

**Lebanon Township Committee  
December 6, 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 Eric Bernstein and Clerk Karen Sandorse and 6 members of the public.

**PRESENTATION OF MINUTES**

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the November 1, 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 November 1, 2006 executive session minutes.*

**RESOLUTIONS**

**Resolution No. 94-2006 – Open Space Trust Funds Municipal Grants Program**

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 94-2006. (as written below)*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

RESOLUTION NO. 94-2006  
OPEN SPACE TRUST FUND  
MUNICIPAL GRANTS PROGRAM

WHEREAS, the Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants program to provide Program Funds in connection with municipal acquisition of lands for recreation, conservation and general open space purposes, farmland preservation, preparation of plan elements of a municipal Master Plan and /or restoration of county-owned historic facilities, and

WHEREAS, the Governing Body of Lebanon Township desires to obtain Open Space Trust Funds in the amount of \$44,129.26 to fund the following project: Open Space Acquisition/Nagie.

NOW THEREFORE the Governing Body resolves that:

1. Karen J. Sandorse is authorized to: (a) make an application to the County of Hunterdon for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Grants Program and (c) act as the principal contact person and correspondent of the above named municipality.

2. If the County of Hunterdon determines that the application is complete and in conformance with the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan and the Policies and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such adopted policies and procedures, and applicable state and local government rules, regulations and statutes thereto.

3. Mayor Patricia Schriver is hereby authorized to sign and execute any required documents and agreements with the County of Hunterdon for the approved Open Space Trust Funds.

## **OLD BUSINESS**

### **Freedom House**

Mr. Post stated that the Township is working with Freedom House and the DCA, to refurbish a property on Mount Kip Road, in which the Township will obtain 10 COAH credits. A grant approval was received from DCA in 2003 in the amount of \$356,000.00 to help with the construction. The estimate for the construction costs was the basis for the grant. The cost of the construction were based on the 2003 estimate, however construction did not begin until 2006. The general contractor has run into unforeseen obstacles that need remediation. The structure has an old stone foundation unsound conditions were found in the existing building. The contractor is asking for a change order in the amount of \$69,000.00. The extras could have been observed by the contractor as they were due to lack of structural integrity and water damage to some of the principal pieces of the property. The total overages on the property are expected to

be \$100,000.00 to \$110,000.00. Freedom House is able to fund approximately \$44,000.00 of the cost. They have some grants to accommodate. Ed O'Brien the architect, Fred Riehl, and Mr. Post have reviewed the details and have determined that the changes are unforeseen and that the change order is legitimate. Mr. Post stated that the Township is the agent for the funds, through the DCA and have already advanced the first installment. The second installment has been approved but has not been remitted to Freedom House at this time. Freedom House will be

looking for the Township to help fund a portion of the Change Order. Originally it was agreed that any overages in the project would be split between Freedom House and the Township. Mr. Post stated that what will be proposed to the contractor is to defer the new \$70,000.00 septic system until the spring and proceed with the construction.

### **Library Staff Request – Close Library December 23, 2006**

Attorney Bernstein stated that there was a request from the library staff to have the library closed on December 23, 2006 to observance of Christmas. Attorney Bernstein spoke with the CWA Union it is their contention that Christmas Day is celebrated on the day in which it falls, unless it falls on the weekend in which it does not this year. Therefore, the CWA stated that the holiday is on Monday and the Committee is not being asked to make any changes in the schedules for the employees. Attorney Bernstein asked the Committee to take no action relative to the request and the Clerk is to notify the staff of such.

### **Approve Cooperative Communication Phone System**

Mr. Post stated that back in March the Township Committee was approached by Mr. Scott Koenig of TKG Technologies with an offer for alternative phone service provider for local long distance and long distance service. The provider is Cooperative Communications of Lynhurst NJ. The rate is a fixed 3.9 cents per minute for both local long distance and long distance service. This is a significant savings in comparison to what the Township is presently paying. Mr. Post stated that the Committee conditionally approved a month to month agreement in March 2006. After reviewing the contract he is comfortable with moving forward with the agreement.

Mr. Piazza asked if the Township can go back to AT & T if not happy with the service. Mr. Post has asked the Treasurer to monitor the billing to be sure we are not charged for any extras.

Concern was raised with #14 and penalties for cancellation for service. The Clerk will verify that the Township is not in a present contract with AT & T.

*Motion by Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee authorized the Mayor and Clerk to execute the Phone service agreement with the deletion of section #14. The Clerk will verify that there is no contract with AT & T which will cause a penalty upon termination.*

### **Request to Purchase a New Computer – Vital Statistics – Tax Search**

The Township Clerk stated that this request relates to the computer that is located in the workroom. New regulations have come from the State Registrars office and all municipalities must have a computer which is capable of supporting the new Registrars software. Hunterdon County is expected to be online with the State sometime in January. The computer in the workroom is older and is in need of being replaced. This computer will be used for Vital Statistics as well as tax searches.

