

**Lebanon Township Committee  
April 5, 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  
                 Jay Weeks                      Ed Post  
                 Francis Monahan

Absent

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. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the March 15, 2006 regular meeting minutes.*

*Motion by Mr. Post, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the March 15, 2006 executive session minutes.*

**2006 BUDGET INTRODUCTION**

Public Hearing will be held on May 3, 2006 at 7:00 p.m.

**Resolution No. 40-2006**

*Motion by Mr. Piazza, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 40-2006. (As written below)*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 40-2006**

WHEREAS, under provisions of N.J.S.A.40A:4-5, a municipality shall introduce the Local Municipal Budget no later than March 21 of the fiscal year; and,

WHEREAS, the Township of Lebanon has delayed the introduction of the 2006 Municipal Budget past the statutory deadline; and,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey, that the Township of Lebanon hereby petitions the Director of the Division of Local Government Services to allow a delayed introduction of the 2006 Lebanon Township Municipal Budget; and,

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services, 101 South Broad Street, P.O. Box 803, Trenton, New Jersey 08625-0803.

**Resolution No. 41-2006**

*Motion by Mr. Post, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 41-2006. (As written below)*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 41-2006**

WHEREAS, the Township of Lebanon is holding a meeting on April 5, 2006, for the purpose of introducing the 2006 Municipal Budget and conducting other matters; and,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey, that the Township of Lebanon hereby petitions the Director of the Division of Local Government Services that the 2006 Local Municipal Budget be introduced and approved on April 5, 2006.

2006 LEBANON TOWNSHIP MUNICIPAL BUDGET

Surplus anticipated general revenues	\$ 750,000.00	
Total Miscellaneous revenue	3,154,672.00	
Amount to be Raised by Taxes		96,931.00

Receipts from Delinquent Taxes	<u>266,000.00</u>	
Total General Revenues		<u>\$4,267,603.00</u>
Total Operations		\$3,396,770.00
Capital Improvements		37,525.00
Debt Service		223,962.00
Statutory Expenses		163,020.00
Reserve for Delinquent Taxes	<u>446,326.00</u>	
Total Municipal Budget		<u>\$4,267,603.00</u>

**Resolution No. 42-2006**

*Motion by Mr. Post, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 42-2006. (As written below)*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 42-2006**

WHEREAS, the 2006 Local Municipal Budget was introduced on the 5th day of April, 2006; and,

WHEREAS, during the fiscal year 2006 the Township of Lebanon has been allocated a state grant for various programs in the amount of \$16,880.00.

NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2006 Local Municipal Budget include a special item of revenue under the heading of

"Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations:"

Clean Communities Program-CY2006	\$ 10,608.00
Clean Communities Program-CY2005	677.00
Drunk Driving Enforcement Fund	595.00
StormWater Management	
Grant	<u>5,000.00</u>
	<u>\$16,880.00</u>

**Resolution No. 43-2006**

*Motion by Mr. Post, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 43-2006. (As written below)*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 43-2006**

WHEREAS, the 2006 Local Municipal Budget was introduced on the 5<sup>th</sup> day of April, 2006; and,

WHEREAS, during fiscal year 2006, the Township of Lebanon received a state grant for the Uniform Fire Safety Act in the amount of \$7,760.00.

NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2006 Local Municipal Budget include a special item of revenue under the heading of

"Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Other Special Items: Uniform Fire Safety Act", in the amount of \$7,760.00.

**ORDINANCES - Introduction**

**Ordinance No. 2006-06**

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO 2006-06**

**AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE FOR THE  
TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY,  
AND MORE SPECIFICALLY CHAPTER XVII (LAND SUBDIVISION) AND  
CHAPTER XVII (ZONING) TO ESTABLISH STORMWATER MANAGEMENT  
STANDARDS**

*Motion by Mr. Piazza, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2006-06 on first reading. (as entitled above)*

Public Hearing to be held on May 3, 2006.

**RESOLUTIONS**

**Resolution No. 38-2006**

*Motion by Mr. Post, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 38-2006. (As written below)*

**STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GREEN ACRES  
ENABLING RESOLUTION NO. 38-2006**

WHEREAS, the New Jersey Department Environmental Protection Green Acres Program, provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes, and

WHEREAS, the Township of Lebanon desires to further the public interest by obtaining a grant of \$1,975,000.00 from the State to fund the following project; Lebanon Township Open Space Plan.

