

**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 Eric Bernstein, Clerk Karen Sandorse and 7 members of the public.

**PRESENTATION OF MINUTES**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved the July 16, 2008 regular meeting minutes with a correction as noted.*

*Motion by Mr. Morrison, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved the July 16, 2008 executive session minutes.*

**ORDINANCE**

**Public Hearing**

**Ordinance No. 2008-06 – Salaries**

*Motion by Mr. Post, seconded by Ms. Schriver, and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2008-06 was opened.*

*Hearing no comments from the public, the public hearing was closed on a motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote.*

*Motion by Ms. Schriver, seconded by Mr. Post, and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2008-06 as written below.*

TOWNSHIP OF LEBANON  
SALARY ORDINANCE  
ORDINANCE NO. 2008-06

BE IT ORDAINED BY THE Township Committee of the Township of Lebanon, Hunterdon County, New Jersey, that:

SECTION A: This Ordinance shall be known and may be referred to be its short title which is "The 2008 Salary Ordinance"

SECTION B: The annual salary of the following officers and employees of the Township of Lebanon shall be as set forth hereafter:

	SALARY	RANGES
Mayor	4,000.00	6,000.00
Committee	4,000.00	6,000.00
Open Space Coordinator	4,000.00	6,000.00
Tax Assessor	30,000.00	48,000.00
Township Clerk	40,000.00	76,000.00
Deputy Clerk	30,000.00	49,000.00
Tax Collector	30,000.00	42,500.00
Chief Financial Officer	15,000.00	26,500.00
Treasurer	30,000.00	35,500.00
Planning Board Clerk	15,000.00	26,500.00
Zoning Official	11,000.00	14,000.00
Board of Adjustment Secretary	15,000.00	26,500.00
Police Office Manager	29,000.00	46,500.00
Road Supervisor	55,000.00	91,000.00
Asst. Road Supervisor	40,000.00	64,000.00
Chief Mechanic	29,000.00	63,000.00
Road Employee	29,000.00	57,000.00
Police Chief	86,000.00	104,000.00
Police Sergeant	66,000.00	93,500.00
Police Officer	47,000.00	86,000.00
Office of Emergency Management	2,000.00	6,000.00
Dog Census	2,000.00	4,500.00

SECTION C: The hourly wage of the following employees of the Township of Lebanon shall be set forth hereafter:

Buildings and Grounds	12.00		14.00
Library Clerk	13.00		19.47
Assistant Library Clerk	9.00		16.70
Clerical Substitute	12.00		12.00
Museum Curator	11.00		17.52
Assistant Museum Curator	9.00		14.70
Special Police Class II & Matrons	13.00		20.50
Dog Wardens	9.00		13.07
Mechanic Helper - over base pay	2.00	4.00	
Fire Official	16.00		23.56
Perc Test Witness	100.00		125.00
Special Traffic Guards	25.00		42.58

SECTION D: The rate for mileage shall be the current federal limit.

This ordinance shall take effect upon final passage and publication as provided by law.

## Introduction

### Ordinance No. 2008-07 - Public Improvements Bond

*Motion by Ms. Schriver, seconded by Mr. Morrison, and carried by unanimous favorable roll call vote, the Township Committee introduced Ordinance No. 2008-07. (as entitled below)*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
ORDINANCE NO. 2008-07

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, 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 \$346,500 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 September 3, 2008.

Mr. Post stated that he wants to be sure that the Committee is able of look into the final information prior to any purchases being made. Attorney Bernstein stated that this ordinance is enabling the Committee to authorize the purchases, however, there is no commitment to do so.

## **Introduction**

### **Ordinance No. 2008-08 - Zoning Revision**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee introduced Ordinance No. 2008-08. (as entitled below)*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO. 2008-08

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCE OF THE  
TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AND  
MORE SPECIFICALLY CHAPTER XVIII(ZONING)

Public hearing to be held on September 17, 2008.

Mr. Post requested a copy of the existing Ordinance and the basis for the increase.

## **RESOLUTIONS**

### **Resolution No. 76-2008 Salaries**

Attorney Bernstein stated Resolution No. 76-2008 includes the proposed raises for individuals covered by the CWA Local 1040 Contract. Although the MOA has been approved, the Contract has not been reviewed and executed. There are also people in the Salary Resolution who are not covered by the CWA Contract. Attorney Bernstein suggested to the Committee that they adopt the resolution with the motion stating that the Treasurer is instructed not to grant increases to the individuals covered by the CWA Contract until the Contract has been executed. Therefore, the resolution will not have to be considered again once the Contract is signed. CWA Local 1040 Members will be granted their retro pay and salary increases once the Contract is fully executed.

