

**Lebanon Township Committee
June 21, 2006**

Minutes of Regular Meeting

CALL TO ORDER

Deputy Mayor Ed 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

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

ROLL CALL

Present - George Piazza Francis Monahan
Jay Weeks Ed Post

Absent Patricia Schriver

Also Present - Attorney Eric Bernstein and Deputy Clerk Kimberly Jacobus and 14 members of the public.

PRESENTATION OF MINUTES

Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the June 7, 2006 regular meeting minutes.

ORDINANCE

ORDINANCE 2006-08

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 \$188,000 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.

Motion by Mr. Piazza seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2006-08 on first reading.

Public Hearing to be held on July 19, 2006.

RESOLUTIONS

Motion by Mr. Piazza seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 61-2006.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY

RESOLUTION NO.61-2006

BE IT RESOLVED that the ordinance entitled:

"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 \$188,000 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."

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 19th day of July, 2006, at 7:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Township Committee, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Township Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Motion by Mr. Monahan seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 62-2006.

RESOLUTION NO. 62-2006

OPPOSING THE ELIMINATION OF THE
STATEWIDE DEER RECOVERY PROGRAM

WHEREAS, the State of New Jersey due to the budget crisis is proposing to eliminate the statewide Deer Recovery Program; and

WHEREAS, the State of New Jersey has full control of administering, (including the setting and collection of fees), implementing and enforcing a statewide deer management program which includes recovery; and

WHEREAS, the State of New Jersey is made up of many rural counties with a significant deer population; and

WHEREAS, deer hunters in New Jersey spend more that 100 million dollars a year for hunting; and

WHEREAS, the New Jersey Division of Fish and Wildlife 2004/2005 statistics indicate close to 60,000 deer harvested; and

WHEREAS, there were 1500 deer removed from public roadways in Hunterdon County alone in the 2005; and

WHEREAS, the current contractor for this removal service has specialized training, specialized equipment and safety practices to provide an efficient, effective service; and

WHEREAS, the State of New Jersey provides this valuable service to all Counties and Municipalities in the most efficient and cost effective method; and

WHEREAS, the State of New Jersey exercises control of the County's deer population through statewide hunting regulations and should bear the responsibility for financial support of a roadside deer recovery program.

NOW THEREFORE, BE IT RESOLVED, as follows:

- a. The Mayor and Committee of the Township of Lebanon hereby oppose the elimination of the Statewide Deer Recovery Program.
- b. A copy of this resolution shall be forwarded to: the Board of Chosen Freeholders, all Hunterdon Legislators, all Hunterdon County Municipalities and the New Jersey League of Municipalities

Motion by Mr. Weeks seconded by Mr. Monahan and carried by unanimous favorable roll call vote the Township Committee approved Resolution No. 63-2006.

RESOLUTION NO. 63-2006

GRANT AGREEMENT BETWEEN
TOWNSHIP OF LEBANON
AND THE STATE OF NEW JERSEY
BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

GRANT IDENTIFIER: WQ05-287

The governing body of the Township of Lebanon desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$5,000 to fund the following project:

Stormwater Management Program

Therefore, the governing resolves that Mayor Patricia Schriver or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant and to execute any amendments thereto any amendments thereto which do not increase the Grantee's obligations.

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules and regulations in its performance pursuant to the agreement.

Motion by Mr. Monahan seconded by Mr. Weeks and carried by unanimous favorable roll call vote the Township Committee approved Resolution No. 64-2006.

RESOLUTION NO. 64-2006

RESOLUTION GRANTING FIREWORKS
PERMIT TO A & B STAINLESS VALVE
AND FITTING COMPANY

WHEREAS, A & B Stainless Valve and Fitting Company has applied for a permit for public display of fireworks to be held on July 22, 2006; and

WHEREAS, the Lebanon Township Fire Code Official has reviewed the application, investigated the area where the display will take place and recommends that the permit be granted; and

WHEREAS, the necessary bond and surety has been posted.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon and State of New Jersey that a fireworks permit be granted to A & B Stainless Valve and Fitting Company for the activity described in its application for July 22, 2006.

BE IT FURTHER RESOLVED that the Township Fire Official file copies of this Resolution and any other pertinent document with the appropriate New Jersey agency.

Motion by Mr. Piazza seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 65-2006.