NOW, THEREFORE BE IT RESOLVED, the governing body resolves that Patricia Schriver, Mayor or her designee, Edward Post III, Open Space and Farmland Preservation Coordinator, are hereby authorized to:

- (a) make application for such a loan and/or such a grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award, and

WHEREAS, the applicant is willing to use the States funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE Township Committee of the Township of Lebanon:

1. That the Mayor of the above named body or Edward Post III, Open Space and Farmland Preservation Coordinator, are hereby authorized to execute an agreement and any amendment thereto with the State known as; Lebanon Township Planning Incentive, and;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$1,975,000.00.
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

**Resolution No. 44-2006**

*Motion by Mr. Piazza seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee adopted Resolutions No. 44-2006.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION No. 44-2006  
PROFESSIONAL SERVICE APPOINTMENTS**

WHEREAS, there exists a need for Attorneys, Engineers, and Professional Experts for the Township of Lebanon, and

WHEREAS, the Local Public Contracts Law (N.J.S. A. 40A:11-1 et seq.) required that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

WHEREAS, the Mayor, Township Clerk and Chief Financial Officer are hereby authorized and directed to execute the agreements; and

WHEREAS sufficient funds are available in the 2006 Temporary Budget and will be made available in the 2006 Municipal Budget for the Township of Lebanon for such services.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon that the following Professional is hereby appointed for the year 2006:

- 1. Thomas Carroll Blauvelt, Esq. as Alternate Regional Municipal Prosecutor

**APPOINTMENTS - RESIGNATIONS**

**2006 Environmental Commission Members**

Mayor Schriver made the following appointments to the Lebanon Township Environmental Commission. Mr. Warren Newman is the 2006 Environmental Commission Chairman.

<b>OPEN SPACE/ENVIRO 2006</b>		
Warren Newman-Chair	638-4332	3-yr 2007
Douglas Diehl	638-6069	3-yr 2006
Nancy Lawler	537-6048	3-yr 2006
Sean Kelly	537-9257	3-yr 2007
Shelia McShane	832-2945	3-yr 2008
Kenneth LaPensee	537-6462	3 yr-2008
Julie Lewerenz	832-2103	3-yr 2008

Art Gerlich ALT #1	638-4331	2-yr 2007
Ron Ascenzo ALT #2	832-8944	2-yr 2006

### **Township Treasurer**

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee appointed Julia Gambert as the Township Treasurer for the 2006 year and authorize Mayor and Clerk to sign approved Agreement.*

### **Recreation Commission Resignation**

Recreation Commissioner Amy Happ submitted as letter of resignation from the Township Recreation Commission.

### **Recreation Commission Appointment**

Karen Newman, Chairman of the Recreation Commission, recommended the appointment of Kathy Sherman to the Recreation Commission.

Mayor Schriver appointed Ms. Kathy Sherman to sit as a Recreation Commissioner for a 2 yr. term, expiring 12/2007.

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the appointment of Kathy Sherman to the Recreation Commission for a 2 yr. term.*

### **OLD BUSINESS**

#### **Begin Planning Process for Township Garage**

Mayor Schriver stated that she would like to see the start of the planning process for the Township garage.

*Motion by Mr. Monahan, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved moving forward with looking into retaining an architect and looking at drawings for the Township garage project, to determine what the need is and what the Township can continue to use at the present facility.*

#### **Farmland Preservation Status**

Mr. Post stated that he met with the County Planning Department on March 29, 2006 to get an update on the status of the Township residents open applications for preservation. The Nagie Farm was the first discussed with the County Counsel. Mr. Post was informed that the Township should receive the \$545,000.00 payment within 8 weeks of the meeting date.

Mr. Post stated that current applications in the County program may have a shot at being approved in the County Program, as the County is now looking to fund their share through the Federal Ranch Land Protection Program. Mr. Post asked Mr. DeSapio to clarify the County's position in preserving farms in Lebanon Township, given that we are in the preservation area.

The Clerk is to send a letter to the County requesting confirmation, in writing, relative to the Nagie payment and the County's position in future preservation in Lebanon Township.

### **Recreation Open Space Inventory – Approve**

Discussion was held on the 2006 Recreation Open Space Inventory and the insertion of certain properties, i.e. the Park property and the "Rich" property. The 2005 ROSI, which was sent to Green Acres, did not include either tract of land. There is question as to whether the Park and the Rich Property are required to be listed on the ROSI.

Mr. Post suggested having a Green Acres representative attend a meeting to inform the Committee of the regulations relating to park lands in the Township. The Township Planner should also be in attendance. ROSI carried to meeting when Green Acres and Bolan in attendance.

