

CALL TO ORDER

Mayor Jay Weeks 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 Weeks asked everyone to stand for the flag salute.

ROLL CALL

Present - Jay Weeks Patricia Schriver George Piazza
Francis Morrison Brian Wunder

Absent

Also Present - Attorney Phil George, CFO Greg Della Pia, Clerk Karen Sandorse
and 14 members of the public.

PRESENTATION OF MINUTES

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by favorable roll call vote, the Township Committee approved minutes of the Regular Meeting of September 1, 2010. AYES: Schriver, Weeks, Morrison, Piazza ABSTAIN: Wunder

Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular Meeting of September 15, 2010.

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Executive Session of September 15, 2010 as amended.

PUBLIC COMMENTS – 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.

Cell Tower

Mr. Anthony Casale asked the Township Committee to either table the Cell Tower Co-locator Agreement or to please review it thoroughly prior to a motion being made to approve it. Mr. Casale stated that he attended the Township Planning Board meeting and there seems to be some confusion as to the lease terms

and the bid specs. Mr. Casale said that he reviewed the Co-locator Agreement today and exhibits are missing as well as on page one, paragraph 2. On page four it refers to an exhibit of what they are constructing, however, if the Township Committee's packet does not have the exhibit attached they do not have an accurate draft to review. Also, Mr. Casale stated that he had concerns with the commencement date and expiration dates of the Co-locator's Agreement still reflecting the time the permit is issued. Mr. Casale stated that it appears that each user is constructing their own compound; therefore, it would seem that they must each submit separate permits to the building department for their construction. Permits may not be issued on the same date, which would mean that, in some cases, the expiration date of the Co-locator Agreement will expire after the termination of the lead bidder. Mr. Casale stated that he feels that this needs to be clarified. Mr. Casale stated that he was informed that corrections in the lead bidders lease were amended, however, in reviewing the signed document he found that the amendments are not incorporated. It states in the lease agreement that any amendments which might be drafted must be executed by both parties in writing. Mr. Casale stated that to his knowledge the Mayor has not received any of the revisions or amendments which were previously discussed.

Mr. Casale stated that the generator was discussed at the Planning Board meeting as well as a beacon, which the Township is expecting to be installed. Verizon has no intention of installing the beacon as the FCC and the FAA do not require one. Mr. Casale feels that there are many loose ends that have to be reviewed by the Township Committee.

Attorney George stated that it is stated in the Agreement that they must comply with the FAA with regard to markings. There were a number of issues that were raised at the Planning Board meeting that were neither in the specs or in any discussion or negotiations of the lease.

Attorney George suggested that the Township Committee adjourn the matter until after the Planning Board finishes its application process.

Mr. Piazza stated that at the Planning Board meeting it was brought up about the pole construction. When the cell tower proposal was first presented to Mr. Piazza, he was told that only three affiliates could use the pole due to the small area there was to work with, which was 1500 sq. ft. Now, Verizon is talking about installing a taller pole, enabling more affiliates to use it, because with modern technology they do not need as much room as before. Mr. Piazza stated that originally the generator was a small matter, now they are looking for a 200 amp service, which they only intend on paying 1/3 of the cost of installation with no maintenance involved at all. Mr. Piazza also stated his surprise when he heard that the concrete foundation can be anywhere from 20 to 40 feet deep.

Mr. Casale stated that at the Planning Board meeting that the architect for Verizon made mention to items other than the concrete footings which will be installed underground. The lease stated that the footings will be removed; however, the lease should state that anything installed underground must be removed.

Mr. Piazza asked Mr. Casale to write down some of the issues raised at the Planning Board meeting that he has concerns with.

Ordinance 2010-14

Mr. Ron Milkowski stated that he thought that at the last meeting there was a Bond Ordinance introduced which was very similar to Ordinance 2010-14, which is on tonight's agenda. Mr. Milkowski asked "What happened"? Mayor Weeks stated that the difference in the two ordinances is that the ambulance was

removed from the Bond Ordinance that was introduced by the Township Committee at the September 15, 2010 meeting. Mr. Milkowski stated that now the whole process has to start again, with the introduction and advertisement. Mr. Milkowski stated that at the last meeting four Committee members voted yes for the ordinance and inquired on what happened to change that.

