attorney Cushing received the documents in the mail today. The Bankruptcy Court abandoned the vehicles to the squad also. LOSAP distributions need to be made; titles for two vehicles need to be turned over to the past members and a plaque needs to be purchased. The Deed cannot be filed until all is resolved. Attorney Cushing commended the Committee for working out the matter without further litigation and thanked Mr. McKee for his efforts.

The Squad has asked for the Township to provide a dumpster for the building cleanout.

*Motion by Mr. Milkowski, seconded by Mr. Morrison and carried by favorable roll call vote, the Township Committee authorized the DPW Manager to get a 30 yard dumpster for the Squad’s use in cleaning out the Squad building.*

**COMMITTEEMAN MCKEE** – Mr. McKee stated that the Blues Fest will be held this Saturday in the Park. The Park Committee will be meeting today to check the fields to ensure that they are dry enough for the parking of cars. The Park Committee is concerned with the cars traveling on the driveway and is considering the placement of a stop sign by the concession stand.

Mr. McKee stated that the Library Committee is feeling better now that they have received more information on the County’s funding cuts. The Library will have the use of their reserve funds which will assist them for the next two or three years.

## **COMMITTEEMAN MORRISON –**

**Police, Fire and Rescue**- Mr. Morrison stated that Police, Fire and Rescue are up to date.

## **PRESENTATION OF VOUCHERS**

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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 May 16, 2012 bill list in the amount \$2,372,187.84.*

## **CORRESPONDENCE**

State of NJ Board of Public Utilities – Cable Television Franchise

Attorney Cushing stated that in regard to the Cable Television Franchise, the Township Committee usually puts together a T.V. Committee who go out and meet with the residents to find their concerns with service.

## **PUBLIC COMMENTS**

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

Mr. Rob Cole was present to inform the Township Committee of an issue he is having with barking dogs around his home. He lives next to a kennel and there is a caged dog in the back of his yard. Ms. Schriver suggested that Mr. Cole call the County Board of Health to have them measure the sound. The County monitors sound volumes for the State.

Mr. EJ Skidmore stated that at the last meeting the Township Committee passed over a letter of commendation for the Road Department. Mr. Skidmore feels that it should be in the record when residents appreciate the employee's efforts. Mr. Skidmore asked if the Committee gave anymore thought to his suggestion of commending those responsible for the Township Dinner. Mr. Skidmore stated that Comcast should provide some complimentary service to emergency services facilities. Mr. Skidmore asked what is going to become of the Squad building. Ms. Schriver stated that she would like to see it used for the Community as in the past. Mayor Wunder said that the kitchen can be replaced and the Township Dinners can be held there. Mr. Skidmore asked Mr. Polt where he got the idea that the Committee had concern with the tanks being removed. Mr. Milkowski stated that he relayed the Committee's position to Mr. Polt. He informed Mr. Polt that the tanks are an area of concern and the only way to remove an area of concern is to remove it.

Mr. Anthony Casale asked to be invited into Closed Session to discuss concerns he has with the drafts for the Cell Tower. Mr. Casale stated that in reading the newspaper he is concerned with Fire and Rescue. Mr. Casale stated that he feels that it appears to be a fair agreement for the Squad settlement. Mr. Casale asked Attorney Cushing questions regarding the settlement.

Mr. Dewey Polt stated that it was his mistake in moving forward in having the tanks removed from his site.

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Ms. Nancy Darois asked when the construction is going to begin at the DPW site. Mr. Milkowski stated that the contractor is waiting on better weather. Ms. Darois stated that the Squad building is a mess and questioned how they can be in there. The locks should have been changed.

*Motion by Ms. Schriver, seconded by Mr. Milkowski 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. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 46-2012 and convened in executive session at 8:20 p.m.*

### **TOWNSHIP OF LEBANON RESOLUTION NO. 46-2012**

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:

Contracts – Cell Tower  
Contracts – EMS Service  
Collective Bargaining – PBA & CWA

The Township Committee convened the Regular Committee meeting at 10:30 p.m.

Attorney Cushing stated that the Committee discussed the following items in Closed Session.

Cellco Lease Agreement  
First Aid and Fire Company  
Collective Bargaining – CWA – PBA  
Contracts – Future Court Operation for the Township and the best approach in going forward

The Clerk will attempt to move the June 6, 2012 Committee meeting to the Woodglen School.

Having no further business to come before the Committee a motion was made by Mr. Milkowski, seconded by Mr. McKee and carried by unanimous favorable roll call vote to adjourn the meeting at 10:32 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: June 6, 2012

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Brian Wunder, Mayor