

**Lebanon Township Committee
August 17, 2016**

Minutes of Regular Meeting

CALL TO ORDER

Mayor Laul 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 Laul asked everyone to stand for the Flag Salute followed by a Moment of Silence dedicated to Rev. Michael Pignaloso who died recently and served over 51 years at the Bunnvale Assembly of God Church.

ROLL CALL

Present	Marc Laul	Thomas McKee	Ronald Milkowski
	Brian Wunder	Mike Schmidt	

Absent- None

Also Present - Attorney Tara St. Angelo, Deputy Clerk Kimberly Jacobus and 14 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of July 20, 2016

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of July 20, 2016.

Minutes of the Executive Session of July 20, 2016

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the executive session of July 20, 2016.

PUBLIC COMMENTS – for agenda items only

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

Mr. Adam Duckworth, head of Environmental and Open Space Commission, stated that the EOSC supports Resolution No. 58-2016, Highlands Open Space Partnership Program.

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

RESOLUTIONS

Resolution No. 54-2016 – Gifting Service Weapon to Certain Police Officers

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 54-2016 as written below.

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 54-2016
RESOLUTION AUTHORIZING GIFTING SERVICE WEAPON TO CERTAIN
POLICE OFFICERS UPON RETIREMENT FROM THE
LEBANON TOWNSHIP POLICE DEPARTMENT**

WHEREAS, the Mayor and Committee of Lebanon Township desire to establish a policy whereby certain officers retiring from the Lebanon Township Police Department (the “Department”) can be provided their service weapon as a gift in recognition for their dedicated service to the Township of Lebanon (the “Township”); and

WHEREAS, N.J.A.C. 13:54-1.3(c) permits a municipality to gift a firearm; and

WHEREAS, the New Jersey Uniform Ethics Code, Appendix K (September 2006) sets forth guidelines for retirement gifts from State agencies, which provide that such gifts shall not exceed \$1,000;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, that it shall be a policy of the Township to gift a retiring police officer his service weapon subject to the following conditions:

1. The retiring officer shall have served on the Department for at least twenty consecutive years.
2. The value of the service weapon does not exceed \$1,000.00.
3. The officer provides an executed written statement and proof that he possesses all necessary permits to hold and possess such a weapon, including but not limited to a Retired Law Enforcement Officer Permit to Carry a Handgun.

Resolution No. 55-2016 – Providing Service Weapon to Retired Chief Chris Mattson

Motion by Mr. Milkowski, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 55-2016 as written below.

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 55-2016
RESOLUTION PROVIDING SERVICE WEAPON TO RETIRED CHIEF CHRIS MATTSON IN
RECOGNITION OF HIS DEDCIATED SERVICE TO THE TOWNSHIP**

WHEREAS, N.J.A.C. 13:54-1.3(c) permits a municipality to gift a firearm; and

WHEREAS, the Township of Lebanon, in appreciation for 29 years of dedicated and honorable service provided to the Township by retired Township Police Chief Chris Mattson, wishes to turnover and gift to Chief Mattson (ret.) the service weapon he used during his tenure protecting and serving the Township with

distinction; and

WHEREAS, this is subject to the execution of a written statement of Chief Mattson (ret.) stating that he possesses all necessary permits to hold and possess such a weapon, including but not limited to a Retired Law Enforcement Officer Permit to Carry a Handgun, and that he is fully authorized by law to hold and possess such weapon, a _____, Serial No. _____, and accepts all liability and responsibility for same; and

WHEREAS, this is further subject to Chief Mattson (ret.) providing proof of all necessary permits referenced above; and

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, turnover and gift to Chief Mattson (ret.) the service weapon he used during his tenure protecting and serving the Township of Lebanon.

BE IT FURTHER RESOLVED that the Township appreciates the dedicated and honorable service provided to the Township by Chief Mattson (ret.).

Resolution No. 56-2016 – Providing Service Weapon to Retired Officer Dennis Smith

Motion by Mr. Milkowski, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 56-2016 as written below.

