

**Lebanon Township Committee  
July 19, 2006**

**Minutes of Regular Meeting**

**CALL TO ORDER**

Mayor Patricia Schriver 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 Schriver asked everyone to stand for the flag salute.

**ROLL CALL**

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

Absent

Also Present - Attorney Phil George, Attorney Eric Bernstein, Clerk Karen Sandorse and 20 members of the public.

**PRESENTATION OF MINUTES**

*Motion by Mr. Piazza, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved the June 21, 2006 regular meeting minutes.*

*Motion by Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the June 21, 2006 executive session minutes.*

**ORDINANCE**

*Motion by Mr. Post seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the public hearing was opened for comments.*

There were no public comments.

*The public hearing was closed on a motion by Mr. Post seconded by Mr. Monahan and carried by unanimous favorable roll call vote.*

*Motion by Mr. Piazza seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No 2006-08, as written below.*

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.

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BE IT ORDAINED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, as follows:

Section 1. The Township of Lebanon, in the County of Hunterdon, State of New Jersey (the "Township") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery in, by and for said Township, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and

(2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Acquisition of new additional or replacement

equipment and machinery consisting of a loader for the use of the Road Department.

Appropriation and Estimated Cost	\$120,000
Down Payment Appropriated	\$ 6,000
Bonds and Notes Authorized	\$114,000
Period of Usefulness	15 years

B. Installation of above-ground fuel storage tanks at the Municipal Building.

Appropriation and Estimated Cost	\$ 31,000
Down Payment Appropriated	\$ 1,550
Bonds and Notes Authorized	\$ 29,450
Period of Usefulness	15 years

C. Installation of replacement windows in the Municipal Building. It is hereby determined and stated that said public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 13,000
Down Payment Appropriated	\$ 650
Bonds and Notes Authorized	\$ 12,350
Period of Usefulness	15 years

D. Acquisition of new additional or replacement equipment and machinery consisting of a live scan fingerprinting system for the use of the Police Department.

Appropriation and Estimated Cost	\$ 24,000
Down Payment Appropriated	\$ 1,200

Bonds and Notes Authorized	\$ 22,800
Period of Usefulness	15 years

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Aggregate Appropriation and Estimated Cost	\$188,000
Aggregate Down Payment Appropriated	\$ 9,400
Aggregate Amount of Bonds and Notes	
Authorized	\$178,600

Section 5. The cost of such purposes, as hereinbefore stated, does not include any amount to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$9,400, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$9,400 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$178,600 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$178,600 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds

shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also

the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of fifteen years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$178,600 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Hunterdon, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Township incurs

such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

## **RESOLUTIONS**

### **Resolution No. 68-2006 - Extending Municipal Tax Collection Grace Period**

*Motion by Mr. Monahan, seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 68-2006. (as written below)*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION No. 68-2006

WHEREAS because of the delay in the receipt of the 2006 Budget for Lebanon Township by the State of New Jersey, 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 2006 taxes be extended to August 21, 2006, after which time interest will accrue from August 1, 2006.

**Resolution No. 69-2006 - Voorhees Municipal Alliance**

*Motion by Mr. Post, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 69-2006. (as written below)*

RESOLUTION NO. 69-2006  
Voorhees Municipal Alliance

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:

The Township Committee does hereby acknowledge the terms and conditions for administering the Municipal Alliance grant for calendar year 2007 in the amount of \$20,303.86; and agrees to serve as Lead Municipality for the Voorhees Municipal Alliance.

**Resolution No. 70-2006 - Traditional Farmland Preservation 2008**

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 70-2006. (as written below)*

**Lebanon Township  
Resolution No. 70-2006**

WHEREAS, there are farms located in Lebanon Township that have applied for the 2008 Funding Round of the Traditional Farmland Preservation Program, and  
WHEREAS, Lebanon Township approves of farmland preservation within the township, and  
WHEREAS, Lebanon Township is not willing to cost share with Hunterdon County and the State of New Jersey to fund Traditional Farmland Preservation, and  
NOW THEREFORE BE IT RESOLVED, that Lebanon Township approves of the preservation of any farms within the township that have entered into the Traditional Farmland Preservation Program to qualify for funding.

**OLD BUSINESS**

**TRC Raviv/John Potenza – Fire Station No. 1**

Tabled to closed session.

### **Deer Carcass Removal Agreement**

The State will no longer be picking carcasses up along municipal and county roads. In six months, removal will be the responsibility of the Township.

A company, Deer Carcass Removal Service, LLC. has provided the Township with a proposal for removal and disposal at a cost of \$79.00 per deer. Attorney Bernstein's office has revised the agreement. The Clerk has forwarded the revised agreement to Deer Carcass Removal Service for their review; however, there has been no response to date.