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No.76-2008, as written below, and stated that the Treasurer is instructed not to grant increases to the individuals covered by the CWA Contract until the Contract has been executed. The PBA Local 188 members and non-union employees can be paid their retro pay and salary increases may be granted.*

TOWNSHIP OF LEBANON  
2008 SALARIES  
RESOLUTION NO. 76-2008

RESOLVED, BY THE Township of Lebanon, County of Hunterdon, State of New Jersey fixing the Compensation and Salaries of certain officers and employees of the Township.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon that this Resolution be known as the 2008 Salary Resolution and the annual salaries of the following officers and employees be set forth hereafter:

	<u>2008</u>
SECTION A:	
Mayor	5,000.00
Committee	4,000.00
Open Space Coordinator	5,000.00
Tax Assessor -Mastro	44,286.17
Deputy Clerk Jacobus	45,173.53
Township Clerk - Sandorse	69,884.00
Tax Collector - Hyland	38,932.89
Chief Financial Officer - Della Pia	24,397.38
Treasurer - Gambert	32,448.00
Planning Board/Bd of Adj Secretary - Glashoff	48,474.08
Police Office Manager - Goracy	42,575.10
Zoning Officer - Flemming	12,654.72
Road Supervisor - Jones, Jr.	84,117.20
Asst. Road Supervisor - Gabriel	58,947.03
Chief Mechanic - Kiley	57,918.72
Road Employee - Rivers	52,093.21
Road Employee - Heft	52,093.21
Road Employee - Beam	50,812.23
Road Employee - Candler	45,631.38
Road Employee - Nunn	45,631.38
Road Employee - Apgar	33,269.93
Chief of Police Mattson	90,219.92
Sergeant Gale	86,163.94
1st Class - Smith	79,254.90
1st Class - Rautenberg	79,254.90
1st Class - Gurneak	79,002.58
1st Class - Unkert	78,490.33
2nd Class - Cronce	67,111.30
5th Class - Lane	48,930.96
6th Class - Thomsen	43,759.01
Office of Emergency Management - Gabriel	5,000.00
Dog Census - Dunlap	4,105.71

SECTION B: The hourly wage of the following employees of the Township of Lebanon shall be set forth hereafter:

Library Clerk - Harding	18.00
1st Clerk - Lucas	15.44
2nd Clerk - Roth	13.99
Museum Curator - Lucas	16.20
Assistant Museum Curator - Kinney	13.59
Clerical Substitute	12.00
Special Police Class II	18.95
Animal Control Officer	12.08
Mechanic Helper - over base pay	2.00
Fire Official - Apgar	21.78
Perc Test Witness - Lanzo	100.00
Special Traffic Guards	39.37

SECTION C: The rate for mileage shall be the current federal limit.

**Resolution No. 77-2008 Constitute the 2008 Capital Budget**

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No.77-2008 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 77-2008

WHEREAS, the Township of Lebanon desires to constitute the 2008 Capital Budget of said municipality by inserting therein Various Capital Projects.

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

Section 1. The 2008 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 2008  
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>
----------------	-----------------------	-----------------------	---------------------------------	------------------------	----------------------

Various Imps.	\$346,500.00	NONE	\$17,000.00	NONE	\$329,500.00
------------------	--------------	------	-------------	------	--------------

**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 2008 Permanent Capital Budget as adopted.

**OLD BUSINESS**

**Challenge of COAH Regulation – NJLOM Pledge/Authorize Mayor and Clerk to Execute**

Planner Mike Bolan sent correspondence to the Township Committee recommending their support in the NJLOM lawsuit relative to COAH Regulations.

*Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee moved to participated in the NJLOM Affordable Housing lawsuit with an expenditure of \$800.00 and authorized the Mayor and Clerk to sign.*

The Clerk is to request that the Township Planner be in attendance at the September 3, 2008 meeting to discuss the Township’s 3<sup>rd</sup> Round responsibilities and the COAH report which must be filed by December, 2008, with the State.

**Approve CWA Contract/Authorize Mayor and Clerk to Execute**

The Committee was provided a copy of the CWA Contract the day after the July 16, 2008 meeting for their review and acceptance. The Clerk will provide the CWA Shop Stewards with a copy for their review. Attorney Bernstein will forward a copy to Bob Yager at CWA for their review, assuming they are happy, they would execute.