Mr. Wunder stated that he changed his mind because he wants to see the issue with the Squad to be mediated in court. He would like the matter to come to some kind of conclusion. Mr. Milkowski asked Mr. Wunder if he was holding up the Bond Ordinance and pulling the ambulance out as leverage. Mr. Wunder stated that, yes he was. Mr. Wunder stated that he feels that the best interest for the Township is to resolve the Squad issue. He would like to take it out of court and to mediate it to the end. Mr. Milkowski stated that there are two ambulances in the Squad building not being used and asked if the residents could use them in the mean time. Mr. Wunder stated that he has no leverage with the Squad and that they are doing what they want to do. Mayor Weeks stated that the Squad is not going to budge and neither is the Township Committee so the Judge will have to make the decision on the matter.

Mr. Milkowski stated that he understands that the ambulance being used by the Fire Dept is a loaner and asked if it can be pulled at anytime. Fire Chief Warren Gabriel stated that it can be taken back at any time.

Mr. Piazza asked Mr. Morrison and Mr. Wunder to make a phone call to the leaders of the Squad to explain that the residents have concerns with the ambulance situation and since the Squad has control over the ambulance, can the residents just borrow the 2006 ambulance in between the time that the Judge has to make his decision. Mr. Piazza stated that if this matter is extended past October 22, 2010 this could be a dire problem. Mr. Piazza said that this is not about the ownership it is strictly for the taxpayers to use. Mr. Wunder stated that he spoke to the Squad about it earlier and did not get a favorable response back but he will try again.

Ms. Nancy Darois stated that she wanted to remind the Township Committee that they have all taken an oath to take care of the Township, not any individual or outside interest.

Mr. Anthony Casale stated to Mr. Wunder that he is disappointed in his decision because the reason the Township is bonding for an ambulance is not because the Fire Department needs an ambulance but because the Township residents need one. Mr. Casale stated to Mr. Wunder that he himself had stated just that in a meeting and in private discussions. The Rescue Squad informed the Committee that a new ambulance is needed. Mr. Casale stated that this is a dig at the wrong time, if the Township needs an ambulance then it needs an ambulance, the Bond Ordinance should not be amended. Mr. Casale stated that from the time Mr. Wunder was elected he stated to him that the Township needs an ambulance and it is sad the way this all worked out.

Ms. Schriver stated that during budget time the Squad requested two new ambulances since two of the ambulances were practically obsolete.

Mr. Gordon Sandelier asked for an explanation of the "new additional" language in the title of Ordinance No. 2010-14. Attorney George stated that the language in the title of a bond ordinance is boiler plate because the bond is used for various items. The title is drawn right out of the statute that covers whatever the bond might cover. CFO Greg Della Pia stated that it allows the Township a little flexibility as opposed to being completely locked in, line item by line item. Mr. Sandelier asked why the Township has to buy a new backhoe and not a repossessed one or a second hand one. The CFO stated that under state statute and bonding regulations you are not allowed to buy a used piece of equipment with the proceeds of any bonds or notes that are issued by the Township. The Township would have to pay cash for such an item which is not available in the Township budget.

Mr. Sandelier stated, relative to the borrowing of the ambulance from the Squad, the Judge stated that the Squad would be in contempt of Court if one of the ambulances were released to the Township. Attorney George stated that he has no recollection of the Judge saying that there would be contempt. The Township made application to dissolve the preliminary injunction after the passing of the ordinance back in July. The judge dissolved the restraining order as to the designation of First Responder by saying that the ordinance was valid and he did not take any action as to the release of the ambulances or adjustment of any of the financial issues. The judge stated that he was going to leave the preliminary injunction in place until further developments in the matter. Attorney George stated that the judge then referred the matter to the State Office of Dispute Settlement for mediation. On June 11, 2010 when the preliminary injunction was put in place, every item which was being discussed was reviewed. The Township asked that the judge make a specific direction as to who is to respond to calls and who is to operate the ambulances. While the judge stated that the Squad would have to answer all of the calls while they were first responder, he directed that the township continue to pay the bond and the Squad's insurance. There was no discussion at any time and there has been no request for a declaration of contempt as to turning the ambulances over or retaining them. There is no change in the status at all.

Mr. Piazza asked Mr. Sandelier if the Squad has been driving the ambulances on the public road or if they have they been locked up and never moved. Mr. Piazza stated that he believes that the Squad has been driving them around and stated his concern with the fact that they are driving vehicles with municipal tags. Mr. Piazza stated that if he had municipal tags on his truck he would be stopped by the police. The Squad is no longer a municipal entity since the Township passed the ordinance. Mr. Piazza said that the Squad is driving around with municipal plates and municipal registrations and the vehicles are titled to the Township, yet the Township cannot borrow one. Mr. Piazza questioned if the Squad using the vehicles is even legal and stated that the Squad should not be using them at all.