*Motion by Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of a new computer and software, associated with the new requirements of the State Registrars office, in an amount not to exceed \$2000.00, upon certification of funds.*

### **Flood Mitigation Plan- OEM Coordinator Warren Gabriel**

Mr. Gabriel stated that he attended a State meeting regarding the Flood Mitigation Plan. He said that the Plan is more complex than an OEM project. It was recommended that a sub-committee be appointed to work the Township's portion of the Plan. The Plan will be primarily for the Delaware River Basin/Mustconetcong River, however, if the Township commits to the Plan, it will cover the entire Township, including the Raritan River. Being a part of the Plan would allow for homeowners to receive FEMA money for flood damage, after a storm. Without the Mitigation Plan, this is not an option at this time. If the Township were to attempt to put this Plan together on their own, it would cost approximately \$10,000.00 to \$20,000.00. Since the State is handling the details and helping the municipalities in bringing the Plan into effect, the cost is minimal. The cost to the Township will primarily consist of consulting fees for engineering, planners etc. The State would like involvement on the part of the building code officials, planners, engineers, administrators, public officials and residents to participate on the sub-committee. The State is looking for a commitment by Friday. The documentation will be sent to the Township Engineer for his review. Mr. Gabriel recommended constructing a subcommittee to work on the Plan.

*Motion by Mr. Monahan, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee moved to investigate and participate in the Mitigation Plan for the Delaware River Basin.*

### **NEW BUSINESS**

#### **Approve Blue Light Renewal Application**

*Motion by Mr. Monahan, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved a blue light application for Giulio Dantonio.*

### **Approve Raffle Application – Lebanon Township PTA**

*Motion by Mr. Piazza, seconded by Mr. Post, and carried by unanimous favorable roll call vote, the Township Committee approved a raffle application for the Lebanon Township PTA.*

### **2007 Reorganization Meeting**

*Motion by Mr. Piazza, seconded by Mr. Post, and carried by unanimous favorable roll call vote, the Township Committee moved to hold the 2007 Reorganization meeting on Wednesday, January 3, 2007 at 7:00p.m., and authorized the Clerk to advertise notice.*

### **Zoning Officer Correspondence to the Mayor**

Mayor Schriver stated that she received a letter from the Zoning Officer regarding two complaints on a house on River Road, which backs up to Columbia Trail. The letters stated that the property owner may be running a dog business and had sheep on the property. After researching the complaint, it was determined that it appears to be a neighbor dispute and that the Township should not be involved in.

### **Pandemic – Bird Flu**

Mr. Monahan stated that he attended a session in Atlantic City relating to the Pandemic/Bird Flu, which has not hit the United States to date. The U.S. is not prepared to deal with the Flu if it should hit here in the near future. It will take approximately 6-7 months to produce the vaccine and it will take at least a year to have enough to vaccinate emergency personnel. It will take 2 years to have enough vaccine for everyone. It was advised that every household have a 3 month supply of food on hand.

### **PRESENTATION OF VOUCHERS**

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

*Motion by seconded Mr. Piazza seconded by Mr. Post and carried by unanimous favorable roll call vote the Township Committee approved the December 6, 2006 bill list in the amount of ????*

### **CORRESPONDENCE**

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

The Tax Collector submitted her tax collection report for the month of October 2006.

### **State of New Jersey – DOT Municipal Aid Program Funding Dutch Hill Road - \$125,000.00**

A letter was received from the State of New Jersey informing the Committee that the Township has received a grant for \$125,000.00 for needed drainage repairs on Dutch Hill Road.

### **Hunterdon County Dept. of Parks and Recreation Installation of Signs at Entrance of Crystal Springs/Teetertown Preserve**

## **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.

### **Giulio Dantonio – Police Chief Commendation**

Mayor Schriver read a letter from Mr. Dantonio stating that in his opinion the Police Chief does an exceptional job in performing her duties for the Township.

Sandra Raushenberger stated that she agrees with Giulio Dantonio comments relative to the Police Chief. Ms. Raushenberger inquired on results of the Police Chief meetings with Ted Erinberg, relative to shared services with Califon Borough. Mr. Monahan stated that only one meeting has taken place and the information was in the newspaper. Ms. Raushenberger asked if Freedom House is a halfway house. Mr. Post stated that it is the same use as in the past just with additional capacity. Ms. Raushenberger asked if the Township receives COAH credits for the 900 beds at Hagedorn. Attorney Bernstein stated that Hagedorn is State operated and no municipality receives credit for State run facilities.

*Motion by Mr. Monahan 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. 95-2006 and convened in executive session at 7:52p.m. Action may or may not be taken.

TOWNSHIP OF LEBANON

RESOLUTION NO. 95-2006

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:

Personnel Involving Township Committee  
Attorney Client Privilege  
Pending or Anticipated Litigation

*Motion by Mr. Piazza seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 8:50 p.m.*

Attorney Bernstein stated that all members of the Governing Body who were present at the commencement of the executive session were present at the recommencement of the public session with the exception of Committeeman Weeks who left toward the conclusion of the executive session. Also present are the Township Clerk and Township Attorney. Attorney Bernstein further stated that there was discussion relative to a personnel matter in which the Municipal Clerk and Township Attorney have been given direction on how to address in terms of involvement with the individuals and the Union. Direction has also been given to the Township Attorney relative to ongoing potential litigation matters regarding involving records and related items as well as direction to work with the Clerk and Governing Body in relative to related issues.

No formal action is necessary at this time.

**ADJOURN**

Having no further business to come before the Committee a motion was made by Mr. Piazza seconded by Mr. Post and carried by unanimous favorable roll call vote to adjourn the meeting at 8:52 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved

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Patricia Schriver, Mayor

