

**Lebanon Township Committee
June 6, 2007**

Minutes of Regular Meeting

CALL TO ORDER

Mayor Edward Post 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 Post asked everyone to stand for the flag salute.

ROLL CALL

Present - Ed Post Patricia Schriver Jay Weeks
 George Piazza Francis Monahan

Absent -

Also Present - Attorney Phil George and Clerk Karen Sandorse and 5 members of the public.

PRESENTATION OF MINUTES

Motion by Ms Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the May 16, 2007 regular meeting minutes.

Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the May 16, 2007 executive session minutes.

OLD BUSINESS

Police Chief's Notice of Retirement

Police Chief Pam Schell sent a memo to the Committee stating that she will be retiring on June 30, 2007. Chief Schell thanked the Committee, both past and present, for giving her the chance to serve the citizens of the Township.

Special Meeting Date – Interviews of Police Chief Candidates

A special meeting will be held on June 13, 2007 at 6:30 p.m. for the purpose of interviewing candidates to replace the Police Chief. A contingent meeting is scheduled for June 18, 2007 at 6:30 p.m., in case it is determined that an additional meeting is necessary. Action may be taken.

DPW Supervisor's Request to Purchase a Replacement Pick-up Truck

Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved, upon certification of funds, the DPW Supervisor's request to purchase a replacement pick-up truck at a cost of \$32,624.00 from Princeton Nassau/Conover Ford under State contact #A676082101. The new vehicle will be replacing the 1992 Dodge Pick-up which will be sold as is.

Police Chief's Request to Purchase 2007 Marked Ford Crown Victoria

Mr. Weeks stated that he did not feel it was necessary to lease such a large vehicle.

Motion by Mr. Monahan, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee approved, upon certification of funds, the Police Chief's request to move forward with the lease of a new 2007 marked Ford Crown Victoria at a cost of \$29,640.00 from Warnock Fleet under State Contract #A67129. AYES: Piazza, Post, Schriver, Monahan NAYS: Weeks

Mr. Monahan stated that a car will be taken off the road once vehicle is received.

Fire Chief's Request to Purchase All Terrain Vehicle

Motion by Mr. Monahan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved the Fire Chief's request for the release of Capital funds, in the amount of \$35,000.00, to move forward with the purchase of an All Terrain Vehicle as approved at the 2007 budget meetings.

Award Bid for 2002 Ford Explorer

One bid was received in response to the Sale of Surplus Equipment public notice. The bid was from Jersey One Auto Sales, for the 2002 Ford Explorer, in the amount of \$379.00.

Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee awarded the bid for the 2002 Ford Explorer to Jersey One Auto Sales at \$379.00.

SADC Correspondence

Mr. Piazza stated that a letter was sent to the Township Engineer, from the SADC, regarding property off of Mt. Grove Road. They would like to know if the Township has any intention of widening the Township right of way or easements. The Township Engineer will be responding.

Reimbursement for the Nagie Acquisition

Mayor Post stated that it looks as though the outstanding items that were precluding the closing on the Nagie property have been resolved. Closing documents have been received by the Mayor and Attorney Bernstein's office. Once executed, the closing will be held.

SWACK Church

Mayor Post stated that he spoke to Ralph Lomerson regarding the ownership of the property. Mr. Lomerson confirmed that the property had been deeded to Township Historians or interested parties in 1972. Most of the owners have since been deceased or have moved out of the area. In order to legally precede, the Township would have to apply for eminent domain. Attorney George stated that the process is fairly straight forward if there are no parties; but the notice requirements are a little more detailed.

Motion by Mayor Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee authorized the Township to move forward with the process conditioned on the approval of attorney fees provided by Attorney Bernstein's office.

NEW BUSINESS

Cancel August 1, 2007 Meeting.

Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee canceled the August 1, 2007 meeting.

NH Municipal Court

Mr. Piazza stated that the Court agreement between the ten (10) municipalities ends this year. The last Court meeting was a workshop and the Court Committee spent the time reviewing the agreement and making any changes. Califon Borough and Clinton Township will no longer be members of the Court as of 2008. The Court Committee has received, in writing, requests for information on joining the Court from three (3) other municipalities.

