

**Lebanon Township Committee  
April 18, 2007**

**Minutes of Regular Meeting**

**CALL TO ORDER**

Mayor Edward 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**

Mayor Post asked everyone to stand for the flag salute.

**ROLL CALL**

Present - Ed Post Patricia Schriver Jay Weeks  
George Piazza Francis Monahan

Absent -

Also Present - Attorney Eric Bernstein, CFO Greg Della Pia and Clerk Karen Sandorse and 11 members of the public.

**PRESENTATION OF MINUTES**

*Motion by Ms. Schriver, seconded by Mr. Piazza and carried by favorable roll call vote, the Township Committee approved the March 21, 2007 regular meeting minutes. AYES: Weeks, Piazza, Post, Schriver ABSTAIN: Monahan*

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the April 4, 2007 regular meeting minutes. AYES: Weeks, Piazza, Schriver, Monahan ABSTAIN: Post*

**RESOLUTIONS**

**2007 BUDGET -PUBLIC HEARING**

*Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee opened the meeting for public comments relative to the proposed 2007 Municipal Budget.*

Mr. Greg DellaPia, Township CFO gave an overview of the proposed budget.

There were no public comments. There were no questions from the Committee.

*Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting.*

**Resolution No. 40-2007 – 2007 Budget**

*Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 40-2007. (As written below)*

TOWNSHIP OF LEBANON  
HUNTERDON COUNTY, NEW JERSEY  
RESOLUTION NO. 40-2007  
ADOPT 2007 MUNICIPAL BUDGET

WHEREAS, the 2007 Lebanon Township Municipal Budget was introduced and approved on the 21st day of March, 2006; and  
WHEREAS, the 2007 Lebanon Township Municipal Budget was advertised in the “Hunterdon Review” in the issue of April 5th, 2007; and  
WHEREAS, the public hearing on said Budget was held on April 18, 2007; and  
WHEREAS, the approved 2007 Lebanon Township Municipal Budget has been filed with the Director of the Department of Local Government Services;  
NOW, THEREFORE, BE IT RESOLVED, on this 18th day of April, 2007, by the Mayor and Township Committee of the Township of Lebanon, that the budget hereinafter set forth is hereby adopted and shall constitute appropriations for the purposes stated of the sum set forth as appropriated.  
It is hereby certified that this is a true and accurate copy of a Resolution adopted by the Governing Body of the Township of Lebanon at a meeting held on April 18, 2007.

**Resolution No. 41-2007- 2007 Self Exam Budget**

*Motion by Mr. Piazza, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 41-2007. (As written below)*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 41-2007

WHEREAS, N.J.S.A.40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the

Director of the Division of Local Government Services, of conducting the annual budget examination; and,

WHEREAS, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997; and, WHEREAS, pursuant to N.J.A.C.5:30-7.2 thru 7.5 the Township of Lebanon has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Lebanon meets the necessary conditions to participate in the program for the 2007 budget year, so now therefore,

BE IT RESOLVED, by the Township Committee of the Township of Lebanon that in accordance with N.J.A.C.5:30-7.6a & b, and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C.5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated;
  - b. Items of appropriation are properly set forth;
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.40A:4-5, shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

## **ORDINANCES**

### **Ordinance No. 2007-07 Public Hearing**

*Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2007-07 was opened.*

*Hearing no comments from the public, the public hearing was closed on a motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote.*

*Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2007-07 as attached.*

ORDINANCE NO. 2007-07  
AN ORDINANCE ADOPTING A CODIFICATION AND  
REVISION OF THE ORDINANCES  
OF THE TOWNSHIP OF LEBANON,  
COUNTY OF HUNTERDON, STATE OF NEW JERSEY;  
PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING  
FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A  
PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING  
CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

### **Ordinance No. 2007-08 Public Hearing**

*Motion by Mr. Monahan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2007-08 was opened.*

Mr. Ron Milkowski asked if a family member, who is minor, is exempt from such laws when under the guidance of their parents, in their home. Attorney Bernstein read the exception in the ordinance for the public.

