

**CALL TO ORDER**

Deputy Mayor 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**

Deputy Mayor Post asked everyone to stand for the flag salute.

**ROLL CALL**

Present - Patricia Schriver, Edward Post, Frank Morrison

Absent - George Piazza, Jay Weeks

Also Present - Attorney Phil George, Clerk Karen Sandorse and 6 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 November 5, 2008 regular meeting minutes as written.*

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved the November 5, 2008 executive session meeting minutes as written.*

**ORDINANCE**

**Introduction**

*Motion by Mr. Morrison, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee introduced Ordinance No. 2008-12. (as entitled below)*

STATE OF NEW JERSEY  
ORDINANCE NO. 2008-12  
AN ORDINANCE AUTHORIZING CERTAIN EXPENSES FROM THE CAPITAL  
BUDGET OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON,  
STATE OF NEW JERSEY FOR A CERTAIN PROJECT KNOWN AS:  
CONSTRUCTION OF A NEW MUNICIPAL GARAGE

Public Hearing to be held on December 17, 2008.

**RESOLUTIONS**

**Resolution No. 98-2008 – Notice of Intent to Petition The Highlands Council**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 98-2008 as written below.*

RESOLUTION NO. 98-2008

RESOLUTION OF THE TOWNSHIP OF LEBANON ESTABLISHING ITS NOTICE OF  
INTENT TO PETITION THE HIGHLANDS COUNCIL FOR PLAN CONFORMANCE

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other key natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region and requiring that within nine to 15 months after September 8, 2008, each county and municipality located wholly or partially in the Preservation Area must submit a Petition for Plan Conformance to the Highlands Council for that portion of its jurisdiction lying within the Preservation Area; and

WHEREAS, the Highlands Act specifies that conformance with the Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

WHEREAS, the Highlands Council's Plan Conformance Guidelines require that for jurisdictions with any lands in the Preservation Area, a Notice of Intent to conform to the Regional Master Plan must be submitted to the Highlands Council as soon as practicable, but not later than February 1, 2009 and that for any lands in the Planning Area, a Notice of Intent may be submitted at any time; and

WHEREAS, Lebanon Township, Hunterdon County, NJ lies within the Highlands Region as defined by the Highlands Act, largely if not exclusively within the Preservation Area; and

WHEREAS, the Township Committee of the Township of Lebanon believes that it is in the best interest of the Township of Lebanon to conform to the Regional Master Plan.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Lebanon hereby provides the Highlands Council with this Notice of Intent to petition the Highlands Council for Plan Conformance for all lands lying within the Preservation Area.

BE IT FURTHER RESOLVED, that this Notice of Intent additionally specifies that the Township Committee of the Township of Lebanon intends to include all lands lying with the Planning Area portion of the Township in the petition. In accordance with the Highlands Council's Plan Conformance Guidelines, this Notice of Intent is not binding with respect to lands within the Planning Area.

BE IT FURTHER RESOLVED, this Notice of Intent provides notice to the Highlands Council that the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey, has set December 8, 2009 as the target date for submission of a Petition for Plan Conformance.

**Resolution No. 99-2008 – COAH – Seeking a Deadline Extension/ Substantive Certification**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 99-2008 as written below.*

RESOLUTION NO. 99-2008

RESOLUTION OF THE TOWNSHIP OF LEBANON SEEKING AN EXTENSION OF THE DEADLINE TO PETITION FOR SUBSTANTIVE CERTIFICATION PURSUANT TO EXECUTIVE ORDER 114 AND THE MEMORANDUM OF UNDERSTANDING BETWEEN THE HIGHLANDS COUNCIL AND THE COUNCIL ON AFFORDABLE HOUSING

WHEREAS, on September 5, 2008, Governor Corzine signed Executive Order 114 which requires the Council on Affordable Housing (COAH) and the New Jersey Highlands Council (Highlands) to enter into a Memorandum of Understanding (MOU) designed to coordinate the regulations of both agencies by maximizing affordable housing opportunities while preserving critical environmental resources; and