Since Clinton Township will no longer be member of the Court, the Committee decided not to change the formula to calculate the percentages for each participating community.

Local School Communication Committee

Mr. Piazza stated that he attended a Lebanon Township School Communication Committee meeting. Judith Burd provided Mr. Piazza with a report card for the school system which is compared to the state average. Lebanon Township did very well in all areas. Lebanon Township is not eligible for a great deal aid due to it being a wealthy community. The report card stated that 77% of funding from the schools comes from taxpayers dollars. The district is seeking smaller contributions from local companies.

RESOLUTIONS

Resolution No. 48-2007 – Chapter 159

Motion by Ms. Schriver, seconded by Mr. Piazza and carried by favorable roll call vote, the Township Committee adopted Resolution No. 48 -2007. (as written below) AYES: Weeks, Piazza, Post, Schriver ABSTAIN: Monahan

RESOLUTION NO. 48-2007

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Lebanon has received \$125,000.00 from the State of New Jersey, Department of Transportation, Dutch Hill Road Grant and wishes to amend its 2007 Budget to include a portion of this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Committee of the Township of Lebanon, Hunterdon County, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$125,000.00 from:

Miscellaneous revenues

Special Items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

State and Federal Revenues Off-Set with

Appropriations:

NJDOT Dutch Hill Road Grant

Pursuant to provisions of Statute, and

BE IT FURTHER RESOLVED that a like sum of \$125,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

- (a) Operations Excluded from Caps
State and Federal Programs Off-Set by
Revenues:

NJDOT Dutch Hill Road Grant

BE IT FURTHER RESOLVED, that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

Resolution No. 49-2007 – Redemption of Tax Sale Certificate

Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 49-2007. (as written below)

TOWNSHIP OF LEBANON

COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 49-2007

WHEREAS the Tax Collector did sell Tax Sale Certificate #200402 on December 6th, 2004 and

WHEREAS this certificate has been redeemed by Matthew Johnston Esq., attorney for the new owners of Block 66 Lot 17.03, formerly owned by Mary Jane Lauzon, and

WHEREAS the amount of \$27,305.34 has been collected for redemption of this certificate, and

WHEREAS there has also been a premium in the amount of \$8,700.00 paid for this certificate by Wachovia-Cust/Sass MUNI V dtr,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign a check in the amount of \$36,005.34 and that this check be mailed to Wachovia-Cust/Sass MUNI V dtr.

Resolution No. 50-2007 – Reimbursement for EMT Training

Motion by Mr. Monahan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 50-2007. (as written below)

RESOLUTION NO. 50-2007
TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION SUPPORTING A. 4095 & S. 2726 AUTHORIZING
REIMBURSEMENT FOR EMT TRAINING FOR
VOLUNTEER FIREFIGHTERS

WHEREAS, Assemblyman Cohen and Assemblywoman Karrow have introduced A. 4095 and Senator Lance has introduced S. 2726, which allows agencies, entities and organizations that

train and certify volunteer emergency medical technicians will be reimbursed for the cost of providing that training and certification to volunteer members of first aid and rescue squads, as well as volunteer firefighters; and,

WHEREAS, the Township Committee of the Township of Lebanon believes that its volunteers should benefit from EMT training in order to assist the residents and citizens of the Township in emergency and non-emergency situations.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, that the Township Committee supports the provisions of A. 4095 and S. 2726 and asks the members of the 23rd Legislative District, the New Jersey State League of Municipalities, the Assembly Speaker, the Assembly Minority Leader, the Senate President and the Senate Minority Leader and to support/adopt A. 4095 and S. 2726 in its present form.

Resolution No. 51 -2007 – Plenary Retail Consumption License

Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 51-2007. (as written below)

RESOLUTION NO. 51-2007
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 \$2,250.00

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 2007-2008 year:

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

Resolution No. 52-2007 – Plenary Retail Distribution License

Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 52-2007. (as written below)

RESOLUTION NO. 52-2007
RESOLUTION RENEWING A PLENARY
RETAIL DISTRIBUTION LICENSE

WHEREAS, the listed Plenary Retail Distribution Licensee 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 \$2,250.00.