Mr. John Locker inquired on what the cost is to the Township residents due to the fiasco with the ordinances. CFO Greg Della Pia stated that the legal costs could be between \$700.00 - \$800.00 each time a new ordinance is drafted. It will all depend on how the Bond Counsel bills the Township. Advertisement for each ordinance may cost just under \$200.00.

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

RESOLUTIONS

Resolution No. 74-2010 – Refund for Overpayment of Taxes – Blk 35, Lot 28

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 74-2010 (as written below).

**RESOLUTION NO. 74-2010
TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
REFUND FOR OVERPAYMENT
OF TAXES**

WHEREAS there exists an overpayment of \$2,298.41 for second quarter 2010 taxes due to a duplicate payment for Block 35, lot 28, 489 West Hill Road and,

WHEREAS this amount has been requested for refund by Core Logic, formerly known as First American, servicer for the mortgage company, Indy Mac,

THEREFORE BE IT RESOLVED, that the Treasurer be authorized to prepare and Mayor, Treasurer and Clerk be authorized to sign this refund check to Core Logic.

Resolution No. 75-2010 – Pedestrian Safety Month

Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 75-2010 (as written below).

**RESOLUTION NO. 75- 2010
TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

Proclaiming October 2010 as “Pedestrian Safety Month” in Hunterdon County

WHEREAS, creating a pedestrian friendly environment encourages increased walking activity; and
WHEREAS, in the past six years, approximately 150 pedestrians have been killed and 6,000 injured annually in traffic-related crashes on New Jersey roadways; and

WHEREAS, the percentage of pedestrians killed annually in New Jersey is double the national rate; and

WHEREAS, in the past nine months, ninety two pedestrians have been killed statewide, including a pedestrian in Hunterdon County, and many more have been injured in motor-vehicle crashes statewide; and

WHEREAS, it is important that the motoring public be aware of the presence of bicyclists and pedestrians; and

WHEREAS, it is important that pedestrians know the rules of the road, use crosswalks and make themselves as visible as possible to motorists; and

WHEREAS, the New Jersey Department of Transportation and the Division of Highway Traffic Safety have provided funding to New Jersey’s transportation management associations, including Hunterdon Area Rural Transit (HART), to promote pedestrian safety; and

WHEREAS, HART has developed, and/or is promoting several pedestrian safety campaigns, including:

- “Stop and Stay Stopped” -New Jersey law requiring motorists to stop and stay stopped for pedestrians in crosswalks
- “Our Town Loves Pedestrians. Please Use Crosswalks” HART municipal educational campaign
- Hunterdon County Safe Routes to School
- “Let Yourself Be Seen” – HART safety campaign to encourage pedestrians to wear high visibility clothing, reflective tape, and to observe the rules of the road
- HART Variable Speed Display Sign Community Loan Program

WHEREAS, it is important that these initiatives be promoted countywide to raise awareness and to promote safety; now

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, that October 2010 is proclaimed “Pedestrian Safety Awareness Month” in Hunterdon County; and

Resolution No. 76-2010 – Amending the Capital Budget

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 76-2010 (as written below).

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
A RESOLUTION NO. 76-2010**

WHEREAS, the Township of Lebanon desires to constitute the 2010 Capital Budget of said municipality by inserting therein Various Capital Projects:

Road Resurfacing, Fueling Station, Tractor, Mower, Backhoe

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon as follows:

Section 1. The 2010 Capital Budget of the Township of Lebanon is hereby constituted by the adoption of a schedule to read as follows:

**PROJECT NO. 2
CAPITAL BUDGET OF THE
TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON,
NEW JERSEY**

Projects Scheduled for 2010
Method of Financing

<u>PROJECT</u>	<u>ESTIMATED COST</u>	<u>BUDGET APPROP.</u>	<u>CAPITAL IMPROVEMENT FUND</u>	<u>CAPITAL SURPLUS</u>	<u>GENERAL BONDS</u>
Multi-Purpose As Stated Above	\$665,000.00		\$31,800.00	NONE	\$633,200.00

Section 2. The Clerk is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of this project to be included in the 2010 Permanent Capital Budget as adopted.

ORDINANCES

Introduction

Ordinance No. 2010-14- Bond

Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2010-14 on first reading. (As entitled below).

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE NO. 2010-14

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE TOWNSHIP OF LEBANON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$665,000 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.

Public hearing will be October 20, 2010

Introduction

Ordinance No. 2010-15- “Municipal Recycling Coordinator”

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2010-15 on first reading. (As entitled below).

