

**Lebanon Township Committee
December 20, 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 4 members of the public.

PRESENTATION OF MINUTES

Motion by Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the December 6, 2006 regular meeting minutes.

Motion by Mr. Monahan, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the December 6, 2006 executive session minutes.

Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the December 6, 2006 special meeting minutes.

RESOLUTIONS

Resolution No. 96-2006 - Award Contract for 2007 Gasoline, Diesel and Heating Oil

Motion by Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 96-2006. (as written below)

RESOLUTION NO. 96-2006

**RESOLUTION AWARDING A CONTRACT FOR
GASOLINE, DIESEL AND HEATING OIL FOR 2007**

WHEREAS, bids were received on December 15, 2006 for Gasoline, Diesel and Heating Oil, and

WHEREAS, the Township Committee has reviewed the recommendations made by the Township Superintendent of Public Works on said bids.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the following contracts be awarded based on the recommendation of the Township Superintendent of Public Works.

COMPANY	ITEM	PRICE
Van Doren Oil Company	No Lead – high test	\$.29 per gallon delivery
Van Doren Oil Company	Diesel	\$.29 per gallon delivery
Van Doren Oil Company	Heating Oil	\$.29 per gallon delivery

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the contracts for same.

Resolution No. 97-2006 - Award Contracts for 2007 Road Materials

Motion by Mr. Piazza seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 97-2006. (as written below)

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 97-2006
RESOLUTION AWARDING A CONTRACT FOR
2007 ROAD MATERIALS

WHEREAS, bids were received on December 15, 2006 for 2007 Road Materials, and
WHEREAS, the Township Committee has reviewed the recommendations made by the Township Superintendent of Public Works on said bids.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the following contracts be awarded based on the recommendation of the Township Superintendent of Public Works.

COMPANY	ITEM	PRICE
Flemington Bituminous Corp.	Concrete Surface Mix I-5	\$ 42.50 ton
	Concrete Base Course Mix I-1	41.00 ton
Campbell Foundry	Type E Catch Basin	\$588.00 each

Type A Catch Basin	315.00 each
Corrugated Polyethylene Pipe – 15”	5.65 L.F.
Corrugated Polyethylene Pipe – 18”	8.72 L.F.
Corrugated Polyethylene Pipe – 24”	13.75 L.F.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the contracts for same.

Resolution No. 98-2006 - Cancellation of Overpaid 2006 Taxes

Motion by Mr. Post, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No.98-2006. (as written below)

RESOLUTION NO. 98-2006

WHEREAS N.J.S.A.40A:5-17.1 allows for amounts of \$5.00 and less of overpaid taxes to be cancelled, and

WHEREAS the following amounts are overpaid for 2006, and

WHEREAS it is the desire of the Tax Collector to clear these small credit balances before the New Year,

THEREFORE, BE IT RESOLVED that the following amounts be cancelled and placed in surplus:

Owner:	Block/Lot	Amount:
Jeffrey Brander	8/7	4.00
Johnathan Moynihan	17/9	.04
Johnathan Moynihan	17/9 Q0093	.01
Johnathan Moynihan	17/10 Q0093	.01
Johnathan Moynihan	17/11 Q0093	.01
Fred & Susan Schlesinger	24/4	2.00
Robert & Kerrie Garcia	24/32.02	1.01
Richard Kornicke	28/7	.04
David & Barbara Fultz	29/7	.01
Stephen Jordan	29/32.07 Q0052	.02
George & Rose Parks	35/70	.33
Thomas & Lorain McDonough	35/91.15	.01
Joseph & Nancy Lawrence	37/23.12	1.10
Route 513 at Sliker	38/28	.01
Brook View Inc.	38/34	.08
Scott & Elizabeth Hahn	38/84.03	.02
Harold & Carolyn Temples	38/100.03	.01
Lois Deutsch	40/37	.98
Eric & Cindy Zobian	43/4.01Q0225	.02
Gwen Gaal	44/14	.06
Bryan Winters	46/29.03	.10

Earl & Mary Whittmann	49/2 Q0133	1.39
Eric & Donna Whiston	49/50.01	1.09
Michael & Gloria Wenson	49/59	.01
Vito Cerullo	49/60	.01
Charles & Bernice Winters	51/2	.02
Stonegate Standardbred Farms	51/6.01 Q0145	.30
John & Darlene Thompson	55/1	.65
Jeffrey Gargiulo	59/24	.01
John & James Trudel	59/33 Q0174	.01
Gladys Washinko	60/15.01	.81
Keegon Tong	60/31	.75
William Van Veldhuisen	60/41.02	.02
Bryan Kinney	61/10	2.11
Walter & Susan Rich	65/20.07	.69
Monica Diaz	69/56.07	.01
George & Janet Black	71/1.01	.32
John & Julianne McGinnis	73/46 Q0264	1.71
Vance & Mariann Calvin	77/6	.01
Edward & Joanne Power	77/7.13	.01

