

**CALL TO ORDER**

Mayor George Piazza 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 Piazza asked everyone to stand for the flag salute.

**ROLL CALL**

Present - Edward Post Patricia Schriver Jay Weeks George Piazza Frank Morrison

Absent - None

Also Present - Attorney Eric Bernstein and Deputy Clerk Kimberly Jacobus and 8 members of the public.

**PRESENTATION OF MINUTES**

*Motion by Ms. Schriver, seconded by Mr. Post and carried by favorable roll call vote, the Township Committee approved the April 16, 2008 regular meeting minutes. AYES: Ms. Schriver, Mr. Post, Mr. Weeks ABSTAIN: Mayor Piazza, Mr. Morrison.*

*Motion by Mr. Post, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee approved the April 16, 2008 executive session minutes. AYES: Ms. Schriver, Mr. Post, Mr. Weeks ABSTAIN: Mayor Piazza, Mr. Morrison.*

**ORDINANCES**

**Ordinance No. 2008-05 – Public Hearing**

*Motion by Mr. Post seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township opened the public hearing for Ordinance No. 2008-5. (As entitled below)*

COUNTY OF HUNTERDON  
TOWNSHIP OF LEBANON  
ORDINANCE NO. 2008-05

AN ORDINANCE AMENDING THE LAND USE ORDINANCE FOR  
THE TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY,  
AND MORE SPECIFICALLY CHAPTER 45 (LAND USE PROCEDURES)

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee opened the public hearing*

There were no comments from the public.

*Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee closed the public hearing.*

*Motion by Ms. Schriver, seconded by Mr. Weeks and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No 2008-05.*

**Resolution No. 50-2008 – Tax Levy for NH-VRHS for 2008-09**

*Motion by Mr. Weeks, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 50-2008. (As written below)*

RESOLUTION NO. 50-2008  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

A RESOLUTION CERTIFYING THE TAX LEVY FOR THE NORTH HUNTERDON-  
VOORHEES REGIONAL HIGH SCHOOL DISTRICT FOR THE 2008-09 YEAR

**WHEREAS**, the proposed school budget general fund tax levy of the Board of Education of the North Hunterdon-Voorhees Regional High School District, County of Hunterdon, State of New Jersey, in the amount of \$44,727,188, was defeated by the voters at the annual election on April 15, 2008; and

**WHEREAS**, the Board of Education of the school district delivered the rejected proposed budget to the Township of Lebanon as required by law; and

**WHEREAS**, the Township of Lebanon has consulted with the Board of Education and has reviewed the school budget and desires to certify the amount necessary to be appropriated.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Lebanon, County of Hunterdon, State of New Jersey that certain revisions be

made to the 2008-2009 Budget of the Board of Education of the North Hunterdon-Voorhees Regional High School District as follows:

11-140-100-101	Salaries of Teachers	\$ 437,000
11-1XX-100-270	Health Benefits	\$ 51,000
12-000-252-730	Admin. Info. Tech.	\$ 111,000
12-000-4XX-XX	Facilities Acq. & Const. Svcs.	<u>\$ 401,000</u>
		\$1,000,000

That the Committee of the Township of Lebanon certifies the tax levy of \$43,727,188 for the North Hunterdon-Voorhees Regional High School District. This represents a tax levy reduction of \$1,000,000 from the specified line items as listed above.

It is hereby certified that the budget is sufficient to provide a thorough and efficient education for the students of North Hunterdon-Voorhees Regional High School District.

**Resolution No. 51-2008 Tax Exemption for Permanently Disabled Veteran**

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 51-2008. (As written below)*

RESOLUTION NO. 51-2008  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

**WHEREAS** the Tax Collector of Lebanon Township has been shown proof and in accordance with the Tax Assessor ascertains that George J. Ginda, owner of Block 24, lot 5.04, 36 Hickory Run Road in the Township of Lebanon, is totally and permanently disabled as a result of service to the United States, and has been so declared by the Veteran's Administration, and,

**WHEREAS** in accordance with N.J.S.A. 54: 4-3.32, the governing body of any municipality may refund the amount of taxes collected on any property which would have been exempt from taxation if proper claim in writing had been timely made, and,

**WHEREAS** Mr. Ginda has been declared totally and permanently disabled since December 5<sup>th</sup> 2007, and had only received such notification on March 27<sup>th</sup> 2008 from the Department of Veteran's Affairs,

**THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that Mr. Ginda's property be exempted from all property taxes from the date of his total and permanent disability December

5<sup>th</sup> 2007, and that the \$3,318.99 which has been paid in taxes since December 5<sup>th</sup> 2007 be returned to Mr. Ginda and,

**BE IT FURTHERMORE RESOLVED** that the property be tax exempt as long as it is owned and occupied by George J. Ginda or by his surviving spouse in accordance with the continuance of the right to exemption.

**Resolution No. 52-2008 – Award Library Roof Bid**

Discussion was held on the awarding of the Bunnvale Library Roof. Attorney Bernstein stated that there were concerns with the consent surety bond submitted by the lowest bidder. It is a non-material issue. Attorney Bernstein explained the differences with the bonds. Mayor Piazza wanted to know the difference in the amount of the bids. Attorney Bernstein stated that Glenn

Roofing LLC was \$29,675.00 and D. A. Nolt’s bid was in the amount of \$47,936.00. These were the only two bids submitted.

*Motion by Mr. Post, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee award the project to Glenn Roofing for the price of \$29,675.00 conditioned on the approval of capitol funding subject to certification of available funds by the CFO and amount not to exceed \$29, 675.00 and the requirement of a performance bond. AYES: Schriver, Post, Piazza, Morrison NAYES: Weeks*

**RESOLUTION NO. 52-2008  
TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**RESOLUTION AWARDING CONTRACT FOR THE  
BUNNVALE LIBRARY ROOF REPLACEMENT PROJECT  
TO GLENN ROOFING, LLC AND  
AUTHORIZING THE MAYOR TO EXECUTE  
AN AGREEMENT WITH GLENN ROOFING, LLC**

**WHEREAS**, the Township of Lebanon prepared Bid Specifications and requested Bids for the Bunnvale Library Roof Replacement Project for the Township (the “Project”); and,

**WHEREAS**, the lowest responsible bidder was Glenn Roofing, LLC with a bid of Twenty-Nine Thousand Six Hundred Seventy-Five Dollars (\$29,675.00); and,

**WHEREAS**, Glenn Roofing, LLC has met all the bid specifications for the Project; and,

**WHEREAS**, the Township wishes to enter into a contract with Glenn Roofing, LLC, 896 Sanford Avenue, Irvington, New Jersey 07111 to complete the Project in the amount of Twenty-

Nine Thousand Six Hundred Seventy-Five Dollars (\$29,675.00), subject to receipt of certification of available funds from the Township Chief Financial Officer and subject to Glen Roofing, LLC providing a performance bond as set forth in the Bid Specifications.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the contract for the Bunnvale Library Roof Replacement Project is hereby awarded to Glenn Roofing, LLC, subject to receipt of certification of available funds from the Township Chief Financial Officer and subject to Glen Roofing, LLC providing a performance bond in accordance with the Bid Specifications, and the Mayor is hereby authorized to execute a contract with Glenn Roofing, LLC, as soon as the aforementioned certification and bond are provided, on behalf of the Township of Lebanon.

## **OLD BUSINESS**

A request was made to move discussion of the salary for the Library Clerk to executive session.

## **NEW BUSINESS**

### **Social Affair Permit – Woo Music 7-13-2008**

*Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved a Social Affairs Permit for Woo Music on July 13, 2008.*

### **Braking the Cycle**

Mayor Piazza spoke about the 3-day bicycle ride that goes through the township. This ride is called “Braking the Cycle” to benefit the HIV/AIDS services of New York’s LGBT Center. There are approximately 140 riders. Police Chief Chris Mattson and DPW Supervisor Paul Jones are to be notified of the event.

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved the “Braking the Cycle” bike tour which will travel through a portion of the township.*

### **Older American Proclamation**

Mayor Piazza read the “Older Americans Month Proclamation” which is for the month of May.

## **Older Americans Month**

### **PROCLAMATION**

**Whereas**, the month of May is traditionally designated and observed throughout the nation as **Older Americans Month**; and

**Whereas**, the 2008 theme is “**Working Together for Strong, Healthy, and Supportive communities**” in honor of older Americans; and

**Whereas**, this Municipality recognizes the contributions older Americans have made to our families, our communities, and our nation; an

**Whereas**, older Americans remain active and productive, volunteering their time, talents and expertise, thereby enriching all our lives;

**NOW, THEREFORE, BE IT RESOLVED** that this Municipality does hereby proclaim the month of May as Older Americans Month and calls upon individuals and entities to honor and celebrate the outstanding contributions of this Municipality’s older residents.

Request was made for a copy to be sent to the County of Hunterdon, Department of Human Services, Division of Senior Services, by Mary Ann Rodenberger, Executive Director.

## **PRESENTATION OF VOUCHERS**

Committee Members provided a description of vouchers exceeding \$1,000.00.

*Motion by Mr. Post, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved the April 16, 2008 bill list in the amount of \$1,118,737.87.*

## **CORRESPONDENCE**

Lebanon Township Historian’s Meeting Minutes for April 3, 2008. A letter from Nancy Dontzin was included with the minutes (Her husband, Ben Dontzin, had been a Historian). Attorney Bernstein requested the name and address of the pastor for the Spruce Run Lutheran Church as Mrs. Dontzin thought that the church may own the Swak Church property.

## **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.*

Jay Harkins, Lebanon Township Fire Chief, discussed with the Committee that he would like the option of re-purposing the money from last year’s capital ordinance that was not used, for the purpose of purchasing a Brush Truck. Originally the ordinance was for the purchase of a UTV, which is now being given to the Fire Company by the County. A stipulation with the County is

that there is to be 2 vehicles able to tow the UTV for mutual aid. At this time, the Fire Company does have one vehicle that can be used to tow the UTV and would like the brush truck as the second vehicle.

Warren Gabriel stated that a township truck or police vehicle could also be used.

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

## **EXECUTIVE SESSION**

*Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 53-2008 and convened in executive session at 7:37 p.m.*

### **TOWNSHIP OF LEBANON RESOLUTION NO. 53-2008**

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:

Collective Bargaining CWA 1040  
Collective Bargaining PBA 188  
Attorney Client Privilege – Negotiations other than Collective Bargaining  
Public Works Building  
Swak Church

*Motion by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 8:11 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 Deputy Township Clerk and the Township Attorney.

Attorney Bernstein stated that there was discussion regarding the resolution of negotiations between PBA Local 188 and the Township. The Mayor has been instructed to go back and have a conversation with the Union relative to a couple of minor items. Assuming they are resolved, Attorney Bernstein's office will re-draft the contract for approval and execution. There was a discussion under the Attorney Client privilege relative to the Swak Church and related documents. There will be contact with the Spruce Run Lutheran Church and an individual named in the Dontzin letter. There was a discussion relative to the possible acquisition of property relative to the use for municipal purposes. Mr. Jones will be present at the next meeting to discuss the matter. No action taken. The Governing Body reviewed the opposed Memorandum of Agreement between the Township of Lebanon and the CWA Local 1040 and

the proposed changes submitted by the Union. The Township has authorized the Township Attorney to re-draft the Memorandum of Agreement to take into account those items they can accept versus not. No formal action needed to be take.

**ADJOURN**

Having no further business to come before the Committee, a motion was made by Ms. Schriver, seconded by Mr. Post and carried by unanimous favorable roll call vote to adjourn the meeting at 8:12 p.m.

Respectfully submitted,

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Kimberly S. Jacobus  
Municipal Deputy Clerk

Approved: May 21, 2008

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George Piazza, Mayor