*Motion by Ms. Schriver, seconded by Mr. Post and carried by favorable roll call vote, the Township Committee authorized the Mayor and Clerk to execute the CWA Local 1040 Contract, once the parties have agreed on the language of the Contract. AYES: Schriver, Post, Piazza, Morrison NAYS: Weeks*

**Request to Extend the Permit of a Residential Trailer – Sydor**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee extended the Residential Trailer permit; for the Sydor family, for three months.*

**Zoning Officer Correspondence**

Mayor Piazza stated that the Committee received a letter from John Flemming, the Zoning Officer, inquiring on the Committees position on establishing an ordinance for the Township

relative to alternative power, such as windmills and solar panels. Mayor Piazza stated that the Planning Board has formed a committee of three members to work with John on the recommended ordinance.

### **Municipal Court Meeting**

Mayor Piazza stated that the Municipal Court of North Hunterdon will be holding a meeting on September 16, 2008 at 6:00 p.m. at the Court. The meeting is to discuss the budget and other personnel and business matters. Mayor Piazza will not be able to attend.

### **Rocky Run Road Bridge**

The DPW Supervisor is to have signs placed on Rocky Run stating that the road is closed due to the bridge being out.

### **Freedom House Final Payment**

Mr. Post stated that he was reading the minutes from the July 16, 2008 meeting and noted that the Committee voted not to advance the final fees to Freedom House, prior to receiving the final payment from the Balanced Housing Grant money, provided by the State. Mr. Post stated that Freedom House is working with the Township Treasurer, to gather all required documents, for the final reimbursement from the State.

Mr. Post asked that the Committee reconsider and provide Freedom House with the advance as done previously.

*Motion by Mr. Post, seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee authorized the advance to Freedom House in the amount of \$35,284.00, out of the Township's cash flow, until the Balanced Housing Grant money is received.*

## **NEW BUSINESS**

### **Keller & Kirkpatrick – Approve Proposed Detour Plan/Authorize Mayor and Clerk to Execute**

Warren and Hunterdon County are planning a rehabilitation of an inner county bridge. The bridge is 1607-L-97, and is located on West Old Turnpike Road, over the Musconetcong River, at the boarder of Mansfield and Lebanon Township. The Counties have provided the Township with a Proposed Detour Plan for information and signature.

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee authorized the Mayor and Clerk to sign the Proposed Detour Plan.*



### **Request to Attend DPW Managers Course – DPW Assistant Supervisor Warren Gabriel**

Assistant DPW Supervisor Warren Gabriel has requested to attend the DPW Manager's courses.

*Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved Warren's request to take the DPW Manager Courses.*

### **Ratify Township's Participation in County Bulk Purchase Ice Control Materials 2008/2009**

*Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee ratified the Township's participation in the County Bulk Purchase of Ice Control materials for the 2008/2009 winter season.*

### **NJ State Firemen's Assoc. Membership Application – Chris Bisbee/Authorize Clerk to Execute**

Warren Gabriel stated that Chris Bisbee is presently a fireman in the Township but once he turned 18 he is eligible to be a member of the NJ State Firemen's Assoc. Membership, however, in order to do so, he needs the Township Committee's approval.

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved the application for Chris Bisbee for the NJ State Firemen's Assoc. Membership.*

### **H C Board of Freeholders – Julie Anne Hajdusek to Serve on HC Open Space Advisory Comm.**

The Secretary to the HC Board of Freeholders, Denise Doolan, sent an email to the Township Clerk, stating that Lebanon Township resident, Ms. Julie Anne Hajdusek, has shown interest in serving on the HC Open Space Advisory Committee. Ms. Doolan stated that the Freeholders would like to know if the Township endorses the request.

The Committee would like to meet with Ms. Hajdusek at the next meeting. The Clerk will attempt to contact Ms. Hajdusek.

### **Approve Raffle License Application – St. John Neumann Church**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved a Raffle License Application for St. John Neumann Church to be held on November 1, 2008.*

## **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 August 20, 2008 bill list in the amount of \$2,825,972.10.*

## **Fire Station No. 1 – Insurance**

Mayor Piazza stated that he spoke to Ray Scherrer of Groendyke Insurance about the insurance coverage relative to the soil contamination at Fire Station No. 1. Ray said that he has been corresponding with the Selective Insurance about the coverage. Mayor Piazza stated that the Township Attorney has been talking with Mr. Scherrer also. Attorney Bernstein stated that he spoke to Mr. Scherrer this afternoon and he has had conversations with the carrier regarding the claim and they are working on it.

## **CORRESPONDENCE**

## **PUBLIC COMMENTS**

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

Mr. and Mrs. John Ripton, of 747 Backus Estates Road, informed the Committee of a continuing drainage problem he is having on his property.