TOTAL: 19.80

Resolution No. 99-2006 - Cancellation of Delinquent 2006 Taxes

Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 99-2006. (as written below)

RESOLUTION NO. 99-2006

WHEREAS N.J.S.A.40A:5-17.01 allows for amounts of \$5.00 and less of delinquent taxes to be cancelled, and

WHEREAS the following amounts are open and due for 2006, and

WHEREAS it is the desire of the Tax Collector to clear these small balances before the New Year,

THEREFORE, BE IT RESOLVED that the following amounts be cancelled:

Owner:	Block/Lot	Amount:
Martin & Eileen Adams	1/1	.20
Fernando & Maria DeJesus	5/1	.02
Randy & Nancy Rumpf	10/27.02	.01
Chris Falzarano	12/10	.01
James & Regina McShane	12/10.13	.04
Douglas & Diane Sargent	16/62	.69
Marilyn & Julian Korn	16/68	.84

Deborah Grammer	18/2	.01
Susan Schacht	18/50	.01
Eugene & Edith Mahan	24/74	.08
Shirley Bumen	24/82	.20
Home Total Services	35/15	.25
Scott Sekel	35/91.12 Q0075	.11
Mircea Stanescu	36/22.01	.01
Robert Lavezzi	37/35	.01
Jerome Piskowski	38/5.03	.20
Vincent & Debra Bassani	38/18.03	.01
Neal Ercolano	38/19.03	.70
Larry & Patricia Elder	38/20	.01
Leonard & Anne Rambo	38/39	.02
Donald Gaeta	38/40	.30
Donald Gaeta	38/40.01	.06
Frank & Patricia Bihon	40/29	.06
Matthew & Dorothy Henderson	40/34	.01
The Melick Family LLC	41/11.02 Q0097	.01
Scott & Fiona Kolvek	49/78 Q0233	.25
Robert & Joan Capaldo	56/22	.36
Kathleen Thomas Trustee	56/25	.07
Gary & Susan Honickel	57/32.01 Q0112	.36
Dorothy Purdy	59/57	.01
Lewis & Kim Wetherall	61.01/25.08	.02
Edward & Patricia Santillo	66/16.02	.93
Robert & Sandra Kale	69/52.05	.01
Andrew Proctor	72/13.01	.01
		TOTAL: 5.89

Resolution No. 100-2006 -Refund of Overpayment of Taxes
Resolution No. 101-1006 - Refund of Overpayment of Taxes
Resolution No. 102-1006 Refund of Overpayment of Taxes

Motion by Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 100-2006, Resolution 101-1006 and Resolution 102-1006. (as written below)

RESOLUTION No. 100-2006

WHEREAS there exists an overpayment of 2006 taxes for the following properties, and

WHEREAS these amounts have been requested for refund by Countrywide Real Estate Tax Service,

THEREFORE BE IT RESOLVED, that the Treasurer be authorized to prepare and Mayor, Treasurer and Clerk be authorized to sign refund checks to Countrywide Real Estate Tax Service:

Block/Lot	Assessed To:	Amount
37/22.05	Creagh, Nibaldo & Ivon	712.25
38/89.01	Taylor, Andrew J	248.00

RESOLUTION NO. 101-2006

WHEREAS there exists an overpayment of 2006 taxes for the following properties,
and

WHEREAS these amounts have been requested for refund by First American Real Estate Tax Service,

THEREFORE BE IT RESOLVED, that the Treasurer be authorized to prepare and Mayor, Treasurer and Clerk be authorized to sign refund checks to First American Real Estate Tax Service:

Block/Lot	Assessed To:	Amount
18/49.02	Thomas Travers	1938.75
20/24	Betty Decicco	1150.18
36/1	Kenneth & Donna Schaal	1001.00
64/1	Kevin Walsh	2521.91
69/11	Paul Drake	1368.73

RESOLUTION NO. 102-2006

WHEREAS there exists an overpayment of 2006 taxes for the following properties,
and

WHEREAS these amounts have been requested to be refunded,
THEREFORE BE IT RESOLVED, that the Treasurer be authorized to prepare and Mayor, Treasurer and Clerk be authorized to sign refund checks to the following:

Owner:	Block/Lot	Amount:
Renee Clarke	73/27	350.00
Thomas & Robert Bleck	38/5/Q0096	1236.59

Resolution No. 103-2006 - Uncollectible Taxes

Resolution No. 104-2006 - Uncollectible Taxes

Motion by Mr. Piazza, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 103-2006 and Resolution No.104-2006. (as written below)

RESOLUTION NO. 103-2006

WHEREAS the following properties show a billed amount due for 2006 1st half and ,
WHEREAS these properties have no tax liability by virtue of their exempt classification in the 2006 tax list,

THEREFORE be it resolved that these over billed quarters be declared uncollectible and the Tax Collector be freed from collecting these taxes for 2006:

Block/Lot	1 st half 2006 Billing
49/89.01 Q0128	55.47
49/89.02 Q0128	20.33
57/4 Q0157	4.14
57/5.02 Q0157	18.31
57/7 Q0157	.99
57/8 Q0157	18.56
57/10 Q0157	9.19
57/11 Q0157	179.47
57/47 Q0154	450.10
57/52 Q0154	18.84
57/54 Q0154	17.43
57/55.01 Q0154	18.21
57/56 Q0154	15.33
69/39 Q0213	4.24

RESOLUTION NO. 104-2006

WHEREAS the following properties show a billed amount due for 2006 2nd half because of the late recording of the deed, and,

WHEREAS these properties have no tax liability by virtue of their exempt classification in the 2006 tax list, and

THEREFORE be it resolved that these over billed quarters be declared uncollectible and the Tax Collector be freed from collecting these taxes for 2006:

Block/Lot	2 nd half 2006 Billing
3/6	486.75
57/45 Q0157	16.56
57/53 Q0154	14.18

TOTAL: 517.49

Resolution No. 105-2006 - Transfers

Mr. Post questioned why each line item needs funds transferred. The Committee stated concerns with not having advanced notice as to the need for such transfers. The Clerk is to request that the finance office provide the Committee with a monthly (summary and breakdown) budget run, of all the line items, to provide an idea as to the amounts expended and balances to date.

Motion by Mr. Weeks, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 105-2006. (as written below)

RESOLUTION NO. 105-2006

WHEREAS, under the provisions of the Local Budget Law, certain transfers are allowable in the 2006 calendar year budget, if it shall become necessary to expend an amount in excess of the respective sums appropriated therefore; and there shall be an excess in one ore more appropriations; and

WHEREAS, certain charges to be incurred or salaries and wages that must be paid as designated by the credits herein shown and affected in the appropriations reflected are to be paid before the end of the 2006 calendar year budget:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LEBANON that the Chief Financial Officer be authorized to make the following transfers so that the above mentioned bills and salaries may be paid in the 2006 calendar year budget:

<u>ACCOUNT #</u>	<u>APPROPRIATION NAME</u>	<u>FROM</u>	<u>TO</u>
6-01-20-120-011	Municipal Clerk s/w		4,400.00
6-01-23-220-286	Group Insurance		3,500.00
6-01-25-240-011	Police s/w		25,000.00
6-01-25-252-011	Emergency Management s/w		616.98
6-01-26-290-011	Roads s/w		30,000.00
6-01-31-435-299	Street Lighting		136.33
6-01-31-447-299	Gasoline/Diesel Fuel		11,000.00
6-01-36-475-281	PFRS		0.02
6-01-20-150-011	Tax Assessor s/w		400.00
6-01-20-150-299	Tax Assessor o/e		5,000.00
6-01-36-472-281	Social Security		1,500.00
6-01-45-930-299	NJEIT Principal		843.71
6-01-27-369-299	Underground Tank Remediation		500.00

6-01-43-490-299	Municipal Court o/e		1.24
6-01-20-155-299	Legal o/e	45,000.00	
6-01-27-330-011	Health s/w	2,000.00	
6-01-25-240-011	Police o/e	10,000.00	
6-01-26-290-011	Roads o/e	8,000.00	
6-01-26-305-299	Recycling o/e	7,000.00	
6-01-25-252-299	Emergency Management o/e	1,000.00	
6-01-20-130-299	Finance o/e	1,000.00	
6-01-20-121-299	Election o/e	478.29	
6-01-25-266-299	Uniform Fire Safety o/e	1,000.00	
6-01-20-100-299	Administration o/e	6,000.00	
6-01-26-310-299	Buildings and Grounds o/e	1,419.99	
		<u>82,898.28</u>	<u>82,898.28</u>

