

**Lebanon Township Committee  
May 21, 2008**

**Minutes of Regular Meeting**

**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 - George Piazza, Patricia Schriver, Jay Weeks, Frank Morrison

Absent - Edward Post

Also Present - Attorney Eric Bernstein, CFO Greg Della Pia, Clerk Karen Sandorse and 6 members of the public.

**PRESENTATION OF MINUTES**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved the May 7, 2008 regular meeting minutes.*

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved the May 7, 2008 executive session minutes.*

**BUDGET RESOLUTIONS**

**Resolution No. 54-2008 – Dedication by Rider - Municipal Alliance Trust**

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 54-2008. (As written below)

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
Dedication by Rider - Municipal Alliance Trust

RESOLUTION NO. 54-2008

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 the municipality when revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, PL 1989, C51 and N.J.S 40A:5-29 allows municipalities to receive municipal alliance funds for drug and alcohol abuse, 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 by rider,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey as follows:

1. The Mayor and Committee hereby request permission of the Director of Local Government Services to pay expenditures from Voorhees Municipal Alliance Trust as per N.J.S.A. 40A:4-39.

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

**Resolution No. 54a-2008 - Dedication by Rider – Fair Share Housing**

*Motion by Mr. Morrison, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 54a-2008. (As written below)*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

Dedication by Rider – Fair Share Housing  
RESOLUTION NO. 54a-2008

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 the municipality when revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, PL 1985, C222 and N.J.A.C. 5.92-18.1 et seq. allows municipalities to receive developer's fees for fair share housing, 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 by rider,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey as follows:

2. The Mayor and Committee hereby request permission of the Director of Local Government Services to pay expenditures from Fair Share Housing Trust as per N.J.S.A. 40A:4-39.

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

**Resolution No. 54b-2008 – Dedication by Rider – Developer’s Escrow**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 54b-2008. (As written below)*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
Dedication by Rider – Developer’s Escrow  
RESOLUTION NO. 54b-2008

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 the municipality when revenue is not subject to reasonable accurate estimates in advance, and  
WHEREAS, N.J.S 40:55D-53.1 allows municipalities to receive Developer’s Escrow funds, 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 by rider,  
NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey as follows:

3. The Mayor and Committee hereby request permission of the Director of Local Government Services to pay expenditures from Developer’s Escrow in the following Developer’s Escrow Trust Funds: Developer’s Escrow Trust, Driveway Bond Trust, and Off Track Improvement Trust, as per N.J.S.A. 40A:4-39.

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

**2008 BUDGET – PUBLIC HEARING**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee opened the public hearing for the 2008 Proposed Budget.*

Ms. Nancy Darois asked what the 2.2 cent increase would mean for a \$100,000.00 assessed valued home. The CFO stated that the increase for a home assessed at \$300,000.00 would be approximately \$68.00 per year.

Mr. William Rauschenberger asked how long the employee's contract period is and questioned if the 4% proposed salary is an adequate amount due to inflation and increasing gas prices.

Mr. Anthony Casale said that you cannot compare other municipalities tax rates without knowing their assessments.

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

The Township Committee decided to hold another budget work session to review the proposed budget one more time to be sure they have cut in all areas possible.

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee scheduled a special budget work session for Monday, June 2, 2008 at 6 p.m. to review the proposed budget and to extend the 2008 Temporary Budget.*

## **PROCLAMATION – National Public Works Week**

### **TOWNSHIP OF LEBANON Office of the Mayor Proclamation**

Whereas, public works services provided in our community are an integral part of our citizens' every day lives; and Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of the public works systems and programs such as water, sewers, streets and highways, public buildings and solid waste collection; and Whereas, the health, safety and comfort of this community greatly depends on the facilities and services; and Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and Whereas the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

Now therefore, I, George Piazza, Mayor of the Township of Lebanon, do hereby proclaim the week of May 18-24 as

“National Public Works Week”

In the Township of Lebanon, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the

contributions which public works officials make every day to our health, safety, comfort, and quality of life.

## **RESOLUTIONS**

### **Resolution No. 55-2008 - Adopt PBA Local 188 MOA**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 55-2008 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 55-2008

WHEREAS, the Township of Lebanon and the PBA Local 188 did engage in negotiations and resolved the issues between them as set forth in a Memorandum of Understanding.  
NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon that the Township Committee hereby ratifies and approves the terms and conditions of the Memorandum of Agreement attached hereto and made a part hereof.  
BE IT FURTHER RESOLVED that the Mayor and Township Clerk are duly authorized to execute said Collective Bargaining Agreement.

### **Resolution No. 56-2008- A & B Stainless Fireworks Permit**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 56-2008 as written below.*

RESOLUTION NO. 56-2008  
RESOLUTION GRANTING FIREWORKS  
PERMIT TO A&B STAINLESS VALVE  
AND FITTING COMPANY

WHEREAS, A&B Stainless Valve and Fitting Company has applied for a permit for public display of fireworks to be held on July 5, 2008 at 9:00 p.m.; and  
WHEREAS, the Lebanon Township Fire Code Official has reviewed the application, investigated the area where the display will take place and recommends that the permit be granted; and  
WHEREAS, the necessary bond and surety has been posted.  
NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon and State of New Jersey that a fireworks permit be granted to A&B Stainless Valve and Fitting Company for the activity described in its application.  
BE IT FURTHER RESOLVED, that the Township Fire Official file copies of this Resolution and any other pertinent document with the appropriate New Jersey agency.

**Resolution No. 57-2008 - Cancellation of Tax Sale Certificate**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No.57-2008 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 57-2008

WHEREAS Tax Sale Certificate #200701 fell to Lebanon Township at Tax Sale on November 28<sup>th</sup>, 2007 and

WHEREAS Certificate #200701 has been redeemed by Ronald S. Heymann Esq, attorney for the new owner of Block 56, lot 19, Marc Dean and,

WHEREAS the amount of \$3,793.84 has been collected for the redemption of this certificate, THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign a check in the amount of \$3,793.84 made payable to Lebanon Township and,

BE IT FURTHER RESOLVED that Tax Sale Certificate 200701 be endorsed for cancellation by the Mayor and sent to Ronald S. Heymann, attorney for Marc Dean, the new owner of the property.

**OLD BUSINESS**

**Appoint Temporary DPW Summer Employees**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee appointed Gary Hood at \$11.50 per hour and Chris Bisbee at \$11.25 per hour as Temporary DPW Summer Employees at the recommendation of the DPW Supervisor.*

**419 Penwell Road**

A letter was received from the Hunterdon County Housing Corporation a few weeks ago, stating that they are going through dissolution and that Lebanon Township will be responsible to take over the management of 419 Penwell Road. It was originally planned that 419 Penwell Road would assist with the Township's COAH requirements. Mayor Piazza informed the Committee that he spoke with Planner Mike Bolan and Mike stated that he feels that the Township never did not receive any COAH benefits from the project; therefore, there is no obligation on the part of the Township to manage it. The property is owned by the County. The Clerk is to send a letter to the Housing Corporation stating that the Township Committee does not believe that they have any obligation to 419 Penwell Road in light of being in the Highlands

preservation area and that we are waiting for a letter from the Township Planner stating his position on the matter.

### **Comcast**

There have been complaints from residents on private drives that Comcast is not running the cable lines to their homes. Attorney Bernstein stated that in the Line Extension Policy, Comcast is required to run a line a certain distance down the private road. If not, they must provide a reason, in writing as to why they have failed to do so. Residents can send a letter to the Office of Cable TV to notify them that they are not being serviced by Comcast.

### **South Branch Watershed Cleanup**

South Branch Watershed wrote a letter to the Mayor thanking the Township for their assistance in the Annual South Branch Watershed Stream Clean-up.

### **Hunterdon County Jail – Labor Assistance Program**

Scott Nodes, the Correctional Administrator of the Hunterdon County Jail, wrote to the Mayor to inform him of the newly implemented Hunterdon County Labor Assistance Program. The program enables weekend inmates to report to the Jail at 8 a.m. on Saturday and Sunday mornings every week. The inmates are transported to various work sites, they work for the day and then are released to go home. This program enables the inmates to sleep at home and to

hold jobs to support their families during the week. Mr. Nodes stated that he is offering the services of the L.A.P. program to the Township.

### **NEW BUSINESS**

#### **Approve Raffle License Application – The Repertory Dancers, Inc.- 06/07/2008**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved Raffle License Application for the Repertory Dancers, Inc. for an event to be held on 06/07/2008.*

#### **Cancel August 6<sup>th</sup> Meetings**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee canceled the August 6<sup>th</sup> Meeting.*

### **PRESENTATION OF VOUCHERS**

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

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved the May 21, 2008 bill list in the amount of \$ 46,774.03.*

## **CORRESPONDENCE**

Tax Collector's Report for the Month of April 2008.

## **PUBLIC COMMENTS**

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

DPW Supervisor Paul Jones asked who would be overseeing the Library Roof Replacement project and stated that if it were to be him that he would like to be involved in the pre-construction meetings. Paul said that he is trying to work out the timing for the work to begin.

Ms. Nancy Darois asked why the Public Works Department would be responsible in overseeing the Library Roof project. She said that they have enough to do.

*Motion by Ms. Schriver, seconded by Mr. Morrison 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. 58-2008 and convened in executive session at 8:05p.m.*

### **TOWNSHIP OF LEBANON RESOLUTION NO. 58-2008**

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:

Personnel Matters – Library Clerk Salary  
Attorney Client Privilege - Other Than Collective Bargaining –  
Township Garage – Tucker Correspondence



*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 9:09 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.

Attorney Bernstein stated that in the closed session the salary for the new Library Clerk was discussed. The salary was determined to be \$18.00 per hour for the 2008 year and will be reflected as such in the CWA Local 1080 MOA. Discussion was held on the possibilities of the reconstruction or purchase of a new Township Garage. The Township Committee gave direction to DPW Supervisor Paul Jones on how to proceed with his research. Mr. Robert Tucker sent a letter to the Committee requesting information relative to land acquisition in the Township. The CFO or the Township Attorney will prepare a response.

## **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 9:10 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: June 4, 2008

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George Piazza, Mayor