

**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 Eric Bernstein and Clerk Karen Sandorse and 10 members of the public.

**PRESENTATION OF MINUTES**

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by favorable roll call vote, the Township Committee approved the June 20, 2007 regular meeting minutes. AYES: Weeks, Piazza, Post, Monahan ABSTAIN: Schriver*

*Motion by Mr. Monahan, seconded by Mr. Piazza and carried by favorable roll call vote, the Township Committee approved the June 20, 2007 executive session minutes. AYES: Weeks, Piazza, Post, Monahan ABSTAIN: Schriver*

**ORDINANCES**

**Ordinance No. 2007- 11 - Public Hearing**

*Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2007-11 was opened.*

Mr. Ron Milkowski asked if this ordinance will make changes to the Rules and Regulations used in prior years. Attorney Bernstein stated that there are three changes. 1) the elimination of a

provision under the code that required, that in order to be eligible for an promotional examination, you had to spend three years in the previous rank, 2) there has been a change in the scoring system by eliminating scoring for psychological testing, and 3) the way in which the process will be scored.

*The public hearing was closed on a motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote.*

*Motion by Mr. Monahan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2007- 11, as written below.*

**ORDINANCE NO. 2007-11  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING  
THE REVISED GENERAL ORDINANCES RELATING TO  
ORGANIZATION OF THE LEBANON TOWNSHIP POLICE DEPARTMENT,  
SELECTION OF CHIEF AND SUPERIOR OFFICERS, AND  
AMENDING THE POLICIES AND PROCEDURES MANUAL OF THE  
POLICE DEPARTMENT OF THE TOWNSHIP OF LEBANON.**

**WHEREAS**, the Township has received the retirement notice for the incumbent Chief of Police, Chief Pamela Schell, to be effective within a short time; and,

**WHEREAS**, the Township undertook the selection process for a new Chief of Police upon receipt of the said retirement notification; and,

**WHEREAS**, a written examination was administered by the New Jersey Chiefs of Police Association, according to the procedures of the Township of Lebanon in the Township's Ordinances and the Police Department Policies and Procedures Manual, which examination has been scored but no scores reviewed by the Township Committee; and,

**WHEREAS**, the Township had scheduled oral interviews of all candidates with the New Jersey Chiefs of Police Association, according to the procedures of the Township of Lebanon in the Township's Ordinances and the Police Department Policies and Procedures Manual; and,

**WHEREAS**, at a short time prior to the conducting of candidate oral interviews by the New Jersey Chiefs of Police Association, the Township Committee determined that there were certain conflicts and inconsistencies in the procedures set forth in the Township's Ordinances and the Police Department Policies and Procedures Manual; and,

**WHEREAS**, the Township Committee has determined that the Township's Ordinances and the Police Department Policies and Procedures Manual related to the promotions and chief's selection procedure should be updated;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that § 77-6 of the Revised General Ordinances be, and hereby are amended, revised and supplemented as follows:

**Deletions indicated by ~~Strikethrough~~**

**Additions indicated by Underline**

- A. A promotion of any member or officer of the Police Department to a superior position shall be made from the membership of the Department. Due consideration shall be given to the member or officer so proposed for the promotion, to the length and merit of his service, and preference shall be given according to seniority in service. No person shall be eligible for promotion to be a superior officer unless he shall have previously served as a patrolman in the Department.
  
- B. A member or officer of the Police Department shall not be promoted until he has served at least three (3) years in the Department, ~~and, where applicable, three years in the previous rank.~~
  
- C. The Township shall have the unfettered right to make or not make promotions as it so chooses.

**AND, BE IT FURTHER ORDAINED** that the Lebanon Township Police Policies and Procedures Manual, § 4.16, dated June 18, 1980 be, and hereby is, amended, revised and supplemented as follows:

4:16            PROMOTIONS

4:16.1        Police Chief

- (a) When the position of Police Chief becomes vacant due to retirement, prolonged illness, death, or any other reasons, all eligible and consenting members of the Police Department according to N.J.S.A. NJSA 40A:14-129, and N.J.S.A. NJSA 40A:14-130 shall take and shall successfully complete the following examinations:

- 1. New Jersey State Association of Chiefs of Police written exam. Administrative Exam— All candidates will be required to score a minimum of 55% in order to qualify for further interviews or qualification. ~~the interviews cited below.~~

- 2. New Jersey N.J. State Association of Chiefs of Police oral exam.

- 3. Personnel Jackets.

- 4. Township Committee oral interview.