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 56-2016**

**RESOLUTION PROVIDING SERVICE WEAPON TO RETIRED OFFICER DENNIS SMITH IN
RECOGNITION OF HIS DEDCIATED SERVICE TO THE TOWNSHIP**

WHEREAS, N.J.A.C. 13:54-1.3(c) permits a municipality to gift a firearm; and

WHEREAS, the Township of Lebanon, in appreciation for 20 years of dedicated and honorable service provided to the Township by retired Township Police Officer Dennis Smith, wishes to turnover and gift to Patrolman Smith (ret.) the service weapon he used during his tenure protecting and serving the Township with distinction; and

WHEREAS, this is subject to the execution of a written statement of Patrolman Smith (ret.) stating that he possesses all necessary permits to hold and possess such a weapon, including but not limited to a Retired Law Enforcement Officer Permit to Carry a Handgun, and that he is fully authorized by law to hold and possess such weapon, a _____, Serial No. _____, and accepts all liability and responsibility for same; and

WHEREAS, this is further subject to Patrolman Smith (ret.) providing proof of all necessary permits referenced above; and

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, turnover and gift to Patrolman Smith (ret.) the service weapon he used during his tenure protecting and serving the Township of Lebanon.

BE IT FURTHER RESOLVED that the Township appreciates the dedicated and honorable service provided to the Township by Patrolman Smith (ret.).

Resolution No. 57-2016 – Endorsing the “Fairness Formula”

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 57-2016 as written below.

RESOLUTION 57-2016
RESOLUTION OF THE TOWNSHIP OF LEBANON
ENDORING THE “FAIRNESS FORMULA” AS INTRODUCED
BY GOVERNOR CHRISTIE TO PROMOTE FAIR FUNDING FOR
LEBANON TOWNSHIP STUDENTS AND TO RELIEVE
THE UNFAIR PROPERTY TAX BURDEN

WHEREAS, Lebanon Township Public Schools and the North Hunterdon-Voorhees Regional High School District receive State funding pursuant to the funding formula known as the School Funding Reform Act; and

WHEREAS, the State of New Jersey does not fully fund the program as currently constructed; and

WHEREAS, recent figures demonstrate the State funds school districts at a Statewide average of 85.3% of what is called for under the funding formula; and

WHEREAS, in order to operate its local and regional school systems, the Township of Lebanon Township has had no alternative but to raise supplemental funding through a local school tax based upon real estate owned within the Township; and

WHEREAS, utilizing real estate taxes to subsidize the school systems places an undue and unfair burden upon owners of property within the Township, particularly since those same taxpayers are overfunding other school districts by way of allocation of New Jersey State taxes through the School Funding Reform Act; and

WHEREAS, Governor Christie has introduced a “Fairness Formula” in which each District will receive an equal amount of State aid per student, and, in so doing, will provide substantial property tax relief to owners of real property within Lebanon Township and allow for the Township’s schools to operate on a more fiscally responsible basis and provide the tools and staffing to provide a quality education to our Township’s students; and

WHEREAS, Governor Christie’s “Fairness Formula” for the coming school year would result in each district receiving \$6,599.00 in State aid for each student enrolled; and

WHEREAS, such an equitable redistribution of State aid based upon number of pupils educated in a given school district is expected to yield a 104.9 % increase in school aid and funding from the State with local tax savings in the amount of \$1,282.00 for the average property owner in Lebanon Township; and

WHEREAS, the Township Committee wishes to take action to foster and improve the health, safety, welfare and education of its local population;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon Township, in the County of Hunterdon and State of New Jersey, hereby endorses the “Fairness Formula” as introduced by Governor Chris Christie as a means of approaching a fair level of funding for local schools and provide relief from overly burdensome property taxes experienced by owners of real property in Lebanon Township.

Resolution No. 58-2016 – Applying to the Highlands Open Space Partnership Program

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 58-2016 as written below.

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 58-2016
RESOLUTION TO APPLY FOR THE
HIGHLANDS OPEN SPACE PARTNERSHIP PROGRAM**

WHEREAS, the New Jersey Highlands Water Protection and Planning Council is offering matching grants up to 50% funding for acquisitions of property for any passive recreation or conservation purposes through the Highlands Open Space Partnership Program with an application deadline of September 16, 2016; and

WHEREAS, Lebanon Township has dedicated fund balances from previously collected Open Space taxes both at the County and local level that can be used as matching funds for the Highlands Open Space Partnership Program; and

WHEREAS, Lebanon Township will endeavor to leverage its dedicated fund balances through additional partnerships with open space conservancy organizations; and

WHEREAS, a property located at 97 Red Mill Road (Block 35 Lot 88) in Lebanon Township (the "Property"), is offered for sale with an asking price of \$135,000, which does not include substantial costs anticipated to meet conditions for open space preservation; and