The DWP Supervisor is to go out with the Township Engineer to evaluate the drainage issues and to see if the Township can be of assistance.

Mr. Dave Nell, President of the LTFAS was present to state that in January, the Squad was approached by Committeeman Morrison, and over the next 8 months, they have been in discussions to overcome differences between the Squad and the Township. Part of the issues relate to the 2004 and 2005 LTFAS Audit, undertaken by the Squad and the 2004 and 2005 Audits undertaken by the Township Auditor. Mr. Nell declared that his reason for being in attendance was to state, that from the Squads point of view, they feel that they have answered all of the questions, that were outstanding, to their satisfaction and he believes to Mr. Morrison's satisfaction also. Mr. Nell asked if the data is satisfactory to the Township Committee also. Mr. Post stated that the Audit was not the only thing that was a precondition in reestablishing a relationship. The Committee was also looking for operational statistics, relative to standards in the Squad and the Committee has seen none to date. Mr. Post stated that this would include, but

is not limited to response times, all calls, regular reporting. Mr. Nell stated that he believed that in January a packet was handed to the Township relating to last year, in detail. Mr. Post stated that he did not receive the packet. Mr. Post stated that the Committee made the request for the information and he would expect, that in the same way Mr. Nell was present at the meeting this evening, he would have submitted the information, in the public meeting, to the Committee, stating how the Squad stands, statistics, response time, mutual aid, etc.

The Squad has submitted a 2006 Financial Statement prepared by two Squad members. Mr. Post stated to Mr. Nell that, an organization cannot audit itself, it is against accounting principals.

Mr. Nell questioned the need for the Squad to submit an Audit prepared by a third party, as the Squad's income does not exceed the \$100,000.00, as required by the State. This information was provided to Mr. Nell by Mr. Greg Della Pia. Mr. Nell stated that in 2006 the Squad had an

income of \$21,000.00 and that he is not going to authorize his people to spend \$2,500.00 on an Audit. Mr. Post stated that they can agree to disagree, but his position is that the Squad still must submit independent financial audit statements. Mr. Nell informed the Committee of a Township Treasurer's letters to the Squad, dated 1984 and 1987, stating that the squad was to provide her with a financial statement so she could perform the audit for the squad. Mr. Nell stated that based on those letters, the Township did not require an Audit in the past. Mr. Post stated that that was a different Committee and it is not to his satisfaction. Mr. Weeks stated the Committee wants an independent audit and that's what they will only accept.

Attorney Bernstein stated that the Township Committee has the right to request audits from an organization that it contributes money to. The statement that Mr. Nell made relative to income, is a requirement of the State, that at a certain level of funds, there is no choice in the need to submit an audit.

Mr. Nell asked Mr. Post if there has ever been fiscal impropriety at the Rescue Squad. Mr. Post stated that he has no idea since he has no financial statements. Mr. Nell asked if the Squad provides the Township with 2006 and 2007 Audits, would the Township then provide them with funding. Mr. Post stated that the Audits are just part of the conditions. The Committee needs to also see their operational records. Mr. Post stated that the information should be presented, directly to the Township Committee, at a meeting. Mr. Post stated that they must provide the information suggested, such as response rate and possible improvement shown, membership statistics, etc.

*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. 78-2008 and convened in executive session at 8:25 p.m.*

TOWNSHIP OF LEBANON  
RESOLUTION NO. 78-2008

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:

Negotiations – Other Than Collective Bargaining  
Township Garage  
Insurance Issues Regarding Potential Litigation as to the Fire Department  
Cell Tower  
Fire Station No. 1 – TRC Raviv

*Motion by Ms. Schriver, seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 9:08 p.m.*

Attorney Bernstein stated that all members of the Governing Body 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. Discussion was held on the ongoing issue involving insurance matters, as to the Fire Department and the Rescue Squad. The Clerk will invite the Fire Chief to attend an upcoming Township Committee meeting to discuss issues and a letter will be sent to Groendyke Insurance relative to obligations they have involving vehicles on the insurance policy. No formal action needs to be taken. There was a discussion relative to the ongoing DEP matters with Fire Station No. 1. Mr. Post is to contact individuals from DEP relative to scheduling a meeting to discuss testing issues. There was a further discussion relative to the Township Garage and a proposal from a potential architect, the Committee requested that the Township Clerk send a letter to the individual, requesting his appearance at the next meeting. The Clerk is to also request that the Township Planner be in attendance at the next meeting to discuss COAH matters and the Township's obligations relative to the 3<sup>rd</sup> Round requirements.

**ADJOURN**

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

Respectfully submitted,

---

Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: September 3, 2008

---

Mayor

George Piazza,