

**CALL TO ORDER**

Mayor Wunder 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 Wunder asked everyone to stand for the Flag Salute and for a Moment of Silence.

**ROLL CALL**

Present -                      Brian Wunder                      Patricia Schriver                      Francis Morrison  
    Ron Milkowski                      Tom McKee

Absent-

Also Present - Attorney Judy Kopen, Clerk Karen Sandorse and 43 members of the public.

**PRESENTATION OF MINUTES**

**Minutes of the Regular Meeting of May 16, 2012**

*Motion by Ms. Schriver, seconded by Mayor Wunder and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of May 16, 2012.*

**Minutes of the Executive Session of May 16, 2012**

*Motion by Mr. McKee, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the executive session meeting of May 16, 2012.*

**PUBLIC COMMENTS – for agenda items only.**

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

Mr. Anthony Casale requested that one of the Committee members attend the Eagle Scout Court of Honor Ceremony on Saturday, June 9, 2012 at 2:00 p.m. at the Lower Valley Church to present the proclamations to the Steven Babich and Kevin Smith.

Ms. Nancy Darois thanked the Committee for getting the garage project underway and for straightening out the problems with the ownership of the Squad building. Ms. Darois stated that she hopes that everything will be finalized with the acquisition of the Polt property.

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

## **PROCLAMATIONS**

*Motion by Ms. Schriver, seconded by Mayor Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the below written proclamations.*

### **Eagle Scout Steven Babich**

#### **TO STEVEN BABICH FOR RECEIVING THE EAGLE SCOUT AWARD**

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, Steven Babich, Boy Scouts of America, Troop 92, attained the designation of "Eagle Scout"; and

WHEREAS, Steven Babich is to be commended for his Eagle Scout Service Project, which involved the designing and building of a covered lookout tower for goats to enjoy at the Hunterdon Humane Animal Shelter in Milford, NJ; and

WHEREAS, the dozen goats that live on the property will benefit by having something to climb on as well as having shelter from the sun and rain; and

WHEREAS, Steven Babich will be honored and receive his award at an Eagle Court of Honor Recognition Ceremony on June 9, 2012; and

WHEREAS, the Lebanon Township Committee wishes to recognize this noteworthy achievement of Steven Babich.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Lebanon hereby extend their congratulations to Eagle Scout, Steven Babich for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.

### **Eagle Scout Kevin Smith**

#### **TO KEVIN SMITH FOR RECEIVING THE EAGLE SCOUT AWARD**

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, Kevin Smith, Boy Scouts of America, Troop 92, attained the designation of “Eagle Scout”; and

WHEREAS, Kevin Smith is to be commended for his Eagle Scout Service Project, which involved the designing and building of an outdoor classroom in a quiet and peaceful area in the Califon School’s backyard; and

WHEREAS, the kindergarten through eighth grade students will benefit from the use of the beautifully landscaped and mulched area as well as the carefully placed picnic tables and hand constructed podium; and

WHEREAS, Kevin Smith will be honored and receive his award at an Eagle Court of Honor Recognition Ceremony on June 9, 2012; and

WHEREAS, the Lebanon Township Committee wishes to recognize this noteworthy achievement of Kevin Smith.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Lebanon hereby extend their congratulations to Eagle Scout, Kevin Smith for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.

## **FIRST AID SERVICES**

### **Presentation by Clinton First Aid Squad**

Mr. Bucky Buchanan of the Clinton First Aid Squad provided those present with an overview of the formation of an EMS Coalition. The Coalition is for daytime service. Lebanon Township was a party to the discussions previously but chose not to be a member of the ambulance service.

Mr. Buchanan stated that three weeks ago Clinton Squad met with the Mayor, the Fire Chief and representatives of the Fire Company at their request. The meeting was to present some options for EMS coverage for Lebanon Township. The Clinton Squad presented four different options for both long term and short term ambulance coverage for Lebanon Township to review and consider. Mr. Buchanan noted that there are two options that have been discussed since the meeting which are listed on the Committee’s agenda for further discussion this evening. The first agreement would be for the joining of Lebanon Township into the 27 Partnership. The 27 Partnership is a partnership between Califon First Aid Squad, Hampton Emergency Squad and the High Bridge Emergency Squad. Mr. Buchanan stated that after discussions with the partnership they have extended an invitation for Lebanon Township to join into the contract service. The service would cover Lebanon Township five days a week, Monday through Friday, 6 a.m. – 6 p.m., less six federal holidays. The service is provided by an ambulance that is located within the towns that are a party of the contract. At the present time the ambulance rotates between Hampton and High Bridge on a daily basis. There is one BLS ambulance that responds to 911 calls throughout the three communities.

