

**CALL TO ORDER**

Mayor George Piazza 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 Piazza asked everyone to stand for the flag salute.

**ROLL CALL**

Present - George Piazza, Patricia Schriver, Jay Weeks, Edward Post, Frank Morrison

Absent -

Also Present - Attorney Phil George, Clerk Karen Sandorse and 4 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 the May 21, 2008 regular meeting minutes. AYES: Schriver, Piazza, Morrison, Weeks ABSTAIN: Post*

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by favorable roll call vote, the Township Committee approved the May 21, 2008 executive session minutes. AYES: Schriver, Piazza, Morrison, Weeks ABSTAIN: Post*

**2008 BUDGET ADOPTION**

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 60-2008 as written below.*

## **ADOPT 2008 MUNICIPAL BUDGET**

WHEREAS, the 2008 Lebanon Township Municipal Budget was introduced and approved on the 16<sup>th</sup> day of April, 2008; and

WHEREAS, the 2008 Lebanon Township Municipal Budget was advertised in the "Hunterdon Review" in the issue of May 7, 2008; and

WHEREAS, the public hearing on said Budget was held on May 21, 2008; and

WHEREAS, the approved 2008 Lebanon Township Municipal Budget has been filed with the Director of the Department of Local Government Services;

NOW, THEREFORE, BE IT RESOLVED, on this 4<sup>th</sup> day of June 2008, by the Mayor and Township Committee of the Township of Lebanon, that the budget hereinafter set forth is hereby adopted and shall constitute appropriations for the purposes stated of the sum set forth as appropriated.

### **2007 MUNICIPAL AUDIT**

#### **Resolution No. 61-2008 - Acceptance of the 2007 Municipal Audit**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 61-2008 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 61-2008

#### **GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2007 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Lebanon, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

## **PROCLAMATIONS – Eagle Scouts Kyle Anastasio and Mike Gaykowski**

### *TO KYLE ANASTASIO FOR RECEIVING THE EAGLE SCOUT AWARD*

*WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and*

*WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and*

*WHEREAS, Kyle Anastasio, Boy Scouts of America, Troop 92, attained the designation of “Eagle Scout”; and*

*WHEREAS, Kyle Anastasio is to be commended for his Eagle Scout Service Project, which involved making the plans for, and building of, 12 picnic tables for the Lebanon Township Memorial Park; and*

*WHEREAS, the use of the picnic tables will benefit the residents and guests of Lebanon Township for picnicking in the Memorial Park; and*

*WHEREAS, Kyle Anastasio will be honored and receive his award at an Eagle Court of Honor Recognition Ceremony on June 8, 2008; and*

*WHEREAS, the Lebanon Township Committee wishes to recognize this noteworthy achievement of Kyle Anastasio.*

*NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Lebanon hereby extend their congratulations to Eagle Scout Kyle Anastasio for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.*

### *TO MIKE GAYKOWSKI*

## FOR RECEIVING THE EAGLE SCOUT AWARD

*WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and*

*WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and*

*WHEREAS, Mike Gaykowski, Boy Scouts of America, Troop 92, attained the designation of "Eagle Scout": and*

*WHEREAS, Mike Gaykowski is to be commended for his Eagle Scout Service Project, which involved building a Welcome Center at the Teetertown Reserve at Mountain Farm in Lebanon Township; and*

*WHEREAS, the use of the Welcome Center will benefit the residents and guests of Lebanon Township when visiting the Reserve; and*

*WHEREAS, Mike Gaykowski will be honored and receive his award at an Eagle Court of Honor Recognition Ceremony on June 8, 2008; and*

*WHEREAS, the Lebanon Township Committee wishes to recognize this noteworthy achievement of Mike Gaykowski.*

*NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Lebanon hereby extend their congratulations to Eagle Scout, Mike Gaykowski, for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.*

## **RESOLUTIONS**

### **Resolution No. 62-2008 - CWA Local 1040**

Held for discussion in Executive Session.

### **Resolution No. 63-2008 - Plenary Retail Distribution License Renewal**

*Motion by Ms. Schriver, seconded by Mr. Post carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No.63-2008 as written below.*

#### RESOLUTION NO. 63-2008 RESOLUTION RENEWING A PLENARY RETAIL DISTRIBUTION LICENSE

WHEREAS, the listed Plenary Retail Distribution License has submitted an application form that has been completed in all respects; and

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

WHEREAS, the applicant has 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 License be granted a renewal for the 2008-2009 year:

1019-44-008-002      The Rock Corp. of Tewksbury t/a Bourbon Street Wine and Liquor  
425 Route 513, Califon, NJ

**Resolution No. 64-2008 - Plenary Retail Consumption License Renewals**

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No.64-2008 as written below.*

**RESOLUTION NO. 64-2008  
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 2008-2009 year:

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

1019-33-003-004    RADGNA, L.L.C. 2012 Route 31

1019-22-007-001    LEDYARD B. SCHUYLER, JR - RIVER STYX INN –374 Vernoy Road

**Resolution No. 65-2008 - Voorhees Municipal Alliance Grant Application**

*Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No.65-2008 as written below.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 65-2008  
VOORHEES MUNICIPAL ALLIANCE GRANT APPLICATION**

**WHEREAS**, the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

**WHEREAS**, the Township of Lebanon Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Township of Lebanon Committee supports the application of funding from Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon;  
**NOW, THEREFORE, BE IT RESOLVED** by the Township of Lebanon, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby support the submission of an application for the Voorhees Municipal Alliance grant for calendar year 2009 in the amount of \$20,300.00.
2. As Lead Municipality for the Voorhees Cluster, the Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the reporting of programs within its cluster area.

