

**Lebanon Township Committee  
February 4, 2009**

**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  
Ed Post Francis Morrison

Absent Jay Weeks

Also Present - Attorney Eric Bernstein and Clerk Karen Sandorse and 10 members of the public.

**PRESENTATION OF MINUTES**

*Motion by Mr. Piazza, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular Meeting of January 21, 2009.*

*Motion by Mr. Post, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Executive Session of January 21, 2009.*

**RESOLUTIONS**

**Resolution No. 28-2009 – PARIS**

*Motion by Mr. Piazza, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 28-2009. (as written below)*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON

STATE OF NEW JERSEY  
RESOLUTION NO. 28-2009  
Paris Grants Program  
Shared Services with Hunterdon County

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities and County governments; and

WHEREAS, in the 2009-10 grant cycle, priority funding will be given to county projects to perform municipal inventories, needs assessments and strategic plans for all of their municipalities; and

WHEREAS, Lebanon Township desires to collaborate with Hunterdon County in the Performance Records Reorganization, Inventory & Purging Continuation Project; and

WHEREAS, Lebanon Township is acknowledging that their eligible funds, in the amount of \$40,000.00 will be leveraged with Hunterdon County; and

WHEREAS, Lebanon Township is acknowledging that any balance of leveraged monies will be utilized by the County for the purpose of the completion of the County Records Center PARIS grant expansion project and or other PARIS/County approved initiatives; and

WHEREAS, Lebanon Township is acknowledging that Hunterdon County would be both the lead agency and the applicant for such a proposal; and

WHEREAS, Lebanon Township is acknowledging the State is the final determination of the 2009/2010 PARIS grant program and projects and agrees not to hold the County responsible for the application, project and funding award as determined by the State of New Jersey PARIS grant program for Lebanon Township and the purposes set forth above; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of Lebanon Township, that Lebanon Township does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

## **OLD BUSINESS**

### **Police Chief's Request to Purchase an Audio Visual System**

Police Chief Mattson is requesting to purchase an Audio Visual System for the Police Department. Attorney Bernstein stated that the Attorney General has mandated that any Police Department who is interviewing potential witnesses and/or criminals is required to establish a video procedure for doing such. They have also mandated the conditions upon which type of equipment they are looking for in order to meet the requirements. Attorney Bernstein stated that there are two parts to the need for the AV System; one is to deal with potential criminal cases and two is to deal with issue of an individual's Civil Rights being violated.

*Motion by Mr. Piazza, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved the Police Chief's request to purchase an Audio Visual System in the amount of \$5300.00 as a Capital expense and subject to certification of funds.*

## **NEW BUSINESS**

### **Cancel February 18, 2009 meeting**

*Motion by Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee canceled the February 18, 2009 meeting and authorized possible action to be taken at the February 26, 2009 Budget work session.*

### **Approve Raffle License Application – L T Elementary P.T.A. - June 7, 2009**

*Motion by Mr. Morrison, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved a Raffle License Application for L T Elementary P.T.A. for an event to be held on June 7, 2009.*

## **PRESENTATION OF VOUCHERS**

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

*Motion by Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the February 4, 2009 bill list in the amount of \$3,651,543.74.*

## **CORRESPONDENCE**

Lebanon Township Volunteer Fire Department – 2009 List of Officers  
Lebanon Township Historians Meeting Minutes for January 8, 2009.

## **PUBLIC COMMENTS**

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

Mr. Warren Newman stated that he spoke to Engineer Steve Risse and Planner Mike Bolan regarding the parking space review at the trailhead crossings in various locations in the Township, as discussed at the last Committee meeting. Mr. Newman stated that there appears to be no issues with the Highlands Act relative to minor improvements to the parking areas at the trailhead crossings. Mr. Newman stated that there is no need to apply for an Exemption from the Highlands Council.

Mr. Newman informed the Committee that the ANJEC 2009 Smart Growth Planning Grant application paperwork has come out and is due in the end of March 2009. There is a requirement that the Township must contribute 50% in matching funds. 25% of the 50% can be In Kind

Services, such as professional services or even volunteerism. Therefore, if the Township applied for a \$10,000.00 ANJEC Grant, the Township would have to contribute \$2500.00 in cash. Mr. Newman questioned if there were other options for the 25% cash, such as Green Acres money or Highlands Grant money as there may be some applicability to trail developments.

Mr. Newman stated that a State Grant (which is Federal money), under the National Recreation Trails Program, application process is not until the end of the year. With whatever progress is made with the ANJEC Grant it may be possible to dovetail the NRTP grant off of it later in the year.

Mr. Anthony Casale inquired on the status of the research of the Fire Station No.1 contamination. Mr. Bernstein stated that he is working with Groendyke and Selective and they are in the early stages of the process. Mr. Casale commented on his understanding of the

Exemption from the Highlands Act relative to the parking lots at the trailhead crossings. Mr. Casale also stated that a few meetings back a letter was submitted by the Zoning Officer regarding not issuing permits for outdoor boilers. Mr. Piazza stated that the Zoning Officer came before the Planning Board and informed them that he did not know what the rules were relative to outside boilers. It was his understanding the Hunterdon County stated that they were against the law. The Zoning Officer's position was that he would not be issuing permits on behalf of the Township as the law was uncertain. If a resident chose to install an outside boiler on his own that would then be his own issue to deal with, not the Townships. It is understood that it is still being debated at this time. Mr. Casale also asked the Committee if they would consider having a second public comment at the start of their meetings in the future. The Mayor stated that they would take the suggestion under advisement and will look into the bylaws.

Mr. Al Nagie asked how the Audio Visual System will assist the Police Department. Mr. Bernstein stated that this is an Attorney General mandate. Mr. Nagie also inquired on the status of the Pelio Acquisition.

*Motion by Mr. Post, 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. 29-2009 and convened in executive session at 7:45 p.m.*

### **TOWNSHIP OF LEBANON RESOLUTION NO. 29-2009**

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 and Pending Litigation-  
Highlands  
Combe Fill  
Pelio

Action may be taken.

*Motion by Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 9:01 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 discussion relative to the possible acquisition of the Pelio property. Mr. Post is working with applicable governmental entities relative to this. No formal action is to be taken. There was discussion relative to the Combe Fill litigation and Mr. Bernstein asked for a resolution to authorize the Mayor and Clerk to execute

the Settlement documents either in their present form or as amended, depending on our discussions with Selective.

*Motion by Mr. Post, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee authorized the Mayor and Clerk to execute the Combe Fill Settlement documents either in their present form or as amended, depending on discussions with Selective.*

There was a discussion relative to the litigation between the Tax Collector and the Township. No formal action is to be taken at this time. The Committee is to get back to Mr. Bernstein relative to his Highlands comments.

**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 9:01 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: March 4, 2009

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Patricia Schriver, Mayor