

**Lebanon Township Committee
November 5, 2008**

Minutes of Regular Meeting

CALL TO ORDER

Mayor 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 6 members of the public.

MAYOR'S COMMENTS

Mayor Piazza thanked the DPW, the Police, the Fire Department, the Rescue Squad and the Electric Company for working so hard to pull the Township through the October 28, 2008 snowstorm and for getting the roads open so quickly. It was a very rough storm and all efforts were appreciated.

PRESENTATION OF MINUTES

Motion by Ms. Schriver, seconded by Mr. Post and carried by favorable roll call vote, the Township Committee approved the October 15, 2008 regular meeting minutes as written.

AYES: Schriver, Post, Morrison, Weeks ABSTAIN: Piazza

Motion by Mr. Post, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee approved the October 15, 2008 executive session meeting minutes as written. AYES: Schriver, Post, Morrison, Weeks ABSTAIN: Piazza

ORDINANCE

Atlantic Salt, Inc.

Rock Salt

\$67.80 per ton

Mayor Piazza stated that Clinton Township is in process of putting up a huge salt dome. He stated that he knows the Clinton Township DPW Supervisor and it might be a good idea to talk to him to see that if Lebanon Township were to need salt in an emergency, we could get it from Clinton Township and will replenish it at a later date.

OLD BUSINESS

DPW Supervisor Request to Seek Bids for New Mason Dump Truck

Motion by Mr. Post, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee authorized the DPW Supervisor to seek Bids for a new Mason Dump Truck.

DPW Supervisor Request to Seek Bids for Road Materials and Heating and Automotive Fuel

Motion by Ms. Schriver, seconded by Mr. Post and carried by favorable roll call vote, the Township Committee authorized the DPW Supervisor to seek bids road materials and Heating and Automotive Fuel.

Police Chief Request to Purchase Two Radar Units

Motion by Mr. Post, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee approved the Police Chief's request to Purchase Two Radar Units subject to the availability of funds and upon receipt of at least two additional quotes.

Township Recycling Coordinator

Mayor Piazza stated that Paul Jones is the Township Recycling Coordinator. State law is now mandating that he attend additional classes. The Mayor is not sure if Paul wishes to continue with the position. The Clerk will speak to Paul.

NEW BUSINESS

Tony Hendra – Block 65 Lot 19 – Right of First Refusal

Mr. Post stated that in 2006, Mr. Hendra participated in the sale of a conservation easement on his property. The partners in the purchase were Lebanon Township, NJ Water Supply Authority and Green Acres. A part of the Agreement was a Right of First Refusal, that should the 3 acre piece of land that is severable, be put up for sale, the three purchasing units would have first rights to the purchase. Mr. Hendra is obligated to come to each of the parties to see if they have interest in the land.

Motion by Mr. Post, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee moved not to exercise their Right of First Refusal relative to the Hendra property Block 65 Lot 19.

Accept Resignation – Edward Lanzo – Perc Witness

Motion by Ms. Schriver, seconded by Mr. Post and carried by favorable roll call vote, the Township Committee accepted the resignation of Edward Lanzo as the Township PercWitness with regret and thanked Ed for his service to the Township.

Motion by Ms. Schriver, seconded by Mr. Post and carried by favorable roll call vote, the Township Committee appointed Howard Symonds as Lebanon Township Perc Witness.

Approve Voorhees High School PTSA Raffle Application – April 28, 2008

Motion by Ms. Schriver, seconded by Mr. Post and carried by favorable roll call vote, the Township Committee approved a Voorhees High School PTSA Raffle Application for an event to take place on April 28, 2009.

Approve Blue Light Application – Sandra Singer Rauschenberger

Motion by Ms. Schriver, seconded by Mr. Post, and carried by favorable roll call vote, the Township Committee approved a Blue Light Application for Sandra Singer Rauschenberger.

Approve Blue Light Application – Urszula Acevedo

Motion by Mr. Morrison, seconded by Ms. Schriver, and carried by favorable roll call vote, the Township Committee approved a Blue Light Application for Urszula Acevedo.