- (b) Final scoring is weighted as follows:

New Jersey State Association of Chiefs of Police written exam. Administrative Exam 40%

New Jersey State Association of Chiefs of Police oral exam State Chief's Interview 10%

Personnel Jackets 10%

Township Committee oral interview. 40%

- (c) Selection and appointment of the Police Chief by the Township Committee will be based upon successful completion of the above exams and interviews. In addition, the length and merit in service shall be applied whenever necessary. (N.J.S.A. NJSA 40A:14-129).
- (d) The examination and interviews cited in 4:16.1 (a) above shall be offered whenever deemed necessary by the Township Committee, in its sole discretion.

4:16.2 Superior Officers

- (a) Whenever certain members of the Police Department become eligible for promotion to sergeant or lieutenant according to N.J.S.A. NJSA 40A:14-129, and N.J.S.A. NJSA 40A:14-130 they shall take and shall successfully complete the following examinations:

1. New Jersey State Association of Chiefs of Police written exam. Administrative Exam— All candidates will be required to score a minimum of 55% in order to qualify for further interviews or qualification. ~~the interviews cited below.~~

2. New Jersey N.J. State Association of Chiefs of Police oral exam interview.

3. Personnel Jackets.

4. Township oral interview conducted by the Township Committee and Police Chief.

- (b) Final scoring is weighted as follows:

New Jersey State Association of Chiefs of Police written exam. Local Chiefs interview 40% 25%

Township interview 10% 35%

Personnel Jackets 10% 20%

Township Committee oral interview 40%.

~~Psychological testing~~ ~~20%~~

- (c) The length and merit of service and preference according to seniority in service shall be applied whenever necessary. (N.J.S.A. ~~NJSA~~ 40A:14-129).
- (d) Selection and appointment of ~~the Police Chief~~ any superior officer, other than the Police Chief, by the Township Committee will be based upon successful completion of all of the above testing and interviews if the weighted composite score exceeds a minimum standard of 80%.
- (d) The testing and interviews cited in 4:16.1 (a ~~b~~) shall be offered whenever deemed necessary by the Township Committee; in its sole discretion.

~~2. this Resolution shall take effect immediately.~~

**BE IT FURTHER ORDAINED** that the Lebanon Township Police Policies and Procedures Manual dated June 18, 1980 be, and hereby is, adopted in full as amended above and subject to further amendments by the Township Committee; and,

**BE IT FURTHER ORDAINED** that:

1. All ordinances or portions of ordinances, and all resolutions or portions of resolutions, which are inconsistent with this Ordinance, shall be repealed as to their inconsistencies or applicability only.
2. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable so that if any part, sentence, paragraph, section, or clause of this Ordinance is adjudged unconstitutional or invalidated by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
3. This Ordinance shall take effect immediately upon final passage and publication as required by law.

## **RESOLUTIONS**

### **Resolution No. 60-2007**

*Motion by Mr. Monahan, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 60-2007. (as written below)*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 60-2007

EXTENSION OF TAX PAYMENT GRACE PERIOD

WHEREAS because of the delay in the receipt of the rate for Lebanon Township by Hunterdon County, and,

WHEREAS it has become necessary to extend the grace period because the tax bills were not mailed before the statutory 25 day period, after which interest is charged,

THEREFORE BE IT RESOLVED, that the grace period for 3<sup>rd</sup> quarter 2007 taxes be extended to August 20, 2007, after which time interest will accrue from August 1, 2007.

**Resolution No. 61-2007**

*Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 61-2007. (as written below)*

RESOLUTION NO. 61-2007  
RESOLUTION AWARDDING A CONTRACT FOR CHIP AND SEAL  
MATERIALS AND LABOR FOR 2007 ROADWAY SURFACING PROGRAM  
WITH TEWKSBURY TOWNSHIP

WHEREAS, the attached table is the listing of the two bids received by Tewksbury Township on June 13, 2007 for Chip and Seal materials and labor; and

WHEREAS, the Township Committee has reviewed the recommendations made by the Township Superintendent of Public Works on said bids; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the amount of \$64,725.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the following contracts be awarded by Tewksbury Township based on the recommendation of the Township Superintendent of Public Works.

<b>COMPANY</b>	<b>ITEM</b>	<b>TOTAL</b>
Asphalt Paving	Bituminous surface Treatment TS	\$43,725.00
Asphalt Paving Stone Aggregate	Broken \$21,000.00	Course

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the contracts for same.