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 2007-2008 year:

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

Resolution No. 53-2007 – Amend Capital Budget

Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 53-2007. (as written below)

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 53-2007

WHEREAS, the Township of Lebanon desires to constitute the 2007 Capital Budget of said municipality by inserting therein Road Overlay, Library Roof, Road Dept. Pick-up Truck, Fire Co. ATV, and Various Equipment.

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

Section 1. The 2007 Capital Budget of the Township of Lebanon is hereby constituted by the adoption of a schedule to read as follows:

PROJECT NO. 1
CAPITAL BUDGET OF THE
TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON,
NEW JERSEY
Projects Scheduled for 2007
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>
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Road Overlay,
Library Roof,
Road Dept. Pickup
Truck, Fire Co. ATV

And Various
Equip. \$257,500.00 NONE \$12,875.00 NONE \$244,625.00

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 2007 Permanent Capital Budget as adopted.

ORDINANCES

Ordinance No. 2007-10 - Introduction

Motion by Mr. Monahan, seconded by Ms. Schriver and carried by favorable roll call vote, the Township introduced Ordinance No. 2007-10. (as entitled below) AYES: Piazza, Post, Schriver, Monahan, Weeks with the exception of the purchase of the Mobile Sign.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE NO. 2007-10

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING

ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF LEBANON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$257,500 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 to be held on June 20, 2007.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the June 6, 2007 bill list in the amount of \$250,330.40.

CORRESPONDENCE

Tax Collector's Report for the Month of May 2007
Lebanon Township Historians – Meeting Minutes for the Month of May
Braking the Cycle – Bike Tour on September to Benefit the HIV Services of New York

Clyde Decker Property

A resident came into the office to state problems with the condition of the Decker property. Concerns have been raised before and notification has been sent to the owner stating the action to correct the problem must be taken. The Deputy Clerk will provide the Zoning Officer with a copy of the notice for further investigation.

PUBLIC COMMENTS

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

Ms. Nancy Darois, who is a bus driver in the Township, stated that the local school had a drill last week. Ms. Darois said that the gate behind the municipal office, leading to the park, was locked and no one was able to open it. Ms. Schriver stated that the gate is locked to prevent speeding through the park. The Township Committee asked the Clerk to notify the Police Chief that the lock should be removed and a loose chain added.

Ms. Mary Nucci stated that she has been approached over the past few months regarding concerns about Hagedorn Hospital. In 1998, the citizens successfully lobbied to prevent sexual predators from being placed in the hospital. A bill was passed and it became law and the State agreed not to place such patients in the facility. However, there was a five year period in which the State could go back and re-designate the policy. It has been said by employees that there

may be sexual predators there and rooms that should house two individuals have three and four beds in them.

Attorney George will draft a letter to be sent to Hagedorn addressing the concerns stated. Ms. Schriver stated that she has tried to contact the administrator at Hagedorn with no success. She would like to see the Liaison Committee reinstated. Ms. Nucci has agreed to sit on the Committee at the request of Mayor Post. Glen Gardner will be copied on the letter sent to Hagedorn.

Motion by Mr. Monahan, 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. Weeks and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 54-2007 and convened in executive session at 8:11 p.m.

TOWNSHIP OF LEBANON
RESOLUTION NO. 54-2007

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:

Real Estate Acquisition
Pending Litigation and Potential Litigation
Contract and Personnel Matters

Motion by Mr. Weeks, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 9:16 p.m.

Attorney George stated that discussion was held on an approach by a cell phone company regarding real estate. Discussion was also held on the First Aid Squad Audit and alternatives. There was a presentation by the Tax Assessor regarding the possibility of the County and State ordering a revaluation of the Township properties and some alternatives to that. Ongoing litigation and settlement strategies were discussed in the ongoing Combe Fill Landfill matter. The resignation of the Police Chief was discussed and financial requirements that may be associated with her retirement.

ADJOURN

Having no further business to come before the Committee a motion was made by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote to adjourn the meeting at 9:17 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved

Edward L. Post III, Mayor