WHEREAS, COAH and the Highlands have prepared such an MOU, which was adopted by COAH on October 29, 2008 and by the Highlands Council on October 30, 2008; and

WHEREAS, conformance with the Highlands Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

WHEREAS, COAH regulations establish a December 31, 2008 deadline for municipalities currently under the jurisdiction of COAH to submit third round petitions for substantive certification of a municipal housing element and fair share plan; and  
WHEREAS, the MOU establishes a procedure that municipalities under the jurisdiction of both COAH and the New Jersey Highlands Water Protection and Planning Act may follow to seek an extension to the December 31, 2008 deadline set by COAH for the submission of third round petitions for substantive certification of a municipal housing element and fair share plan; and  
WHEREAS, the MOU provides for an extension of the December 31, 2008 deadline to December 8, 2009 for any Highlands municipality under COAH's jurisdiction that, before December 31, 2008: 1) submits a duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines; and 2) submits a duly adopted resolution notifying COAH of its intent to petition COAH no later than December 8, 2009; and  
WHEREAS, on December 3, 2008, the Township Committee of the Township of Lebanon adopted a resolution notifying the Highlands that the Township of Lebanon has set December 8, 2009, as the target date for submission of a Petition for Plan Conformance.

NOW, THEREFORE, BE IT RESOLVED, that Township of Lebanon hereby agrees that its deadline for the submission of a Housing Element and Fair Share Plan pursuant to N.J.A.C. 5:96-16 is extended from December 31, 2008 to December 8, 2009; and  
BE IT FURTHER RESOLVED that the Township Committee of the Township of Lebanon directs the Lebanon Township Clerk and Attorney to immediately transmit a signed and sealed copy of this resolution to COAH; and  
BE IT FURTHER RESOLVED that the Township Committee of the Township of Lebanon hereby directs the Lebanon Township Clerk and Attorney to immediately transmit a signed and sealed copy of the December 3, 2008 duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines to COAH; and  
BE IT FURTHER RESOLVED that the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey intends to submit a petition for substantive certification of a third round Housing Element and Fair Share Plan to COAH not later than December 8, 2009.

**Resolution No. 100-2008 – Chapter 159 – Hollow Road**

*Motion by Mr. Morrison, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 100-2008 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 100-2008

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Lebanon has received \$120,000.00 grant from the State of New Jersey, Department of Transportation and wishes to amend its 2008 Budget to include a portion of this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Committee of the Township of Lebanon, Hunterdon County, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2008 in the sum of \$120,000.00 from:

Miscellaneous revenues

Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of Local  
Government Services:

State and Federal Revenues Off-Set with  
Appropriations:

Hollow Road Program-Municipal Aid Program  
Pursuant to provisions of Statute, and

BE IT FURTHER RESOLVED that a like sum of \$120,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from Caps

State and Federal Programs Off-Set by  
Revenues:

Hollow Road Program-Municipal Aid Program

BE IT FURTHER RESOLVED, that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

### **Resolution No. 101-2008 – Chapter 159 – Body Armor**

*Motion by Mr. Morrison, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 101-2008 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 101-2008

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Lebanon has received \$886.32 grant from the State of New Jersey, Department of Law & Public Safety and wishes to amend its 2008 Budget to include a portion of this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Committee of the Township of Lebanon, Hunterdon County, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2008 in the sum of \$886.32 from:

Miscellaneous revenues

Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of Local  
Government Services:

State and Federal Revenues Off-Set with

Appropriations:

2008 Body Armor Replacement Fund Program

Pursuant to provisions of Statute, and

BE IT FURTHER RESOLVED that a like sum of \$886.32 be and the same is hereby appropriated under the caption of:

General Appropriations

(b) Operations Excluded from Caps

State and Federal Programs Off-Set by

Revenues:

2008 Body Armor Replacement Fund Program

BE IT FURTHER RESOLVED, that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