*Motion by Mr. Post seconded by Mr. Piazza and carried by favorable roll call vote, the Township Committee moved to have a representative from Green Acres and Planner Bolan in*

at the next possible meeting to discuss the regulations. The ROSI will be held until that time.

AYES: Piazza, Schriver, Post, Monahan NAYS: Weeks

### **Backus Estates Drainage**

The Municipal Clerk spoke to Steve Risse, the Township Engineer, to inquire on the status of the drainage matter on Backus Estates as reported by Mr. Foran. Mr. Risse informed the Clerk that the DPW cleaned out the drainage basins in the area and since that time there have been no reported incidences of drainage problems. Mr. Risse recommended that the Clerk notify the residents involved, that they are to contact the Clerk's office to inform the Township of any new occurrences. At that time, the Engineer will visit the development to evaluate the matter and report back to the Committee.

## **Amend Newsletter Agreement**

The 2006 Agreement between the Township and Karen Newman to compose the Township Newsletter was previously approved at the February 15, 2006 meeting. An error was discovered in the agreement, therefore an amendment is necessary.

*Motion by Mr. Piazza seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved the amended agreement as written below.*

### **AMENDMENT TO AGREEMENT TO DESIGN AND MAINTAIN THE LEBANON TOWNSHIP NEWSLETTER**

AN AMENDMENT TO AN AGREEMENT, entered into on 15<sup>th</sup> day of February 2006, by and between the Township of Lebanon and Karen Newman.

The Township and Karen Newman have agreed to enter into an agreement for Karen Newman to design and maintain the Lebanon Township Newsletter for a term commencing on January 1, 2006 and ending on December 31, 2006.

The compensation for such services shall not exceed \$600.00 (amended amount) pro rata for the calendar year.

IN WITNESS WHEREOF, the parties have hereunto affixed their hands and seal the day and year first written above.

## **Local School Budget**

Mr. Piazza stated that he went to a local school board budget meeting. He supplied the committee with copies of the Budget for their information.

Mr. Post stated that Clinton Township has decided to put a halt on moving forward with the deregionalization until the demographic study is complete.

## **NEW BUSINESS**

### **Request for Support – South Branch Watershed Clean up**

*Motion by Mr. Post seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee authorized a contribution of \$300.00 to the South Branch Watershed Clean up subject to availability of funds.*

*Motion amended by Mr. Post and seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee amended the motion to add that the treasurer is authorized to cut the check and obtain necessary signatures for prompt mailing.*

### **Red Light Application – Giulio Dantonio**

Mr. Monahan stated that Title 39 states that only an active Chief or 1<sup>st</sup> Assistance Chief of a Volunteer Fire Company recognized by the Municipality may display a red emergency warning light. The law does not apply to Rescue Squads, it strictly applies only to fire. This law is as of 2005.

Mr. Dantonio stated that it reads on the application that it applies to Rescue Squads. Mr. Piazza stated that he would like to have the Police Chief's opinion on the matter.

*With no motion to approve, the request fails.*

The Committee will further research and/or Mr. Dantonio will supply the committee with more information.

### **Mayor Al Schweikert – Regional High School Budget**

This is a non-binding inquiry.

Mayor Schweikert of High Bridge sent an email to Mayor Schriver asking if Lebanon Township is interested in participating in retaining a forensic accountant to review the Regional High School Budget, if the proposed Budget should fail at the election.

*Motion by Mr. Monahan seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee is interested in the concept of retaining a forensic accountant to assist in the review of a potential defeated North Hunterdon-Voorhees Regional High School Budget, subject to availability of funds, further determination of the Township Committee to enter and whether or not other municipalities in the regional district agree to contribute.*

Mr. Piazza asked if the Township should be looking into a professional relative to the local school budget. The Clerk will contact Mr. John McCormack and Mr. Charlie Grau to see if they are available to review the budget if defeated.

### **Approve Raffle Applications - St. John Neumann Church (3)**

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved three (3) Raffle Applications for St. John Neumann Church.*

### **Township Dinner**

Mayor Schriver stated that she and Mr. Piazza would like to have the Township Dinner on June 3<sup>rd</sup> or June 10<sup>th</sup>. Ms. Sandra Raushenberger, Squad Member, stated that the squad building is not

available on June 3<sup>rd</sup>. The Township Dinner to be held on June 10, 2006. Mr. Monahan offered to assist.