**Resolution No. 66-2008 – Refund of Taxes**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No.66-2008 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 66-2008

WHEREAS there exists an overpayment of \$1733.50 for 2<sup>nd</sup> Quarter 2008 taxes for Block 13, lot 13 assessed to Gary and Maureen Corson, and

WHEREAS this amount has been requested for refund by Gary and Maureen Corson,  
THEREFORE BE IT RESOLVED, that the Treasurer be authorized to prepare and Mayor, Treasurer and Clerk be authorized to sign this refund check in the amount of \$1733.50 payable to Gary and Maureen Corson.

**OLD BUSINESS**

**Approve Fire Station No. 1 Remedial Action Report No. 14**

*Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved Fire Station No. 1 Remedial Action Report No. 14 as prepared by TRC Raviv and authorized the Mayor and Clerk to execute for submission to the NJDEP.*

## **Pelio II Land Acquisition**

Mr. Post stated that a price was negotiated earlier in the year and they were looking for a mid April contract closing. The Seller's attorney became ill and put a hold on the transaction moving forward. They are back on track and reviewing the Contract. Part of the transaction includes a Joint Purchase Agreement between the Township and the County as being the joint purchasers. Attorney Bernstein's office had received and reviewed the proposed JPA and after a number of iterations back and forth with the County, an agreement was reached as to the terms. It is a pretty standard Joint Purchase Agreement. A motion for approval by the Township Committee will be asked for in the near future. The Management Agreement goes hand in hand with the Joint Purchase Agreement. The management of the property will fall primarily almost exclusively to the County. The final transaction is anticipated for mid August to mid September.

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee authorized the Mayor and Clerk to sign both the Joint Purchase Agreement and the Maintenance Agreement for the Pelio II Land Acquisition.*

## **Zoning Officer Correspondence**

Ms. Schriver stated that at the last meeting the Township Committee received a letter from the Zoning Officer regarding a few zoning issues in the Township. Ms. Schriver stated that she feels that a few Committee members should sit and meet with John Flemming to review his concerns.

The Clerk is to ask that John to attend the June 18, 2008 meeting to discuss the issues raised in his correspondence.

## **NEW BUSINESS**

### **Cancel July 2<sup>nd</sup> Meeting**

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee canceled the July 2, 2008 meeting.*

### **Request to Purchase Air Handler for Police Department Air Conditioner**

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee authorized the purchase of an Air Handler for the Police Department Air Conditioner. The expenditure is not to exceed \$6500.00 and is subject to availability of funds.*

## **PRESENTATION OF VOUCHERS**

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

*Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved the June 4, 2008 bill list in the amount of \$85,098.98.*

## **CORRESPONDENCE**

Maitra Associates – Ken Lockwood Gorge Improvements – On File in Clerk’s Office  
Senator Leonard Lance – Senate Bill No. 1455 Opposition  
Lebanon Township Historians Meeting Minutes for May 1, 2008  
NJLM Conference Registration Information – Please RSVP to Clerk ASAP  
COAH - Revised Third Round Rules – For Review and Future Consideration

## **PUBLIC COMMENTS**

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

Nancy Darois asked when the Library Roof project is due to get started. Mayor Piazza stated that the pre-construction meeting is scheduled for tomorrow morning.

Anthony Casale thanked the Mayor and Township Committee for the Eagle Scout Proclamations and stated that they were well written and will be well received by the Scouts.

*Motion by Mr. Post, seconded by Ms. Schriver 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. Post and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 67-2008 and convened in executive session at 7:32 p.m.*

TOWNSHIP OF LEBANON  
RESOLUTION NO. 67-2008

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:

Contract – Voucher Reimbursement  
Proposed MOA CWA

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 8:00 p.m.*

Attorney George stated that discussion was held on a tentative resolution in the Combe Fill Land Fill Lawsuit with a potential settlement of \$50,000.00 for the Township. Discussion was also held on the CWA MOA and the request for a base salary increase for the Police Officer Manager.

**Resolution No. 62-2008- CWA Local 1040 MOA**

*Motion by Mr. Post, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 62-2008 as written below and amended the proposed CWA 1040 MOA to included a one time \$2000.00 base salary increase plus the 4% annual contractual increase for the Police Office Manager and adjusted all terms of contract items to read January 1, 2008 – December 31, 2010.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 62-2008

WHEREAS, the Township of Lebanon and the CWA Local 1040 did engage in negotiations and resolve the issues between them as set forth in a Memorandum of Understanding

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon that the Township Committee hereby ratifies and approves the terms and conditions of the Memorandum of Agreement attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are duly authorized to execute said Memorandum of Agreement.

**ADJOURN**

Having no further business to come before the Committee, a motion was made by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote to adjourn the meeting at 8:03 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: June 18, 2008

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George Piazza, Mayor