## **OLD BUSINESS**

### **Police Chief's Request to Purchase a Desk Top Computer and a Lap Top Computer**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by favorable roll call vote, the Township Committee approved the Police Chief's request to purchase a Desk Top Computer at a cost of \$1,531.90 and two Dell Laptop Computers for the police vehicles at a cost not to exceed \$2900.00 for two.*

### **Police Chief's Request to Purchase a Vehicle**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by favorable roll call vote, the Township Committee approved the Police Chief's request to lease a 2009 Dodge Durango from Warnock Fleet (State Contract) in the amount of \$32,235.00 for three years. The lease will be \$10,745.00 per year. The first year's lease will be encumbered in the 2008 budget. The Treasurer has certified the availability of funds.*

### **DPW Supervisor's Request to Auction Off a Police Car and Mason Dump Truck**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by favorable roll call vote, the Township Committee authorized the DPW Supervisor's request to auction off the 1994 Ford*

Mason Dump Vin. #2FDKF38GORCA83683 and the 2003 Crown Victorian, Vin. #2FAFP71W73X105924.

Paul Jones is to establish a minimum bid threshold for each vehicle prior to advertising.

### **Pelio Property Acquisition**

Mr. Post stated that the Township has been in discussions with the County relative to the acquisition of the Pelio property on Sharrer Road and Mt. Lebanon Road. Word was just received from the County that they are choosing to disengage from contract discussions and the acquisition discussions. It is disappointing since the money, as recently as October, was determined to be available from existing funds. The County's practice was more conservative than here in the Township. We would collect the Open Space Tax Funds and use those as the mortgage payments so we could have more spending power. The County was more conservative in that they would only acquire properties once they had the full purchase price collected. Mr. Post stated that we were committed, that the funds were available. The County has now changed finance directors and the story that is being told, is that they are overspent and overcommitted on their existing Open Space Funds. The Pelio property will not be funded due to the current fiscal climate and the Counties reluctances to bond for any properties. Mr. Post stated that this project has been in the works for almost 15 months and we have a very disappointed taxpayer. Many things were done in good faith anticipating the acquisition and only to find out that the County is now renegeing. It is very disappointing. Mr. Post stated that this matter will be pursued and it will be expected that the County honors their commitment. The Township Attorney will work with the Clerk to develop a letter to be sent stating the Township's position on the matter.

### **NEW BUSINESS**

#### **Approve Blue Light Application – Susan A. Schlesinger**

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

#### **Request to Close Friday, December 26, 2008 and Friday January 2, 2009**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by favorable roll call vote, the Township Committee authorized the Municipal Office and Department of Public Works to be closed on Friday, December 26, 2008 and Friday, January 2, 2009. All employees are to use their personal time for the days off.*

#### **Municipal Court Meeting – Saturday December 6, 2008 at 8:30 A.M.**

The Municipal Court of North Hunterdon will be holding a Court meeting on Saturday, December 6, 2008. Mayor Piazza will be away and unable to attend on behalf of the Township. Mr. Morrison will attend in place of Mayor Piazza and report back to the Committee.

## **PRESENTATION OF VOUCHERS**

Committee Members provided a description of vouchers exceeding \$1,000.00.

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved the December 3, 2008 bill list in the amount of \$120,303.84.*

## **CORRESPONDENCE**

Tax Collector's Report for the Month of October 2008  
Lebanon Township Historians November 6, 2008 Meeting Minutes  
New Jersey State Dept. Of Agriculture – Gypsy Moth Egg Mass Survey

## **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. Al Nagie asked inquired on the proposed purchase price for the Pelio property.

Mr. John Slusher, Hunterdon Review, asked how much the County had committed to contribute to the Pelio Acquisition.

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

## **ADJOURN**

Having no further business to come before the Committee, a motion was made by Ms. Schriver seconded by Mr. Morrison and carried by unanimous favorable roll call vote to adjourn the meeting at 7:39 p.m.

Respectfully  
submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: December 17, 2008

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Edward Post, Deputy Mayor