**ORDINANCE NO. 2010-15
TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

AN ORDINANCE TO REVISE, AMEND AND SUPPLEMENT THE TOWNSHIP CODE OF THE TOWNSHIP OF LEBANON, MOST NOTABLY CHAPTER 317 ENTITLED “SOLID WASTE; RECYCLING”, SPECIFICALLY §317-3, ENTITLED “MUNICIPAL RECYCLING COORDINATOR”

Public hearing will be October 20, 2010

Introduction

Ordinance No. 2010-16- “Accessory Uses and Structures”

Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2010-16 on first reading. (As entitled below).

**ORDINANCE NO. 2010-16
TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**AN ORDINANCE TO
REVISE, AMEND AND SUPPLEMENT
THE CODE OF THE TOWNSHIP OF LEBANON
CHAPTER 400, TITLED “ZONING”, SPECIFICALLY
SECTION 400-10, TITLED “ACCESSORY USES AND STRUCTURES”**

Public hearing to be held on November 3, 2010

OLD BUSINESS

DPW Supervisor Correspondence – Maple Lane and Trimmer Road

The Township Committee asked the DPW Supervisor and the Township Engineer to look into a drainage problem at 219 Maple Lane. Warren stated that there are no other alternatives to remedy the problem. The total estimated cost for the project is eighteen thousand dollars (\$18,000.00). The figure covers materials only; the DPW will do the work involved. The Township Committee asked Warren to hold the project for their consideration during the 2011 budget worksessions. Warren will include the project in his 2011 budget request.

Cell Tower Co-locator Agreement - Authorize Mayor to Sign

Ms. Schriver asked, as it stands right now, is Verizon going to share a generator with the Township? Warren Gabriel stated that we will be sharing a generator because no one can just put a generator on the Township property. They can put a propane or natural gas generator on a property but they cannot put a diesel fuel generator on someone else's property. Ms. Schriver stated that she thinks that Verizon should be made to pay for their own generator and all costs associated with it.

Co-locator Agreement will be held to a later meeting for consideration.

Township Garage Project Contract

Attorney George stated, that as discussed, the lowest responsible bidder for the project, Finne Construction, indicated that they cannot start the job for a variety of reasons. This is primarily due to the anticipation of going into the winter months and with some minor changes requested, the cost would be substantially more than they would be able to bid on the project. Alternatives were looked into and financial calculations were considered with regard to the second most responsible bidder, who we can contract with, provided that they hold their contract price. A meeting was held with the second bidder, Poppe General Contractors; discussion was held on what the Township's needs are and what the requirements would be relative to holding their bid with full compliance with the contract specifications. Attorney George stated that he received a fax over the weekend from Poppe stating that they were in contact with their sub-contractors and that they (Poppe) are going to hold their bid. In addition, any overage for winter construction will have a cap of \$35,000.00. Attorney George stated that he drafted an appropriate AIA contract and circulated to everyone for review. It is anticipated that the contract will be signed with minor addendums with regard to some changes that were requested by the Tewksbury Construction Official. There are also phasing concerns that the Planning Board imposed during the approval of the site plan.

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the Township Garage Project contract and authorized the Mayor and Clerk to sign, subject to written final approval being received from Poppe.

NEW BUSINESS

Approve Raffle Application – Lebanon Township Memorial Park – 10/31/2010

Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved a raffle application for Lebanon Township Memorial Park (Friends of Memorial Park) for an event to be held on 10/31/2010.

Approve Social Affair Permit – World of Originality, Inc. – 10/09/10

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved a Social Affair Permit for the World of Originality, Inc. for an event to be held on 10/09/10.

Cancel November 17, 2010 Meeting

Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee canceled the November 17, 2010 meeting due to the League of Municipalities Conference.

LTFAS Outstanding Catering Invoice

Ms. Schriver stated that the Township Committee has received an invoice from a catering company for an outstanding catering cost for the Squad which goes back to December 2008. Ms. Schriver suggested sending the invoice to the Squad and recommend to them that they pay it out of their \$30,000.00 loan.

Attorney George stated that he will communicate it to the Squad's attorney for their attention.

Township Attorney RFQ's – 2011

Mr. Piazza stated that he has been approached by a number of residents asking why the Township Committee does not seek proposals for municipal attorneys annually. Mr. Piazza stated that there never was a cause to seek proposals and there is no law stating that it must be done. The argument is that times are tough and it is not good business sense to not shop around to verify that the Township is getting the right rate for the position. Mr. Piazza stated that he knows that Attorney Bernstein understands that it is an annual appointment and that he has not had a problem with Attorney Bernstein but he thinks it would be a good idea to see what other options the Township has. Mr. Piazza stated that he would like for Mr. Milkowski to be involved with the interviews as the final decision will be made in 2011.

