

**Lebanon Township Committee  
August 16, 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      Ed Post

Absent            Jay Weeks

Also Present - Attorney Phil George and Clerk Karen Sandorse and 7 members of the public.

**PRESENTATION OF MINUTES**

*Motion by Mr. Monahan, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved the July 19, 2006 regular meeting minutes.*

*Motion by Mr. Piazza, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved the July 19, 2006 executive session minutes.*

**ORDINANCES**

**Ordinance No. 2006-09 - Introduction**

*Motion by Mr. Post, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township introduced Ordinance No. 2006-09. (as entitled below)*

ORDINANCE 2006-09  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL  
HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING  
LEBANON TOWNSHIP'S AFFORDABLE HOUSING PROGRAM  
PURSUANT TO THE FAIR HOUSING ACT

Public Hearing to be held on September 6, 2006.

**RESOLUTIONS**

**Resolution No. -72-2006 Intent to Bond for Shortfall (COAH)**

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 72-2006. (as attached)*

RESOLUTION NO. 72-2006  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION OF LEBANON TOWNSHIP COMMITTEE OF  
ITS INTENT TO BOND FOR SHORTFALL

**Resolution No. 73-2006 - Morris County Cooperative Pricing Renewal Agreement**

*Motion by Mr. Piazza seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 73-2006 and authorizing the Mayor and Clerk to sign. (as written below)*

RESOLUTION NO. 73-2006  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
"RENEWAL" AGREEMENT FOR MEMBERSHIP IN THE MORRIS COUNTY  
COOPERATIVE PRICING COUNCIL (MCCPC)

A Resolution authorizing the Township of Lebanon to enter into a "Renewal" Cooperative Pricing Agreement with the Morris County Cooperative Pricing Council, hereinafter referred to as the "Lead Agency" for the conduct of certain functions relating to the purchase of work, materials and supplies for their respective jurisdictions.

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

This Resolution shall be known and may be cited as the "Renewal" Cooperative Pricing Council Resolution of the Township of Lebanon.

Pursuant to the provision of N.J.S. 40A:11-11(5), the Township Committee is hereby authorized to enter into a "Renewal" Cooperative Pricing Agreement with the Lead Agency or any other contracting unit within the County of Morris or adjoining counties for the purpose of work, materials and supplies.

The Lead Agency entering into contracts on behalf of the Lebanon Township Committee shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S. 40A:11-1et seq.) and all other provisions of the revised statutes of the State of New Jersey.

All resolutions or parts thereof inconsistent with this resolution shall be and the same are hereby repealed.

This "Renewal" Cooperative Pricing Council Resolution shall be effective October 1, 2006 and such membership shall be for the duration of (five (5) years) of the "Renewal" Cooperative Pricing Agreement, expiring September 30, 2011, unless the "Lead Agency" and the Division of Local Government Services, elects to withdraw.

This Resolution shall take effect immediately upon final passage and publication according to law.

**Resolution No. 74-2006 - Supporting NJ Legislative Bills S-1199 and A-2589**

**NOT ENACTED, Committee did not move to introduce.**

RESOLUTION NO. 74-2006  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

A Resolution in Support of New Jersey Legislative  
Bills S-1199 and A-2589  
Tree Care Experts

**Resolution No. 75-2006 - Supporting Chamber of Commerce Shared Service Study**

*Motion by Mr. Post seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 75-2006. (as written below)*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 75-2006**

WHEREAS, the Hunterdon County Chamber of Commerce (the Chamber) is desirous of partnering with Hunterdon County's twenty-six (26) municipalities by promoting shared services among them, and;

WHEREAS, the Hunterdon County Chamber of Commerce has joined together with the Hunterdon County Municipal Officers Association, Mayors, and Municipal Officials representing each of Hunterdon's municipalities to form the Hunterdon County Business & Government Council (the Council), and;

WHEREAS, the Chamber and Council have met with the Somerset County Partnership on shared services, where Somerset County demonstrated over a thirteen million dollar (\$13,000,000.) savings in 2005 through shared services, and;

WHEREAS, the Council has held four meetings since February to discuss how Hunterdon's municipalities can benefit from shared services, and;

WHEREAS, the Chamber has put forth the idea of applying for a grant from the New Jersey Department of Community Affairs for a feasibility study of the services that can be shared among municipalities and the costs and savings that will result from shared services, and;

WHEREAS, the Hunterdon County Board of Chosen Freeholders participates and supports the work of the Chamber and the Council, and;