*The public hearing was closed on a motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote.*

*Motion by Mr. Monahan, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee adopted Ordinance No. 2007-08 as attached. AYES: Piazza, Post, Schriver, Monahan NAYS: Weeks*

TOWNSHIP OF LEBANON

ORDINANCE NO. 2007-08  
AN ORDINANCE TO AMEND THE CODE OF THE  
TOWNSHIP OF LEBANON BY ADDING A NEW  
ARTICLE III, POSSESSION OR CONSUMPTION  
ON PRIVATE PROPERTY BY UNDERAGE  
PERSONS TO CHAPTER 120, ALCOHOLIC  
BEVERAGES, WHICH RESTRICTS THE  
POSSESSION AND CONSUMPTION OF  
ALCOHOLIC BEVERAGES BY UNDERAGE  
PERSONS, AND WHICH ALSO CONTAINS  
PENALTIES FOR VIOLATION THEREOF

**Ordinance No. 2007-09 Public Hearing**

*Motion by Mr. Monahan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2007-09 was opened.*

Officer Jack Gale informed the Committee that during the last storm the Police Department received calls regarding flooding in the area of the intersection of Lance and Doefield. It appeared that the drains were blocked.

Mr. Gary Milkowski suggested holding on the passage of the Ordinance until the drainage problem is addressed.

*The public hearing was closed on a motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote.*

Attorney Bernstein stated that he suggests that the Committee take no action on the Ordinance until the drainage matter is looked into. There is no requirement to publish the ordinance again, as the public hearing portion has been closed. The Township Engineer will be asked to go to the site and to consult with the developer's engineer. Upon the Township Engineer's satisfaction and recommendation, the Ordinance adoption will be revisited by the Committee.

ORDINANCE NO. 2007-09  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
AN ORDINANCE AUTHORIZING THE ACCEPTANCE BY LEBANON TOWNSHIP  
OF DOEFIELD ROAD, HICKORY RUN ROAD,  
LANCE DRIVE AND EVERGREEN LANE INTO THE PUBLIC ROADWAY SYSTEM,  
PURSUANT TO N.J.S.A. 40:67-1

**PROCLAMATION**

Township of Lebanon  
County of Hunterdon  
State of New Jersey

**PROCLAMATION**

WHEREAS, all children deserve to be nurtured, protected and free of physical or emotional harm; and

WHEREAS, child abuse and neglect is a significant social problem, that damages the lives of children physically, mentally and emotionally and inflicts immeasurable harm to our society as a whole; and

WHEREAS, Lebanon Township is committed to building a continuum of child abuse prevention and intervention programs that are culturally competent, strength-based and family-centered, with a strong emphasis on primary child abuse preventions; and

WHEREAS, Lebanon Township promotes and supports community-based programs designed to prevent injury, abuse or neglect of children, achieve positive outcomes for parenting behavior and family functioning and relationships, and empower and increase safety for domestic violence victims and their children; and

WHEREAS, all sectors of the community, including law enforcement, medical professionals, schools, courts, the media and private and public agencies have joined forces to promote public awareness and community involvement in prevention during the month of April and throughout the year;

NOW, THEREFORE, the Lebanon Township Committee does hereby proclaim

APRIL 2007

AS

**CHILD ABUSE PREVENTION MONTH**

in Lebanon Township, and urge all our fellow residents to become involved in efforts aimed at preventing our children from being abused and neglected.

*Motion by Mr. Piazza, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee proclaimed APRIL 2007 AS CHILD ABUSE PREVENTION MONTH.*

**OLD BUSINESS**

**Police Chief Request to Purchase a Laptop Computer**

*Motion by Mr. Monahan, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee approved the Police Chief's request to purchase a laptop computer under state contract, in the amount of \$1400.00, subject to availability of funds. AYES: Piazza, Post, Schriver, Monahan NAYS: Weeks*

**NEW BUSINESS**

### **St. John Newman Raffle Applications**

*Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the St. John Newman Raffle Applications for 06/01/2007, 06/02/2007 & 11/03/2007.*

### **LT First Aid Squad Raffle Application**

*Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the LT First Aid Squad Raffle Application for 06/01/2007.*

### **LT Fire Department Raffle Application**

*Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the LT Fire Department Raffle Application for 11/13/2007.*

### **Approve Newsletter Agreement – Authorize Mayor and Clerk to Sign**

*Motion by Ms. Schriver, seconded by Mr. Monahan and carried by unanimous favorable roll call vote, the Township Committee approved the Newsletter Agreement with Karen Newman for the 2007 year and authorized Mayor and Clerk to sign.*

### **Highlands Council TDR Receiving Zone Feasibility Grant Program**

Correspondence was received from the Highlands Council regarding a Transfer of Development Rights Receiving Zone Feasibility Grant Program. Mayor Post stated that the Township does not have Development Rights to transfer and suggested that the Clerk forward the correspondence to Planner Bolan for his opinion. Mayor Post will look into the matter further.

### **PRESENTATION OF VOUCHERS**

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

*Motion by seconded Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote the Township Committee approved the April 18, 2007 bill list in the amount of \$2,638,215.12.*

### **CORRESPONDENCE**

#### **Department of Law and Public Safety – Emergency Operations Plan**

OEM Coordinator Warren Gabriel received a letter from the Department of Law and Public Safety stating that the Lebanon Township Emergency Operations Plan, submitted by Coordinator Gabriel, meets the Departments requirements of approval. Mayor Post thanked Warren for his efforts.

### **Tax Collector's Report of Uncollectible Taxes for the 2006 Tax Year**

There are no uncollectible taxes for the 2006 tax year.

### **New Jersey Ride against AIDS**

There will be a bike ride against AIDS during the weekend of September 28<sup>th</sup> – September 30<sup>th</sup>. The ride will run from High Point to Cape May.

### **Bring Your Child to Work Day**

The DPW Supervisor sent a letter to the Committee requesting permission for three of the DPW employees to bring their sons to work on Thursday April 26<sup>th</sup>, which is Bring Your Child to Work Day. Each employee signed a memo stating that their personal insurance will cover their child if there should be an incident during the work day.

*Motion by Ms. Schriver, seconded by Mr. Piazza and carried by unanimous favorable roll call vote, the Township Committee approved the request and authorized the necessary paperwork and coordination with Groendyke where applicable.*

### **PUBLIC COMMENTS**

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

Nancy Darois requested that a canceled meeting notices be placed on the outside door of the Municipal Office, to notify the public as to the cancellation.

DPW Assistant Supervisor stated that they have not received a written quote for the 400 amp generator, but have heard verbally, that it will cost approximately \$60,000.00. There has been no written proposal or grant information received to date.

Mr. Gary Milkowski inquired on the Van Doren bill which was discussed at the last meeting. The Clerk spoke to the Treasurer and there were at least two bills included in the total cost.

Ms. Joni Note of the LTFAS, stated that she heard that there was concern raised with someone living in the Squad building. Mayor Post stated that a letter was received from Mr. Nell and the matter is resolved.



*Motion by Mr. Piazza, seconded by Mr. Schriver 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 Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 42-2007 and convened in executive session at 7:42 p.m.*

### **TOWNSHIP OF LEBANON RESOLUTION NO. 42-2007**

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 Matter – Police Chief**

*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 8:44 p.m.*

Attorney Bernstein stated that the Police Chief has indicated that she is intending to retire sometime during the 2007 calendar year. A date is somewhat determined, but not finalized at this time. The Chief has requested authorization to start posting for purposes of commencing the Police Chief's examination and promotion process. Discussion was also held on reimbursement for possible days owed to the Chief at the time of retirement.

*Motion by Mr. Monahan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee authorized the Police Chief to move forward with the promotion process for a new Police Chief.*

Attorney Bernstein will work with the Mayor and Mr. Monahan relative to the Police Chief's request of reimbursement of unused time.

Attorney Bernstein stated that it has come to his attention that there is an issue with the LTFAS Audit that the Township Committee has asked the Township Auditor to perform. Anthony Ardito has a need to obtain additional documents in order to complete the audit. The Squad has requested compensation for the copies already provided.

*Motion by Mr. Piazza, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee authorized an expenditure not to exceed \$500.00 to cover the cost*

of copies of 2005 LTFAS financial documents already received and in order to obtain additional copies of the outstanding 2005 documents as requested by the Township Clerk on behalf of Mr. Ardito in a letter sent by the Clerk on April 13, 2007. The documents must be provided by the close of business on Friday April 20, 2007. It is anticipated that Mr. Ardito will have the audit completed within the next few weeks and will base his opinion on the materials received.

**ADJOURN**

Having no further business to come before the Committee a motion was made by Ms. Schriver, seconded by Mr. Piazza, and carried by unanimous favorable roll call vote to adjourn the meeting at 8:48 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved

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Edward L. Post, III  
Mayor