Resolution No. 106-2006 – Dedication by Rider

Motion by Mr. Pos, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 106-2006. (as written below)

DEDICATION BY RIDER
RESOLUTION #106-2006
STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON

RESOLUTION requesting approval of the Director of the Division of Local Government Services to Establish a Dedicated Trust by Rider for Accumulated Absences, pursuant to N.J.A.C. 5:30-15

WHEREAS, permission is required of the Director of the Division of local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, N.J.A.C. 5:30-15 permits municipalities to receive amounts for costs incurred for Accumulated Absences; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication of rider;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Lebanon, County of Hunterdon, State of New Jersey as follows:

1. The governing body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Accumulated Absences created in accordance with the provision of N.J.A.C. 5:30-15 as per N.J.S.A. 40A:4-39; and

2. The Municipal Clerk of the Township of Lebanon is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

OLD BUSINESS

Nagie Easement

Mr. Post stated that the Township is still looking to receive their money from that County which was advanced for the Nagie closing. Mr. Post met with County Attorney DeSapio and he was informed that the Title Company that was chosen to do the closing is refusing to agree to language in the policy which essentially obligates them in insuring the title. The Title Company will be abandoned and the County's Title Company will be engaged, hopefully at the County's cost. However, there may be the need for a cost share or the Township may be responsible to over the entire cost.

NEW BUSINESS

Approve Raffle Application – Voorhees High School PTSA

Motion by seconded Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the Voorhees High School PTSA Raffle Application.

Request to Purchase In Car Video Camera

Mr. Monahan stated that he has a request from the Police Chief to purchase the Township's first in car video camera. It appears that very soon it will be required by state law that all marked police cars be equipped with these cameras. Mr. Monahan stated that the Chief has received a quote at a price of \$4995.00, which is complete with installation etc. The Chief is obtaining additional quotes and has obtained certification of funds from the finance department.

Motion by seconded Mr. Monahan, seconded by Mr. Post and carried by favorable roll call vote the Township Committee approved the purchase of a in car video camera at a cost not to exceed \$4995.00, upon certification of funds. AYES: Piazza, Schriver, Post, Monahan NAYS: Weeks

Planning Board Resignation

Mayor Schriver read a letter from resignation from Planning Board Member Mr. Paul Spatz. Mr. Spatz served the Township for 12 years.

Motion by seconded Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote the Township Committee accepted Mr. Spatz's resignation with regrets.

PRESENTATION OF VOUCHERS

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

Mr. Weeks questioned a voucher for a backpack purchased by the DPW Supervisor. If the backpack is for the park the Township should not be paying for it. Mayor Schriver stated that the Clean Communities grant money covered the cost.

Motion by seconded Mr. Post seconded by Mr. Monahan and carried by unanimous favorable roll call vote the Township Committee approved the December 20, 2006 bill list in the amount of \$51,896.94.

CORRESPONDENCE

Tax Collector Report for the Month of November 2006

Sandra Singer Rauschenberger – LTFAS – Request to Meet Committee in Closed Session

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.

Mr. Gary Milkowski requested that the camera be placed in the new police vehicle.

Mr. Ron Milkowski asked if the camera is the same camera being used by other municipalities.

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. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 107-2006 and convened in executive session at 7:37 p.m.

TOWNSHIP OF LEBANON
RESOLUTION NO. 107-2006

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 – Supervisory/Staff
Attorney Client Privilege
Anticipated or Pending Litigation
Emergency Services

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 8:15 p.m.

Attorney Bernstein stated that there was discussion with the Environmental Commission Chairman relative to ongoing litigation involving a DEP matter.

Guidance was provided and the Committee asked the Environmental Chairman to contact the TRC Raviv consultant relative to certain issues that need to be addressed. No formal action needs to be taken. A personnel matter was also discussed involving a library employee's request. No formal action is to be taken at this time. The Committee will await a response from the CWA representatives. There was also discussion on possible compensation issues involving the Clerk and DPW Supervisor for further consideration in the 2007 budget. The Clerk has been given direction relative to information pertaining to her issue. There will most likely be direction to the DPW Supervisor as to factual material as well.

Motion by Mr. Monahan seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee authorized the Clerk to advertise for Request for Proposals for a daytime-weekday emergency medical services coverage within the Township of Lebanon.

ADJOURN

Having no further business to come before the Committee a motion was made by Mr. Post seconded by Mr. Piazza and carried by unanimous favorable roll call vote to adjourn the meeting at 8:18 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved

Patricia Schriver, Mayor