Motion by Mr. Piazza, seconded by Mr. Wunder and carried by favorable roll call vote, the Township Committee authorized the Clerk to send out RFQ's for the position of Township Attorney for the 2011 year. AYES: Wunder, Schriver, Morrison, Piazza ABSTAIN: Weeks

Municipal Court of North Hunterdon

Mr. Piazza stated that he received the annual audit for the Municipal Court of North Hunterdon. He noted that he has a concern with language on page 10 relating to qualifying health coverage, post retirement. Mr. Piazza stated that State and County employees receive health coverage after retirement; however, municipal employees do not unless a certain resolution is passed. The Audit language leaves you to believe that if you have 25 years of employment in the court you will receive health coverage upon retirement. Mr. Piazza stated that in the eight years he has been with the court he does not recall every adopting a resolution providing the employees with such a benefit. Mr. Piazza will look into the matter.

Flintlock Place- Ms. Marianne Polito

Mr. Piazza stated that he received a call from Marianne Polito of Flintlock Place stating that she has a drainage problem. Mr. Piazza informed Ms. Polito that if she has a problem such as this one she should come before the Township Committee at a meeting to discuss it. An individual Township Committee member cannot make decisions of their own. Mr. Piazza explained to Ms. Polito that in a Committee form of government the entire Committee must vote on all decisions that are made. Warren Gabriel will be looking into the drainage problem.

PRESENTATION OF VOUCHERS

Committee Members provided a description of vouchers exceeding \$1,000.00.

Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved the October 6, 2010 bill list in the amount of \$111,403.26.

CORRESPONDENCE

Tax Collector's Report for the Month of September 2010
NJDEP – Notice of 2010 Federal Recreational Trails Program Grant Award

PUBLIC COMMENTS

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

Mr. Ron Milkowski asked if the Township Committee is looking into additional electric company providers. The Clerk and the DPW Supervisor are looking into the Township's options.

Ms. Erin Crail thanked the Committee for continuing with two public comment portions of the meeting.

Ms. Crail stated she is not taking a side on the Squad matter; however, she wanted to comment on a request made by Mr. Piazza. Ms. Crail stated that the courts have asked the two parties to come to the table and mediate the Squad issue, which to her means that you compromise and make requests of each other. Ms. Crail stated that in Mr. Piazza asking for the Squad to lend the ambulance to the residents, it sounds as though he is asking for them to do something for the Township Committee so maybe the Township Committee could do something for them in return. Ms. Crail stated that possibly if the two parties continuing doing for each other it could be resolved. Ms. Crail stated that maybe everyone could put aside their personal blames and judgments. Ms. Schriver stated that the Township Committee did make an offer and it was rejected. Mr. Piazza stated that he was in Trenton for a meeting that started at 1:30 p.m. Mr. Piazza stated that he cannot discuss what transpired at the meeting because it is against the law, however, he did say that he sat there in a room for over three hours. He stated that the attorneys were talking back and forth with the mediator and he thought that they were making progress with the negotiations, when at 5:00 p.m., Attorney George entered the room and said that it was over. Mr. Piazza stated that he commented to Attorney George that they had the second phase of the negotiations scheduled for the following week. Mr. Piazza was informed that there was not going to be a second mediation because the Squad's attorney stated that they are done dealing with the Township Committee and they walked out. Mr. Piazza stated that it is very frustrating and that the judge will have to make the decision.

Mr. Anthony Casale stated that he heard during the meeting that the Township Committee had just received the contract for the Township Garage Project at the start of the meeting. He said that he is discouraged by that because the Township Committee needs to have the time to review the items they are voting on. Mr. Casale has concerns with Ordinance 2010-16 - Accessory Uses and Structures, and requested that the Township Committee do their homework prior to adopting it.

Mr. Casale asked Ms. Schriver how the cell tower, on the site of her employment, is powered. Ms. Schriver stated that her business provides nothing for the cell tower company. Mr. Casale stated concerns he has with the generator issue and the electric to be used for it. Attorney George stated that all matters can be discussed. That is why he suggested taking the co-locator agreement off of the agenda so the additional new issues can be resolved.

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

ADJOURN

Having no further business to come before the Committee a motion was made by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote to adjourn the meeting at 8:38 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

LTCM
10/06/2010
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Approved: October 20, 2010

Jay D. Weeks, Mayor