## **PRESENTATION OF VOUCHERS**

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

Mr. Post stated concern with an invoice from TKG in the amount of \$150.00. The charges are for the review of existing phone bills to compare prices with other phone service providers. Mr. Post feels that this is a cost of sales charge and requested that Mr. Koenig reconsider the charges. The Clerk will contact Mr. Koenig.

*Motion by seconded Mr. Monahan seconded by Mr. Piazza and carried by unanimous favorable roll call vote* the Township Committee approved the April 5, 2006 bill list in the amount of \$182,466.74. with the exception of the TKG voucher in the amount of \$150.00.

## **CORRESPONDENCE**

### **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. David Nell, President of the Lebanon Township Rescue Squad stated his concerns with comments, that he overheard, stating that Committee is considering not reimbursing the Squad for the ambulance purchased from Washington, due to it being in poor condition. Mr. Monahan stated that he heard that the ambulance had a bad motor or head gaskets. Mr. Nell stated that the ambulance is in good condition and that the information is not true. A mechanic looked at the ambulance prior to purchase and he stated that it is in good condition.

Mr. Nell also stated concerns with the Agreements for Emergency Services to Hagedorn Hospital and the matter that Hagedorn has not reimbursed the Township for Fire or Rescue calls, since the 2<sup>nd</sup> quarter billing in 2005. Mr. Nell informed the Committee that there are two Agreements with Hagedorn. One is the Agreement the Squad has with Hagedorn, relative to responding to calls. The other is the Township's Agreement with Hagedorn for reimbursement for calls responded to by the Fire Company and Rescue Squad. Mr. Nell suggested that the Fire Company work out their own Agreement with Hagedorn. Mr. Nell stated that Hagedorn is not paying for calls because they do not have the money in their budget and the did not set up a budget item for the payments.

Mr. Monahan stated that Mr. Mahoney, from Hagedorn, has questions with the calls being billed for. The Squad has attempted to schedule a meeting however, Hagedorn has not responded to the requests.

Hampton Rescue Squad was in attendance at the March 15, 2006 Committee meeting to request monetary assistance from Lebanon Township for Mutual Aid services provided to the Township. In response, Mr. Nell informed the Committee of Hampton's response to calls in the Township. The Township Squad responds to Hampton on a Mutual Aid basis also.

Mr. Nell stated that all squads that are located in the school district are requested to share the burden of "Stand-by" service at the High School for athletic games, etc. However, the Township is generally the only Squad that provides the service, with occasional assistance from Califon and High Bridge. Requests for assistance from other, goes completely unanswered. Mr. Nell stated that the Squad does not recommend reimbursing Hampton for their services to the Township. Mr. Nell stated concerns with the way in which Dispatch alerts Lebanon Township Squad and Mutual Aid. Second alerts should be within 4 minutes and Mr. Nell has personally heard second alerts within one minute.

Mr. Nell stated that the Squad is monitoring their responses very carefully and he is happy to say that Lebanon Township's Squad has the best response time in the County. The average response time is between 4-6 minutes.

Warren Newman thanked for the Mayor for the appointments to the Environmental Commission and requested a list of members with terms.

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

## **EXECUTIVE SESSION**

*Motion by Mr. Piazza seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 45-2006 and convened in executive session at 8:22 p.m.*

### **TOWNSHIP OF LEBANON RESOLUTION NO. 45-2006**

**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:

Negotiations Other Than Collective Bargaining  
Hendra and Special Farms  
Negotiations with Califon Regarding Police Services

*Motion by Mr. Weeks seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 9:02 p.m.*

Attorney Bernstein stated that the Committee discussed a potential take over of police services in the Borough of Califon. The Mayor instructed the Clerk to send a letter of thanks, however, the Township is not interested in pursuing the matter further.

There was also discussion relative to authorization for municipal Attorney relative to the Lebanon Township Rescue Squad.

Mr. Post will work with Attorney Bernstein's office regarding the closings for the Riback and Hendra properties. The Riback closing is on hold until pending matters have been addressed.

*Motion by Mr. Post seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee Authorized the Chief Financial Officer to expend the necessary amount to cover Lebanon Township's 25% of the acquisition of the conservation easement on the Hendra project subject to reimbursement of that amount from the Environmental Infrastructure Trust Fund, provided that this acquisition was previously contemplated in the Township's Open Space portfolio and to be funded by the proceeds of the Open Space Tax.*

**ADJOURN**

Having no further business to come before the Committee a motion was made by Mr. Monahan seconded by Mr. Weeks and carried by unanimous favorable roll call vote to adjourn the meeting at 9:04p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved

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Patricia Schriver, Mayor