WHEREAS, according to the Highlands Council, the Property is categorized as Critical Wildlife Habitat and creates a key linkage in a Wildlife Corridor;

WHEREAS, the Highlands Council further categorizes approximately 80% of the Property as a High Conservation Priority Area; and

WHEREAS, the Property is adjacent to the Spruce Run Creek, which is a clear running rock bottom creek that flows into Spruce Run Reservoir and is a Category One trout production stream and is trout stocked by the New Jersey Department of Fish & Wildlife; and

WHEREAS, the Property is also adjacent to other preserved properties, such as the 50 acre Hendra Property and 101 acre preserved Hall Tree Farm; and

WHEREAS, the Property offers attractive recreational uses and environmental preservation benefits, including water quality and supply protection and habitat conservation, owing to its proximity to the Spruce Run Creek and other preserved properties

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that application be made to the Highlands Open Space Partnership Program for matching funding for the acquisition of the property located at 97 Red Mill Road (Block 35 Lot 88) in Lebanon Township.

Appraisal

Mr. Schmidt explained that for spending public money on property requires appraisals as the basis of negotiations. To be able to do this, there was a need to get proposals for appraisals for the 97 Red Mill Road property. Mr. Schmidt received 3 proposals, all are appraisers who satisfy the requirements of the State of New Jersey DEP Green Acres program.

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved entering into an agreement for \$1500 with Norman Goldberg for appraisal services at 97 Red Mill Road for the Highlands application, with money to be taken out of our local Lebanon Township Open Space funds, to be returned after possible reimbursements from the NJ Water Supply Authority and others.

Resolution No. 59-2016 - Renewal of Plenary Retail Consumption License – Ono Rosa

Motion by Mr. Milkowski, seconded by Mr. Schmidt and carried by favorable roll call vote, the Township Committee approved Resolution No. 59-2016 as written below. AYES: Schmidt, Laul, McKee, Milkowski ABSTAIN: Wunder

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 59-2016
RESOLUTION RENEWING PLENARY
RETAIL CONSUMPTION LICENSES**

WHEREAS, each of the listed Plenary Retail Consumption Licensees have submitted application forms that have been completed in all respects; and

WHEREAS, the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, each have paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed Licenses be granted a renewal for the 2016-2017 year:

1019-33-002-005 ONOROSA INC. 282 Route 513

OLD BUSINESS

Mayor Laul informed the Committee that the Gem Vac Vets had held their annual picnic in Memorial Park. They also had the dedication of Route 173. Approximately 18 months ago the Township passed a resolution looking to dedicate Route 173 to the 173rd Airborne. The resolution passed through the Senate and Assembly and the Vets now are having signs put up. They actually had the Colonel from the 173rd from Italy at the dedication.

Police Department – Comments from the Mayor

Mayor Laul stated that this year our Police Chief retired as well as Patrolmen Smith and part of the Committees job is to do their due diligence to make sure that everything is working well. The Committee looked into shared service as an option for police. The Township Committee decided that the Police Department will stay as it is.

Police Chief Position - Interviews

The Police Chief will be hired from within our department. There are 5 individuals that have applied from the department for Police Chief. The first set of interviews have been completed. There will be more interviews and then a recommendation will be made to the Committee from the Sub-Committee. Hopefully there will be a decision October or November.

Social Media

Attorney St. Angelo prepared a Social Media Policy and Mayor Laul invited all standing committees to attend this meeting for discussion on the policy. The Township is looking for input on how they want to use social media. The Township may be looking to have a facebook page that is only one way. The Township is looking to have more of an informational site not to have discussions. The Township wants to know how other committees would use the site.

Attorney St. Angelo explained that you can start broad, get all of the Township sites under one umbrella and then put forth what the philosophy is and how you want the site to work. It can go anywhere from output only where you don't allow comments or have an open forum.

DPW Floor Restoration – Bid Specification

Mr. Wunder stated that the bid packet was done. The Committee discussed putting the project out to bid.

Motion by Mr. Wunder, seconded not made, motion died.

Mr. Milkowski suggested tabling the bids until the next meeting. Mr. McKee wants to have the bid specs clean and spelled out. Attorney St. Angelo will make the changes regarding the bid specs for the epoxy.