Mr. Piazza questioned the Township's responsibility in removal on private property. The resident will need to deal with the company directly. Cost will be the responsibility of the property owner.

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township approved the revised Deer Carcass removal Contract.*

### **Garden Manager Agreement**

Tabled to closed session.

### **Update on Sun Mountain**

Deputy Clerk Kim Jacobus sent a memo to the Committee informing them that Mr. Decker informed her that he will be addressing the concerns the Township had with his property as soon as possible. It was noted that Mr. Decker has made a concentrated effort in complying with the Township's request.

### **Nagie Closing**

Mr. Post stated that he had attended a Farmland meeting at the County and it appears that the Nagie closing is still on track for Labor Day.

### **NEW BUSINESS**

#### **Approve Raffle Application –Voorhees Viking Victory Club**



*Motion by Mr. Monahan, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township approved a raffle application for the Voorhees Viking Victory Club.*

**Hunterdon County Housing Corp.-  
Request for Participation in the Small Comm. Block Grant Program**

A letter has been received from the Hunterdon County Housing Corporation regarding a request for participation in the Small Community Block Grant Program. It was agreed to by the Committee that the Township does not have interest in participation at this time. The Clerk will send a letter to Mr. Delaney stating such.

**Residents Request for Assistance**

Mayor Schriver stated that she has again received a letter from a resident requesting assistance with home improvements she is in need of. Unfortunately, the Township does not have a program to assist the residents in this manner.

The Clerk will send a letter to the resident stating such.

**PRESENTATION OF VOUCHERS**

Committee Members provided a description of vouchers exceeding \$1000.00. The TRC RAVIV voucher in the amount of \$3,952.00 was pulled for approval until after the closed session portion of the meeting.

*Motion by seconded Mr. Post, seconded by Mr. Piazza, and carried by unanimous favorable roll call vote the Township Committee approved the July 19, 2006 bill list in the amount of \$1,144,352.56.*

**CORRESPONDENCE**

**Tax Collector Report for the Month of June 2006.**

The Tax Collector submitted her report for the month of June 2006.

**Memo to Park Committee from Paul Jones, CPWM**

Mr. Jones sent the Committee a copy of a memo which was sent to the Park Committee stating concerns with garbage being left in the Park after the Park is used for affairs. Mr. Jones recommended purchasing a dumpster for the Park. The cost can be covered by the Clean Communities grant money.

Mr. Post suggested requiring a deposit prior to the use of the Park which will be reimbursed once the Park has been satisfactorily inspected.

### **Township Historians June 1, 2006 Meeting Minutes**

The Township Historians submitted their June 1, 2006 meeting minutes.

### **Lebanon Twp. First Aid Squad June 12, 2006 Meeting Minutes**

The Township First Aid Squad submitted their June 12, 2006 meeting minutes.

### **PUBLIC COMMENTS**

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

Mr. Gordon Sandelier of 116 Voorhees Road inquired on the payment to the Life Insurance Company of America for accidental policy for the Fire and Rescue Squad.

Mr. Anthony Casale thanked the Mayor and Mr. Monahan for supporting the Jr. Police Academy by attending the graduation ceremony. Mr. Casale stated that it is disappointing that the program has come to an end after 10 years.

Mr. Casale acknowledged the Boy Scouts from Troop 92 who were in attendance at the meeting. The young men are working on their citizens merit badge.

Mr. Casale stated that he was concerned that during the past two Township meetings the Sun Mountain property issue was listed as an agenda item. He felt that an appropriate department head, such as the Zoning Officer, should have contacted the property owner prior to the Committee addressing the matter.

Mr. Post stated that the Committee responds to the public if there is a concern with a public health and safety issue and in this case, it was acknowledged by the property owner in his decision to take the structure down. As the owner has complied, it is a resolved issue.

Mayor Schriver welcomed Troop 92 and encouraged them to return to future meetings.

Mr. David Nell, President of the Township Rescue Squad stated that the Squad's attorney notified him that the Township has requested an Audit to be completed on the Squad's finances. Mr. Nell asked when this decision was made and why wasn't the Squad informed.

Mr. Nell stated that in the past two years, an Audit has been discussed with the Township and the Squad asked if the Township would fund the cost, which was denied. The Squad is now paying for an Audit to be conducted, which is in progress at this time.

Mayor Schriver stated that the Township has needed an audit from the Squad for years, however; it has not happened. It is the responsibility of the Committee to see to it that Audits are received from all Departments.