WHEREAS, the Chamber seeks the support of each municipality in Hunterdon to partake with other municipalities in exploring shared services and applying for the grant, and;

NOW, THEREFORE, BE IT RESOLVED that the Township of Lebanon, County of Hunterdon, State of New Jersey hereby supports and endorses the work of the Hunterdon County Chamber of Commerce to coordinate and facilitate a shared services study in an effort to assist municipalities with saving precious taxpayers dollars that can ultimately result in an reduction of property taxes.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to the Governor Jon S. Corzine, Assembly Speaker Joe Roberts, Senate President Richard Codey, Senator Robert Littell, Assemblywoman Allison McHose, Assemblyman Guy Gregg, Senator Leonard Lance, Assemblyman Michael Dougherty, Assemblywoman Marcia Karrow, and the Hunterdon County Board of Chosen Freeholders.

## **OLD BUSINESS**

### **Schaaf Property Refund of Taxes**

It has been determined, by Attorney Bernstein's office, that the Township of Lebanon owes the Schaafs tax money reimbursement for a closing that took place in May 2005. Attorney Bernstein informed the Committee, in writing, that it appears that the Schaafs are owed a refund of taxes in the amount of One Thousand Eight Hundred Eighty Nine Dollars and Twenty-Four Cents. (\$1889.24). Mr. Piazza stated concern with how the error occurred. Attorney George stated that the contract for the purchase states that if the closing takes place in the first half of the year, the taxes must be paid for the first two quarters. They amounts were to be adjusted outside of the closing by remitting a check directly. The calculations which was put into the spreadsheet and approved by all parties was based on the changed tax rate listed in the title search. It did change the change rates that were originally searched. The grantors (sellers) did pay the taxes just prior to the closing as required by the contract. It was not misinformation given it was just the way in which the title company requested the tax information. Attorney George said that no wrong information was given and that the allocation is what did actually occur and what is listed in the contract.

*Motion by Mr. Post seconded by Mr. Monahan and carried by favorable roll call vote, the Township Committee approved the reimbursement of the taxes in the amount of One Thousand Eight Hundred Eighty Nine Dollars and Twenty-Four Cents. (\$1,889.24), subject to certification of funds and authorized the Treasurer to cut the check which is to be signed by the Mayor, Clerk and Treasurer. The reimbursement is to be taken from the Open Space Trust Fund. AYES: Schriver, Post, Monahan NAYS: Piazza*

### **Rescind Deer Carcass Removal and Disposal Contract – Approved July 19, 2006**

*Motion by Mr. Monahan seconded by Mr. Post and carried by favorable roll call vote, the Township Committee moved to rescind the resolution to enter into a contract with Deer Carcass Removal and Disposal which was approved at the July 19, 2006 meeting due to the Township being covered under the Morris County Coop Agreement.*

### **Police Chief Request to Purchase Computer and Live Scan**

Police Chief Schell has requested to purchase a new Dell computer and a MORPHO's LiveScan System (ILS2)-R250.

*Motion by Mr. Monahan seconded by Mr. Piazza and carried by favorable roll call vote, the Township Committee approved the Chief's request to purchase a computer from Dell for \$1229.00. The cost is a government contract price with free shipping and handling and many free upgrades.*

*Motion by Mr. Monahan seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved the Chief's request to purchase the Live Scan from Sagem Morpho Inc. at a State contract price of \$26,995. The cost is \$1500.00 over the original estimate. The additional cost will come out of the police operating budget. Sagem Morpho Inc. State Contract number is A50329.*

### **DPW Supervisor Request to Purchase Windows for Municipal Office**

Paul Jones, DPW Supervisor has requested to purchase replacement windows for the Township Office building. Quotes were received and Mr. Jones recommended awarding the bid for the windows to Markey LLC. The total cost will be \$17,500.00, in which \$13,000.00 will fall under the capital budget. The remaining \$4,500.00 will be taken from the Buildings and Grounds account.

*Motion by Mr. Piazza seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee awarded the bid to Markey LLC in the amount of \$17,500.00 for the replacement windows at the municipal offices.*

## **Township Garage**

Mayor Schriver stated that at the Planning Board meeting the matter of the Township garage was discussed. The Sub-Committee will be reactivated and the Planner and Engineer will be working with Mr. Jones to start looking at potential properties and garage plans.