DPW- Man Power

Mayor Laul stated that he had talked to the Warren Gabriel, DPW Supervisor, and stated that Mr. Gabriel had some concerns because as of Labor Day, the DPW will be losing their summer help and he is still down men. To date, the seasonal men have worked about 400 hours each. Since there is the potential for one employee to return late October, he would like to keep the seasonal help until November 1st. Mayor Laul thought he could keep them as seasonal help and not attach them to the union contract. Mr. Milkowski asked if the seasonal help were laid off for a week and then brought back, would that re-set the clock. Mr. Schmidt suggested that if the Township is going to roll the seasonal people forward, a letter should be drafted by the attorney so that it is a written extension of their employment and that they understand that they are not part of the union or the 1100 hour State Statute as seasonal and at this time having no contract, the Township is not hiring. A copy of the letter should go to Mr. Gabriel and the Union.

**TOWSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 60-2016
AUTHORIZE DPW MANAGER TO EXTEND SEASONAL HELP FOR 3 WEEKS
Tara preparing resolution**

Motion by Mr. McKee, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved extending the seasonal help that was hired earlier for an additional 3 weeks.

FIRE STATION #1

Mayor Laul stated that at the last meeting there was discussion regarding the capping of the wells at Fire Station #1. He spoke with someone from Quest and they had no problem with the not to exceed amount in the proposal. One thing that the Committee may not have realized was that the paving had to be done prior to Quest sending the documentation to the DEP. Mayor Laul met with Mr. Gabriel and he has marked out what has to be paved and where the pads are going for the generator. Once that gets done Quest can submit the documentation to get the approval from the DEP to have the capping of the wells done.

MUSEUM

Mayor Laul stated that last year it was brought up that the gutters were getting destroyed at the museum. With the addition that is going to be started, there are 2 trees that need to be removed. 1, in preparation for the addition and 2, the limbs that are falling off are what damaged the gutters. Mr. Gabriel has a State Contractor he uses when he needs trees cut down. Mayor Laul asked the Committee to give Mr. Gabriel approval to have the trees taken down now so work can begin when the museum is ready to start the addition.

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved to have the DPW Supervisor arrange to have 2 trees taken down at the museum.

NEW BUSINESS

Postage Machine Proposal

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the lease for rental of a Postbase 45 Postage Meter at \$170 a month for 63 months through Jersey Mail Systems.

HC YMCA – Active Older Adult Center – Request for Donation

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved a budgeted donation of \$4000.00 to the HC YMCA Senior Center.

NJ Dept. of Agriculture - Gypsy Moth Survey

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved having the State do the Gypsy Moth Survey.

Rocky Run Road – Sharon Herson

Mr. Jonathan Herson of 268 Rocky Run Road spoke to the Committee about having speed limit signs posted on Rocky Run Road. When his family first moved here it was a gravel road and few cars used it. Now many cars use the road and are going very fast. He walks the road and has found tremendous amount of litter, small alcohol bottles and beer cans.

Mayor Laul stated that there are many unposted roads in the Township and thought that there may be a way to do a blanket ordinance to establish speed limits instead of doing one road at a time.

Officer in Charge Jack Gale stated that they have to do a speed survey before it can go to the Department of Transportation. He also stated that there are 11 other roads that do not have speed limits.

Ms. Sharon Herson, 270 Rocky Run Road, asked what has to be studied, the road is not wide enough for 2 cars. She stated that there has been a traffic survey done in the past. She feels that the survey of counting cars is pointless.

Officer in Charge Gale stated that this is the first step in following the State's guidelines.

Application for Blue Light Permit – Fire Department Volunteer Christian T. Meyer

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Blue Light Permit for Fire Department Volunteer Christian T. Meyer.

PRESENTATION OF VOUCHERS

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

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved the approved bill list in the amount of \$3,569,301.14

CORRESPONDENCE

Tax Collector's Report for the Month of July 2016

PUBLIC COMMENTS

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

Ms. Laurie Hoffman of Buffalo Hollow Road asked the Committee if there was any way to stop tractor and trailers from coming down their road. She also wanted to know if there was any way that signs could be posted.

Ms. Hoffman also asked about how to proceed with the septic system for the museum. The Committee stated to wait for a copy of the final design before proceeding.

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

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 8:59 p.m.

Respectfully submitted,

Kimberly S. Jacobus
Deputy Clerk

Approved: September 21, 2016

Marc Laul, Mayor