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

RESOLUTION NO. 65-2006

WHEREAS, the Township of Lebanon, County of Hunterdon, desires to amend the 2006 Capital Budget of said municipality by inserting thereon or correcting the items therein as shown in such budget for the following reason:

Multi-purpose project for various improvements and acquisitions

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

Section 1. The 2006 Capital Budget of the Township of Lebanon is hereby amended by adding thereto a Schedule to read as follows:

**AMENDMENT NO. 1
CAPITAL BUDGET OF THE
TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON
Projects Schedules for 2006
Method of Financing**

	ESTIMATED	BUDGET	CAPITAL IMPROV.	RESERVE
GENERAL				

PROJECT	COST	APPROP.	FUND	FUNDS
BONDS				
Multi-purpose for various				
Improvements and acquisitions	\$ 188,000	NONE		\$
9,400	NONE			\$ 178,600

Section 2. The Clerk be and 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 these projects for 2006 Capital Budget, to be included in the 2006 Capital Budget as adopted.

Motion by Mr. Weeks seconded by Mr. Monahan and carried by unanimous favorable roll call vote the Township Committee approved Resolution No. 66-2006.

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

RESOLUTION #66-2006

**RESOLUTION REAPPOINTING THE
POSITION OF TAX ASSESSOR**

WHEREAS, the position for Tax Assessor will be coming up for reappointment on July 1, 2006; and

WHEREAS, the Lebanon Township Committee has decided to reappoint the current Tax Assessor, Mary Mastro for that position, and

WHEREAS, the reappointment of Mary Mastro for a second consecutive four year appointment will result in Mary Mastro receiving tenure, as per state statute N.J.S.A. 40:A9-146 et seq, effective July 1, 2006.

NOW THEREFOE BE IT RESOLVED the Lebanon Township Committee does hereby reappoint Mary Mastro to the position of Tax Assessor for the Township of Lebanon, effective July 1, 2006.

OLD BUSINESS

Award Bid for 15", 18" and 24" Pipe – Recommendation of DPW Supervisor

Motion by Mr. Monahan, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee to approve the bid of Brent Material Company, 741 Northfield Avenue, West Orange New Jersey for 15" pipe at \$5.49, 18" pipe at \$8.46 and 24" pipe at \$13.10 which was the lowest responsible bid.

Approve Garden Manager Agreement Revisions

Tabled to executive session.

FORGE HILL UPDATE

Mr. Piazza stated that Ms. Vogel, was scratched by a cat and the cat came up positive for rabies. Mr. Piazza explained that he has tried to get a hold of her. She was supposed to contact a person or outfit to put the cats in quarantine. We don't have anything in writing regarding what was done and the Committee would like addressing the issue.

HELIPAD

Mr. Piazza stated that at the last meeting, three letters were received from concerned residents about the helipad. This issue is before the Board of Adjustment. The letters were addressed to the Committee. Mr. Post stated that we do not have jurisdiction over this matter.

COUNTY PRESERVATION MEETING

Mr. Post had an update on some of our farm preservation, in particular the Nagie property. The Township purchased the development easement with the understanding that we were going to get reimbursed from the state. This happened in 2005 and we still have not been paid. We were told in March that we were getting the money by Memorial Day. Today, after spending an hour with the County, Mr. Post found out that it's going to be Labor Day. The state had intervened; there were some changes that are needed to be done to the deed. There is a corrective deed that is required and Attorney Bernstein's office is working on it.

NEW BUSINESS

DPW Supervisor- Request for Appointment of Acting Assistant DPW Supervisor

Paul Jones, DPW Supervisor, sent a letter to the Committee requesting the appointment of an Acting Assistant DPW Supervisor while Paul Jones, Sr. is out sick. Mr. Jones submitted Mr. Warren Gabriel's name for the position, as he has been doing the job in Paul Sr. absence. There is a \$2.00 an hour pay adjustment for the position.

Motion by Mr. Piazza seconded by Mr. Weeks and carried by unanimous favorable roll call vote the Township Committee approved the appointment of Warren Gabriel as Acting Assistant DPW Supervisor.

Request for Blue Lights – Leif Mangulson

Motion by Mr. Monahan seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the Blue Light application for Leif Mangulson.

Sun Mountain

Maureen McGonagle, resident of 43 Sun Mountain, spoke to the Committee regarding the residence at 42 Sun Mountain. There had been a fire, the house is in disrepair and the lawn hasn't been cut. There is garbage all around the house and it is a real eye sore.

Neighbor Tom Walsh stated that there is an infestation of cats and he is a little concerned after the statement made about a rabid cat in the area. There have been probably 3 new litters of cats going

back and forth between this house and all the neighbor's houses. In taking early morning walks, Mr. Walsh has counted between 12 to 15 cats around the house. The house seems to be open and garbage is being dumped there. He also stated that the lawn hasn't been mowed.

Mr. Monahan asked if they felt that children could get into the house and Mr. Walsh stated that they already have been in the house. Mr. Piazza stated, "the four of us sit on the Board of Health, is this a Board of Health issue?" Attorney Bernstein stated it was a combination of things, health, zoning, and animal control. Contact has to be made with the owner of record; they need to take the appropriate action to secure the house so that it does not become an attractive nuisance.