## **NEW BUSINESS**

### **Fire Chief Request to Receive Sealed Bids for Sale of 1979 Ford Fire Engine**

Fire Chief Warren Gabriel is requesting to receive sealed bids for the sale of the 1979 Ford Fire Engine. The Chief stated that the new truck purchased this year will replace the Ford. The equipment from the Ford was also transferred to the new truck.

*Motion by Mr. Post seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee authorized the Fire Chief to seek sealed bids for the 1979 Ford Fire Truck.*

### **Application for Social Affair Permit – Lebanon Township Vol. Fire Co. 09/23/06**

*Motion by Mr. Monahan seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the Fire Company Social Affair Permit.*

## **Freedom House Grant Advance**

Mr. Post stated that in part of meeting our COAH obligations, the Township facilitated a grant with the DCA to fund renovations at Freedom House. Freedom House has met all of the criteria to move forward with construction. The DCA has implemented a fairly new automated grant program system that the Township is in process of gaining access to. This system will allow for drawdown's on the grant funds once accessible. Mr. Post is requesting for the Committee to advance Freedom House the first drawdown in the grant schedule in the amount of \$156,278.00. It will be funded for two or three weeks until the SAGE system is accessible and the Township will request reimbursement for the drawdown.

*Motion by Mr. Post seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution 76-2006 (as attached).*

RESOLUTION NO. 76-2006  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

A RESOLUTION AUTHORIZING ADVANCEMENT OF FUNDS FROM AFFORDABLE HOUSING FUNDS AND TAKING ALL OTHER ACTION NECESSARY BY THE TOWNSHIP TO IMPLEMENT AGREEMENTS WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS AND WITH FREEDOM HOUSE, INC., FOR THE PROJECT KNOWN AS "FREEDOM HOUSE", LOCATED AT BLOCK 33, LOT 4 ON THE TAX MAP OF LEBANON TOWNSHIP

**PRESENTATION OF VOUCHERS**

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

*Motion by seconded Mr. Post seconded by Mr. Monahan and carried by unanimous favorable* roll call vote the Township Committee approved the August 16, 2006 bill list in the amount of \$2,763,014.20 which excludes the TRC RAVIV voucher in the amount of \$650.00. The Committee would like verification of charges.

**CORRESPONDENCE**

**NJ Division of Fish and Wildlife Request for Meeting**

The NJ Division of Fish and Wildlife sent a letter to the Committee stating that they will be doing improvements to the Ken Lockwood Gorge Wildlife Management Area. The work will include road upgrades, improve the drainage and the construction of parking areas. The Division would like to meet with members of the Committee to determine if the Township has any concerns prior to the start of the project. Committee members, the Police, Fire and Rescue would be included in the meeting. The Clerk will request a few options for the meeting. Mr. Monahan and Mayor Schriver are interested in attending.

**I-78 Corridor Transit Study – Request for Attendance at Meeting**

The Transportation Planning Authority would like to meet with the local officials to review some of their thoughts, prior to holding public meeting, regarding the I-78 Corridor Transit Study. A

meeting has been scheduled for Monday, September 18, 2006 from 7pm – 9pm, and will be held at the Clinton Township Municipal Building. Mr. Post agreed to be in attendance. The Clerk will respond on his behalf.

### **Tax Collector Report for the Month of July 2006**

Tax collector submitted her report for the month of July 2006.

### **NJ Local Boards of Health Association Notification**

The NJ Local Boards of Health Association will be holding a meeting on September 16, 2006 regarding issues that all will be facing. There is also an annual conference on October 3<sup>rd</sup>. At the Conference, matters such as disasters that may affect our Community will be discussed, including the pandemic flu etc. The Squad and Paul Jones the OEM Coordinator will be given the notification.

### **PUBLIC COMMENTS**

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

No Public Comments.

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

### **EXECUTIVE SESSION**

*Motion by Mr. Piazza seconded by Mr. Post and carried by unanimous favorable roll call vote*, the Township Committee approved Resolution No. 77-2006 and convened in executive session at 7:53 p.m.

TOWNSHIP OF LEBANON  
RESOLUTION NO. 77-2006

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:



Pending Litigation and Personnel  
Contract Matters of a General Matter, Not Specific to Any Individual

*Motion by Mr. Piazza seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 8:22 p.m.*

Attorney George stated that the Committee discussed pending litigation regarding the Asdal Government Records Council and a Notice of Tort Claim. Also discussed was general pension contracting issues regarding health benefits and general, without specific mention of any personnel, possible reorganization or streamlining of governmental services as it relates to organizational methodology in delivery and services.

**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 8:23 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved

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Patricia Schriver, Mayor