**OLD BUSINESS**

## **Library Roof – Art Gerlich**

Mr. Art Gerlich was in attendance at the meeting and discussed with the Committee the estimate provided by the Township Engineer providing for the replacement of the Bunnvale Library roof with 30 year asphalt shingles. The roof will require about 23 squares at a budget cost of \$11,500. Mr. Risse's estimated, that additional carpentry work to fix the eaves, could add an additional \$3,000.00 to \$4,000.00 to the project cost.

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee authorized the Clerk to provide the CFO with Mr. Risse's correspondence to verify funds and to request that Mr. Risse put together the necessary specifications documents to seek quotes for the project.*

## **Approve Contract — Chief's Exam**

*Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote the Township Committee approved the NJ Association of Chiefs of Police Written and Oral Interview Exam Contracts and authorized the Mayor and Clerk to sign, subject to availability of funds.*

The Written Exam is scheduled for August 7, 2007 at 12:00 noon. The Oral Interviews will be held on August 14<sup>th</sup> beginning at 10 a.m.

## **Special Meeting Date – Interviews of Police Chief Candidates**

A special meeting with an executive session will be held on August 27, 2007 at 5:00 p.m. for the purpose of interviewing candidates to replace the retired Police Chief. Action may be taken.

Mayor Post, Ms. Schriver and Mr. Bernstein will provide the Clerk with questions they will be using during the interviews.

## **Dutch Hill Road**

Mr. Monahan asked what the status is on the work to be completed on Dutch Hill Road. Warren Gabriel, DPW Assistant Supervisor stated that Paul Jones, the DPW Supervisor, has ordered the materials needed to complete the work so he assumes it will begin once the materials are received.

## **Nagie Closing**

Mayor Post asked Attorney Bernstein what the status was on the Nagie closing. Attorney Bernstein stated that the documents have been provided to the Nagies for review and he is in conversation with them.

## **SWAK Church**

Attorney Bernstein stated that they have been unable to find any documents relative to title and related items, therefore it is necessary for the Governing Body to authorize that a title search be preformed. Mayor Post stated that the Committee did allocate funds for the improvements on the property and the fees for the title search should be applied to those funds. Attorney Bernstein stated that he anticipated that the cost should not exceed \$1,000.00 and will work with the CFO on the matter.

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee authorized Attorney Bernstein's office to retain the title company to perform the title search, subject to availability of funds.*

## **Freedom House**

Attorney Bernstein stated that he believes that the Local Public Contracts Law does not apply to Freedom House in seeking contractors for the septic project. The Clerk will inform Mr. Fred Riehl of Freedom House that they may proceed with the project.

## **Generator**

Mr. Piazza asked what the status is of the generator purchase. Warren Gabriel stated that the grant process is still going on. It has been applied for, but notification of acceptance has not been received.

## **NEW BUSINESS**

### **Municipal Office Air Conditioning Unit – Air Handler Replacement Request**

DPW Supervisor Paul Jones sent correspondence to the Committee stating that the air handles in the Municipal Building is beyond repair and needs to be replaced. He has received a quote from General Conditioning as they have been taking care of all repairs. The quote to replace the unit is \$6500.00.

*Motion by seconded Ms. Schriver seconded by Mr. Monahan and carried by unanimous favorable roll call vote the Township Committee authorized Mr. Piazza to work with Paul Jones to obtain the necessary documentation and to authorize the emergency expenditure of funds for replacement of the air handler for the municipal office within the provisions of the capital budget.*



## **Mountain Top Road Speed Limit – Request to Lower**

A letter was received by the retired Police Chief from Patricia Hissim of Mountain Top Road requesting that the speed limit be lowered on Mountain Top Road to 25 MPH. The retired Chief informed the Clerk that she agrees that the speed limit should be lowered.

*Motion by Mr. Monahan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee authorized the Officer in Charge, Jack Gale, to have the Police Department perform a speed check on Mountain Top Road and to report back to the Committee with recommendations at the August 15, 2007 meeting.*

## **Overgrown Lawn on East Hill Road**

Ms. Schriver stated that she has received a complaint about a resident on East Hill Road who is not mowing their lawn. She spoke to the Zoning Officer and he informed her that there is no Township ordinance regulating the permitted height of grass.

Attorney Bernstein asked if the height of the grass is having an impact on traffic which it is not.

If the overgrown grass is impacting on traffic or if it is a health and safety issue, it can be addressed. If it is just a matter of being unsightly, with the absence of an ordinance, nothing can be done. No action to be taken at this time.

## **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 July 18, 2007 bill list in the amount of \$202,186.37 with the exception of the Groendyke Insurance voucher in the amount of \$1,995.00. The Clerk will inquire on back up detail prior to payment being made.*

## **CORRESPONDENCE**

### **Tax Collector's Report for the Month of June 2007**

### **Ss. Peter & Paul Church – August 9<sup>th</sup> 2007 Walking Pilgrimage**

The Church will be having a 4 day Pilgrimage and will be walking through the Township the on afternoon and early evening of August 9, 2007.

## **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. Art Gerlich inquired about signs on the Davara Property for an upcoming BBQ Pit. He was concerned that it was the same vendor that was in the location last year. Mr. Gerlich was informed that it was not the same vendor and that the new vendor is mobile and will move his business at the close of business daily.

Mr. Gerlich stated that he read an article about Tree Cycle and in it the owner stated that business is going well and that he is hoping that he will have a 500% increase over the next few years. Mr. Gerlich asked if the Township ever found out who is enforcing the sight plan for the property and asked if anyone has gone to the site to see that he is working within the approved plan.

The Zoning Officer is to be directed to go to the site to see to it that the property is in compliance with the site plan.

Mr. Anthony Casale inquired on the direction the Committee decided to go with the library roof. Mr. Casale also inquired on if it was determined who owns the SWAK Church property and what the purpose was in the Title Search and condemnation of the property. Mayor Post stated that the purpose is to stabilize the property and to proceed with the historical process.

Mr. Gary Fields of Teetertown Road informed the Committee of a problem he is having with drainage on his property. Mr. Fields attributes the problem to the DPW bringing in quarry sand and other materials to grade the road after storms and they make curbs out of the sand which then washes into the brook which has filled his pond and destroyed buildings on his property and done damage to his neighbors property also.

The DPW Supervisor, Assistant DPW Supervisor and the Township Engineer are to look at the problem and make recommendations to the Committee.

Mr. Ron Milkowski asked if after the appointment of the Office in Charge it was said that he was not permitted to make any changes in scheduling. Mr. Milkowski questioned that the OIC has been scheduled to work nights, so has he been accessible to the public. OIC Jack Gale stated that it has not been an issue so far.

OIC Jack Gale asked if there was a timeline in which the Committee would like the Mountain Top traffic study completed. Attorney Bernstein stated that it should be submitted to the Committee by the August 15, 2007 meeting.

OIC Jack Gale informed the Committee that the Ken Lockwood Gorge is closed off the northern entrance near Califon. The police have been receiving complaints from residents on Raritan River Road due to problem with parking. No one seems to know who put the barricades up. The police checked on the parking situation and it was found that there were no motor vehicle or

ordinance violations. DPW Supervisor Paul Jones is to contact the Division of Fish Game and Wildlife to inquire on the situation.

OIC Jack Gale stated that the police had the need to use the underage drinking ordinance last week. There were six arrests made and the parents of the individuals were very pleased that the ordinance was in place.

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

## **EXECUTIVE SESSION**

*Motion by Mr. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 59-2007 and convened in executive session at 8:15 p.m.*

### **TOWNSHIP OF LEBANON RESOLUTION NO. 59-2007**

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:

Personnel – Gail Glashoff  
Municipal Court - Negotiations other than Collective Bargaining

*Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 8:40 p.m.*

Attorney Bernstein stated that all members of the Governing Body were present at the commencement of the executive session were present at the recommencement of the open session as well as the Township Clerk and the Township Attorney.

Attorney Bernstein stated that there was discussion to a possible reconfiguration of the Municipal Court. The Mayor and Deputy Mayor will continue to work with the applicable parties in order to obtain additional information and move the process along and report back to the Committee at the appropriate time. No formal action is to be taken. There was discussion as to the possibility of paying Gail Glashoff for this year a one time \$1000.00 stipend for obtaining the Certification associated with her position as Municipal Housing Liaison.

*Motion by Mr. Weeks, seconded by Mr. Monahan and carried by favorable roll call vote, the Committee approved paying Gail Glashoff, one time, \$1000.00 stipend for obtaining the Certification associated with her position as Municipal Housing Liaison. Subject to certification of funds. AYES: Weeks, Piazza, Schriver, Monahan NAYS: Post*

Ms. Schriver stated that she would like the language associated with this reviewed and reworded in the CWA contract.

**ADJOURN**

Having no further business to come before the Committee a motion was made by Mr. Piazza, seconded by Ms. Schriver, and carried by unanimous favorable roll call vote to adjourn the meeting at 8:43 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved

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Edward L. Post III, Mayor