Attorney George stated that there are some independent organizations that are responsible to the Township by receiving funding from the Township and are required by statute to provide an annual audit. The Rescue Squad is one of these organizations. The Township insurance company requires a Township Audit and the independent organizations are included as well.

Mr. Nell stated that the Squad will not be able to provide their books as they are with the Squad's auditor at this time. The audit was to have been complete in March; however, the auditors lost some of the documents provided by the squad.

Mr. Nell asked why they hadn't been informed earlier. Mr. Post stated that the action was just taken and it took time to get the letters out.

Mr. Nell stated that over the past 5 months the squad had decided to develop a line of communication with the Committee. The Squad feels that their approach has failed and has asked for the removal and replacement of the Committee liaison.

Mr. Nell said that the Squad feels that they are excluded from any decisions made by the Committee. He said that all decisions are made in executive session and the squad does not hear of them. Mr. Nell gave the audit as an example.

Mr. Post stated that the Committee has an obligation when it comes to this audit. It is not the Squad's decision to participate; it is the responsibility of the Committee to see to it that it is done. To have the Squad participate in the discussion was not within their domain. Audits have not been done in the last few years as the books were unauditable due to them being taken to another state. There is nothing personal in the request; it is a matter of a Governing Body with fiduciary responsibilities.

Mr. Post stated that areas in which there is need for collaboration, such as insurance, the Committee is happy to do so. Mr. Nell stated that the opinion of the squad is that they were strong armed and black mailed in being insured under the Township policy. Mr. Post stated that that was

not the case at all. If the taxpayers knew that the Township donated money to the Squad and the Squad in turn bought insurance, for which you were already covered by the Township, questions would be raised. Mr. Post stated that the Township is trying to save money, there is no nefarious motive.

Mr. Nell stated concerns with the relationship with the Squad and the Committee liaison. He does not feel that they are working well together, difficulty in scheduling meetings. Mr. Monahan stated that he has spoken to members of the Fire Company and the Squad. Mr. Nell said that at this point the Squad wants nothing to do with the existing liaison.

Mr. Nell stated that they find that what they do is too important to be distracted. He informed the Committee that they may resolve the issue anyway they choose and then let the Squad know of their decision. Until that time, the Squad will not participate.

Mr. Post stated that the Committee fully supports and has always supported the Squad. The Squad is a valuable asset to the Township. However, he said that it can not be mixed with administration responsibilities. The Committee has fiduciary responsibilities due to the fact that the Township supports the Squad on an asset basis and a contribution basis. The Committee is willing to sort out any problems, have to work through the issues, not retreat. Mr. Nell stated that he would take Mr. Posts comments at face value.

Mayor Schriver thanked Mr. Nell for his comments and reiterated Mr. Post's comments. The Squad is valuable to the Community and she hopes that the problems the Squad sees can be worked out.

Mr. Gordon Sandelier of 116 Voorhees Road stated that he is having problems with drainage on his property. The road was resurfaced last year and the drainage has been a flooded out every time it rains. The water is coming from the High School property. The Clerk will ask Mr. Jones, DPW Supervisor to look at drainage problem.

*Motion by Mr. Post, 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. Post seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 71-2006 and convened in executive session at 7:55 p.m.*

### **TOWNSHIP OF LEBANON RESOLUTION NO. 71-2006**

**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:

Contract – Garden Manager

Fire Station No. 1 Well Monitoring  
Possible Litigation

*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 9:01 p.m.*

Attorney George stated that discussion was held on the changes requested for the Garden Manager Contract. Paragraph stating self renewing is to be amended to non-renewing, to enable performance reviews. Lengthy discussion was held on the well testing at Fire Station No.

1. Favorable reports have been received from TRC RAVIV on the most recent monitoring. The draft report was approved for submission to the DEP. The report recommends reducing the testing wells from 8 to 2 wells. Discussion was also held on the questions raised by the Rescue Squad relative to the proposed Audit. It has been determined to proceed with the Audit and request that the company's Auditor submit the needed documentation to the Township Auditor, which has been directed to be conducted during the months of August and September

**Garden Contract**

*Motion by Mr. Post seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved the Garden Manager contract with the deletion of article # 8. The contract is a one year contract.*

**TRC RAVIV Voucher**

*Motion by Mr. Monahan seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved adding the TRC RAVIV voucher to the bill list.*

*Motion by Mr. Post seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee re-approved the July 19<sup>th</sup> bill list in the amount of \$1,148,277.56.*

**ADJOURN**

Having no further business to come before the Committee a motion was made by Mr. Post seconded by Mr. Monahan and carried by unanimous favorable roll call vote to adjourn the meeting at 9:10 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved

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Patricia Schriver, Mayor