Mayor Piazza stated that the Highlands Council has adopted their Regional Master Plan. Also, COAH's Fair Housing Act was amended requiring municipalities to submit revised Housing Elements and Fair Share Plans by December 31, 2008. On September 5, 2008, Governor Corzine issued Executive Order 114 telling the two agencies to coordinate the planning objectives and come up with a plan that works. The Order also requires the agencies to enter into a Memorandum of Understanding by November 4, 2008. The Mayor received a letter from Eileen Swan, Highlands Council Executive Director, saying that the Highlands and COAH have come up with an Agreement and they have an MOU established. The Agreement includes a process to follow for an extension of the COAH deadline for another year. COAH shall grant a waiver from the December 31, 2008 deadline to December 8, 2009 for any municipality under COAH jurisdiction that before December 31, 2008 submit a duly adopted notice of Intent in accordance with the Highlands Council Plan performance guidelines and must also submit a duly adopted resolution notifying COAH of its intent to petition COAH no later that December 8, 2009. Mayor Piazza stated that since the Township has to comply with all requirements and by doing so before the year is over, the Township will receive benefits. The Regional Master Plan was formally adopted as of September 8, 2008. From the time of the Plan adoption, the

Municipalities in the preservation area have 9 to 15 months to achieve basic conformance and agree upon full conformance timeline with the Highlands Council. Since the process involves amendments to the Township Master Plan, the Highlands Council has established a process of basic conformance and full conformance. Under that basic conformance the Township will have to meet minimum requirements, under a set timeframe, for completing the requirements for full conformance. Once the requirements are met, the Township will receive all of the benefits accrued with performance to the Regional Master Plan, including but not limited to, State Plan endorsement, adjust COAH obligations based on resource limitations and legal shields to prevent builders remedy and other lawsuits. Mayor Piazza stated that by passing the Resolution by December 31, 2008, the Township will now be protected by the Highlands and possibly COAH will lower the Township's obligations. Mayor Piazza asked the Committee to review the sample resolutions provided and to take action at the December 3, 2008 meeting if they see fit.

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 October 15, 2008 bill list in the amount of \$1,169,362.12.

CORRESPONDENCE

Minutes of the Lebanon Township Historians Meeting of October 2, 2008

Lebanon Township Museum Curator's Report

PUBLIC COMMENTS

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

Ms. Pat Anderson of 209 Sassafras Lane was present to speak with the Committee on the concerns she has with the Township's Emergency Preparedness. She stated that she felt that the Township dodged a bullet on Tuesday, October 28, 2008 snowstorm. Ms. Anderson informed the Committee of her experience that day and shared some thoughts of what the Township might do during a similar situation.

Mr. Anthony Casale inquired on the chipping being done in the Township and if the Township is assisting the residents. Mayor Piazza stated that it is not the responsibility of the DPW, however, the DPW Supervisor Paul Jones has informed him that if the residents bring the limbs to the public roadway, they will do their best to chip it. There has been no timeframe given.

Motion by Ms. Schriver, 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. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 97-2008 and convened in executive session at 7:54 p.m.

TOWNSHIP OF LEBANON RESOLUTION NO. 97-2008

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:

Anticipated or Pending Litigation – Tax Collector
Personnel – Patrol Eric Rautenberg
Negotiations Other Than Collective Bargaining – Cell Tower

Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 8:32 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. There was a discussion and guidance was given to the Township Attorney relative to the drafting of bid specifications for a cellular tower on municipal property and the Attorney will deal with it accordingly. There was a brief discussion relative to a personnel matter involving Patrolman Eric Rautenberg related to National Guard issues. The Clerk will communicate with the CFO or Treasurer to find out what the last arrangement was and will bring it back to the Committee for action in December. There was also a discussion relative to correspondence involving the Tax Collector. The Committee discussed various options relative to the comments made by an attorney on behalf of the Tax Collector's Association. A majority of the Governing Body has given direction to the Township Attorney to respond to such material. No formal action is to be taken at this time.

ADJOURN

Having no further business to come before the Committee, a motion was made by Mr. Post seconded by Ms. Schriver and carried by unanimous favorable roll call vote to adjourn the meeting at 8:34 p.m.

Respectfully
submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: December 3, 2008

George Piazza, Mayor