Several of the other residents are worried about rabies and other disease that the cats can carry. The Committee wants a letter written to the owner stating that he has 10 days to get something done or the township will do the work and charge it to the property.

Mr. Monahan will talk to the Chief to do periodical checks on the property.

Motion by Mr. Weeks seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the motion as follows: we contact the owner of record, give him 10 days to board the house, clean the property, and deal with the cats. Failure to do so will result in the Township taking appropriate action and placing a lien against the property for the expenses.

Authorize Temp Library Assistance – July 1, 2006

There is now coverage within the township and no longer the need for bringing in librarians from out of the municipality to open the library. This is now considered a non-event. No action taken.

Award Chip & Seal Bid –Program with Tewksbury Township- DPW Supervisor

DPW Supervisor Jones sent a memo to the Committee regarding the chip and seal bid that we are in jointly with Tewksbury Township. It has been reviewed by their Township Engineer. The low bid was from Asphalt Paving Systems and Mr. Jones is recommending that the bid be awarded to Asphalt Paving Systems and the job shall not exceed the budgeted \$80,000.

Motion by Mr. Monahan, seconded by Mr. Piazza and carried by unanimous favorable roll call vote the Township Committee approved the awarding to Asphalt Paving System for the bid results with alternate items 4 & 5a. in an amount not to exceed \$80,000 in part of a joint project between Tewksbury Township and Lebanon Township, Lebanon Township's share not to exceed \$80,000.

North Hunterdon Municipal Court

Mr. Piazza told the Committee, that on June 26th they are going to have another meeting of the North Hunterdon Municipal Court. Clinton Township is asking everyone to look at the whole system to see if there is a fairer way to divide the costs. At that meeting they are going to have to pass a resolution; Clinton Township has to tell them if they are going to leave the court by June 30. It's been agreed to give them an option that they just could come back into the system. If Clinton Township does not take action by June 30, they can not get out; this resolution is reserving their right to negotiate.

PRESENTATION OF VOUCHERS

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

Motion by seconded Mr. Piazza, seconded by Mr. Monahan, and carried by unanimous favorable roll call vote the Township Committee approved the June 21, 2006 bill list in the amount of \$2,596,340.61.

CORRESPONDENCE

The Committee received a memo from Gail Glashoff giving the status of purging the files and our progress towards getting the files shredded that need be.

The Committee received a memo from Gail Glashoff regarding the COAH monitoring and annual report. We are working with Attorney Bernstein and Freedom House on putting together the details required by COAH to report to them on the progress of our compliance.

This is on track to be done prior to the date on the order to show cause which is early August according to Attorney Bernstein.

The Committee received a letter from the County Board of Health regarding septic systems.

The Committee received a letter from resident, Giulio Dantonio regarding traffic on public road.

PUBLIC COMMENTS

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

Sandra Singer Rauschenberger wanted to know how many cats Ms. Vogel had. The amount is unknown to us. Ms. Rauschenberger stated that there should be an ordinance to control cats.

Tom Walsh 45 Sun Mountain stated that he was worried about the excessive number of cats in the neighborhood.

Giulio Dantonio spoke regarding the difference he noticed when the Penwell Road bridge was closed. The traffic was much lighter on the local roads as they were not being used as short cuts and he wanted to know if we could do something else to reduce the excessive traffic. Being that it is a public road, we can not restrict the traffic.

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

EXECUTIVE SESSION

Motion by Mr. Monahan, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 67-2006 and convened in executive session at 7:40 p.m.

TOWNSHIP OF LEBANON RESOLUTION NO. 67-2006

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:

Negotiations other than collective bargaining, Phelps & Township
Personnel concerning Ardito and Company
Attorney client privilege relative to land acquisition regarding certain preservation project

Motion by Mr. Piazza seconded by Mr. Monahan and carried by unanimous favorable roll call vote, Township Committee came out of executive session. Attorney Bernstein stated that there was a discussion regarding ongoing issues involving our open space and preservation programs, this was an update from the acting Mayor. No formal action need to be taken. He will work with Attorney Bernstein's office. There was a discussion regarding the purposed contract between the Master Gardner and the Township and there was discussion regarding the retention of Ardito and Company to conduct an audit of the Rescue Squad.

Motion by Mr. Monahan seconded by Mr. Piazza and carried by unanimous favorable roll call vote the Township Committee authorized Ardito and Company to do an audit of the Rescue Squad and authorized the Mayor and Clerk to execute the necessary document, fee not to exceed \$5000.

ADJOURN

Having no further business to come before the Committee a motion was made by Mr. Monahan seconded by Mr. Piazza and carried by unanimous favorable roll call vote to adjourn the meeting at 8:00 p.m.

Respectfully submitted,

Kimberly S. Jacobus
Deputy Clerk

Approved: