

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 Francis Morrison
 Brian Wunder Ron Milkowski

Absent

Also Present - Attorney Dick Cushing, CFO Greg Della Pia and Clerk Karen Sandorse and 10 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of April 6, 2011 – Tabled to May 4, 2011 Meeting
Minutes of the Executive Session of April 6, 2011- Tabled to May 4, 2011 Meeting

PUBLIC COMMENTS – for agenda items only.

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

There were no comments from the public.

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

2009 AUDIT

Corrective Action Plan

CFO Greg Della Pia submitted a Corrective Action Plan for the 2009 Audit. The following Plan was sent to the State and approved.

Audit Finding #2009 -1 – Interfunds

Throughout the year it is sometimes necessary to interfund funds between Township accounts due to cashflow needs. All interfunds have been repaid as of this date.

Audit Finding #2009-02 – General Capital Fund Loans

The original debt amounts were not utilized, and reduced proceeds were drawn down.

Pursuant to our conversation with the representative from the NJEIT on April 19, 2011, we are in the process of reconciling the original debt, and current outstanding debt resulting from these transactions.

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee adopted the 2009 Corrective Action Plan as submitted by the CFO.

2011 BUDGET -PUBLIC HEARING

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee opened the meeting for public comments relative to the proposed 2011 Municipal Budget.

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

Ms. Jean Lang requested that the Township Committee consider lowering the 18% interest charged for late tax payments.

Attorney Cushing stated that he will look into the option of lowering the late fee.

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.

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee adopted the 2011 Municipal Budget.

ORDINANCES

Public Hearing

Ordinance No. 2011- 05

Motion by Mr. Wunder, seconded by Ms. Schriver, and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2011-05 was opened.

Mr. Morrison stated that he has concerns with the setbacks listed in the ordinance.

Mr. E.J. Skidmore and Mr. Anthony Casale stated concerns with the following section of the ordinance. They felt that it was too restrictive and would limit the number of residents that could install a wood-burning stove.

2.

- (a) The minimum required setback of 180' shall be measured from the proposed wood-burning furnace/boiler to the applicable (front, side or rear) required setbacks on adjoining lots.

Mayor Piazza stated that the Planning Board has spent two years and many many hours working on this ordinance and did what they thought was right for the community.

Mr. Wunder stated that he is not completely for the ordinance as it is restrictive. Mr. Wunder stated that the setbacks do not make sense.

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

Ms. Schriver asked if the Planning Board looked at State and Federal Standards. Ms. Schriver stated that she has concerns with the distance also.

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee defeated Ordinance No. 2011-05 and requested that it be sent back to the Planning Board for reconsideration to be given to; Page 3, Number 2, Section b. (Entitled below)

**ORDINANCE NO. 2011-05
TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
AN ORDINANCE TO
REVISE, AMEND AND SUPPLEMENT
THE CODE OF THE TOWNSHIP OF LEBANON
CHAPTER 400, TITLED "ZONING", SPECIFICALLY
SECTION 400-10, TITLED "ACCESSORY USES AND STRUCTURES"**

PROCLAMATION – OLDER AMERICANS MONTH

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee adopted the following proclamation.

**OLDER AMERICANS MONTH
PROCLAMATION**

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

Whereas, the 2011 theme is :Older Americans: Connecting the Community”, in honor of older Americans; and

Whereas, the Township of Lebanon recognizes the contributions older Americans have made to our families, our communities, and our nation; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township of Lebanon 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.

IN TESTIMONY WHEREOF, I have hereunto set my hand and cause to be affixed the Seal of the Township of Lebanon this 20th day of April 2011.

RESOLUTIONS

Resolution No. 40-2011- Opposing Reduced Allocation of Open Space Tax Levy Funds

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 40-2011 as written below.

**RESOLUTION NO. 40-2011
TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
OPPOSING REDUCED ALLOCATION OF OPEN SPACE TAX
LEVY FUNDS TO MUNICIPAL GRANT PROGRAMS**

WHEREAS, the Hunterdon County Board of Chosen Freeholders has authorized an annual levy not to exceed three cents (\$0.03) per One Hundred Dollars (\$100) of the total County equalized real property value for each County Questioned (CQ); and

WHEREAS, the Board of Chosen Freeholders sets the open tax levy and amount to be raised each year and may, at their discretion, determine the appropriate amount or rate to be distributed and allocated for each open space, farmland and historic preservation purposes; and

WHEREAS, the Board of Chosen Freeholders by resolution dated February 2, 2010 reduced the amount of funding available to municipalities for CY2011 allocated to the Municipal Grant Program for 15% to 10% of the 2010 municipal contributions; and

WHEREAS, this municipal governing body is of the opinion that the previous municipal allocation of 15% is a more fair and equitable allocation to the municipalities whose taxpayers are the source of such funds, and good cause appearing

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey that this governing body requests that the Board of Chosen Freeholders restore the Municipal Grant Program to its previous allocation of 15% for the FY2011 year-end open space tax receipts for availability to municipalities in CY2012; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Hunterdon County Board of Chosen Freeholders and to each of the other municipalities in Hunterdon County.

Resolution No. 41-2011- Refund of Tax Sale Certificate

Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 41-2011 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 41-2011**

WHEREAS the Tax Collector did sell a Tax Sale Certificate # 200812 on October 22, 2008 to US Bank Cust for Phoenix and,
WHEREAS the amount of \$22,343.85 has been collected from PNC Bank for Renee Goerner, owner of Block 59, Lot 67, 60 Hollow Road, Lebanon Township, and
WHEREAS there had also been a premium paid at the Tax Sale by US Bank-Cust for Phoenix in the amount of \$3,500.00 for this Tax Sale certificate #200812,
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 \$25,843.85 payable to US Bank-Cust for Phoenix.

OLD BUSINESS

Township Garage Project – Change Order Request

Tabled to the executive session.

NEW BUSINESS

Shared Services

Mayor Piazza stated that he spoke with the Township of Tewksbury Administrator, Jesse Landon, today regarding shared services. Mr. Landon would like confirmation as to whether the Township Committee is interested in exploring a shared service agreement. The Township Committee is in favor of the idea.

Voorhees Municipal Alliance

Mayor Piazza stated that Tewksbury Township will now be the lead agency in the management of the finances for the Voorhees Municipal Alliance.

Art Gerlich- Library Basement Renovation

Mr. Art Gerlich, the Chairman of the Library Committee was present to notify the Committee of renovations that will be done in the basement of the Bunnvale Library. Mr. Gerlich stated that there is \$15,000.00 in the library trust account, which will cover the cost of the work. The renovations will consist of removing the ceiling tiles, cleaning the grids, installing new ceiling tiles, adding lower stacks, replacing the carpet and furniture and enlarging the closet. Mr. Gerlich stated that it will cost approximately \$6,000.00 for the renovations and the left over money will be used for the furniture.

Approve Social Affair Permit- Saint John Neumann Church – June 4, 2011

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by favorable roll call vote, the Township Committee approved a Social Affair Permit for Saint John Neumann Church for an event which will take place on June 4, 2011.

CWA Local 1040 – Letter of Intent to Start Union Negotiations

Held to the Executive Session

Accept Resignation – Kenneth LaPensee - LTEOS

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by favorable roll call vote, the Township Committee accepted the resignation of Kenneth LaPensee with regret.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the April 20, 2011 bill list in the amount of \$3,026,788.33.

CORRESPONDENCE

- a. State of NJ – State Police – Emergency Operations Plan Approval
- b. Tax Collector's Report for the Month of March 2011
- c. Tax Collector's Report of Uncollectible Taxes - 2010
- d. Notification – NJ Ride Against Aids

PUBLIC COMMENTS

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

Mr. Anthony Casale suggested that the Township Committee look into lowering the 18% tax interest because in this day and age people are struggling.

Mr. Casale inquired on the payment to Attorney Eric Bernstein for \$1300.00. The Committee provided Mr. Casale with a list of matters billed by Mr. Bernstein.

Mr. Casale inquired on the direction the Township Committee is going relative to the SWAK Church property. Attorney Bernstein had stated that there is no record of ownership. The Clerk will contact Attorney James Lance's office to see if Attorney Wesley Lance had a file from his research on the SWAK Church property. Attorney Cushing will contact Mr. Bernstein and request any written information he may have on the property.

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

EXECUTIVE SESSION

Motion by Ms. Schriver, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 42-2011 and convened in executive session at 8:27 p.m. Action may be taken at the end of the meeting.

TOWNSHIP OF LEBANON RESOLUTION NO. 42-2011

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 Negotiations
Contract Negotiations – Township Garage
Contract Negotiations -Shared Services

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee reconvened the Regular Committee meeting at 10:05 p.m.

Attorney Cushing stated that during the executive session the Township Committee discussed issues with respect to the Township Garage Contract, negotiations related to Collective Bargaining for the PBA and CWA, the status of the former Township Attorney, and potential shared services.

Mayor Piazza and Deputy Mayor Schriver will meet with the CWA 1040 for contract discussions. A letter will be sent by the Mayor/Deputy Mayor regarding such.

Having no further business to come before the Committee a motion was made by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote to adjourn the meeting at 10:07 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: May 4, 2011

George Piazza, Mayor