Mr. Buchanan stated that during the past three weeks the 27 Partnership has been providing an automatic mutual aid to Lebanon Township to assist the Fire Department EMS when short staffed. The vehicle is staffed by two experienced EMTs who are employees of the Clinton Squad. They have a minimum of two years experience for each individual who is hired. The Clinton Squad currently has 24 per diem and full time staff that covers the 27 Partnership truck on a rotating basis. Mr. Buchanan serves as Deputy Chief in charge of EMS for the Partnership.

Mr. Buchanan stated that if the Township should choose to join in on the 27 Partnership, the ambulance would move into the Lebanon Township area to be more centrally located in the service area. The service would also be supported by two additional ambulances, one located in Lebanon Borough and one which is housed in the Town of Clinton. These two ambulances would serve as a back up to the one stationed in Lebanon Township.

Mr. Buchanan stated that he discussed with the Lebanon Township Fire Department that the Township EMS Volunteers who would like to continue to serve the community, to some extent and when available, will be able to ride with the 27 Partnership as long as they are a member of a formalized organization. The volunteers can schedule themselves to ride along with the Clinton staff to obtain the experience that they may need or want.

Mr. Buchanan stated that the cost is figured on an annual basis and is based on the average costs. This amount is offset by insurance billing. If a patient is transported to the hospital they receive a bill which is sent to their insurance company. When the insurance company pays the bill it covers the cost of the service provided. If the patient does not have insurance or they are short of insurance, the patient will receive a reasonable attempt to collect the funds through a non-collection agency through Clinton Rescue's own billing service. The reasonable attempt is required to be made. The patient will receive approximately three bills at which point a charity care write off will be made. Any patient who immediately identifies themselves as charity care will be able to apply for it and efforts for collection will cease. If the patient has applied to the hospital for charity care it is also an automatic waiver of the fee. No one goes to collections for having to call 911. Those with critical care needs will be billed for ambulance service. Currently these payments do not come back to the Township as it goes to the mobile intensive care unit out of the hospital who receives the total amount of that bill. Now part of the bill will come back to the Township to pay for the service. In the past the difference in the insurance reimbursement and the cost of Clinton First Aid and Rescue Squad service had been made up by a cash outlay by the three towns that were a party to the contract. Mr. Buchanan stated that based on historical data that he has received from the Lebanon Township Fire Department, it is anticipated that there would be no cost outlays to either Lebanon Township or the other three parties of the contract. This is based on historical call volumes as well as insurance reimbursements as they currently stand. Clinton First Aid and Rescue Squad is the provider and not a party to the contract. The parties of the contract approve any additions to the contract. Mr. Buchanan has a tentative approval from the parties based on the information provided by the Lebanon Township Attorney.

Mr. Buchanan stated that yesterday he received a call from Mayor Wunder and the Township Attorney stating that due to recent changes the Township is looking for options for nights and weekend coverage as well. In the short term Clinton Rescue has agreed to provide the coverage on a per fee basis which can be offset by a short term billing arrangement. For the long term it is recommended that a billing arrangement be discussed. Mr. Buchanan stated that Clinton Rescue can cover the Township in the short term to insure that the Lebanon Township residents have an ambulance when they call 911. This will be accomplished by having a staffed unit in the Township, 24/7. This will be during the hours that the 27 Truck is not in service.

The ambulance will be housed in Lebanon Township Fire Station No. 2, Monday – Friday, 6:00 a.m. – 6:00 p.m., once approved by the partners. The ambulance will be housed at the Fire Station for 24/7 coverage also.

Clinton First Aid and Rescue Squad provides for basic extrication through its Clinton facility as a back up to the Lebanon Township Fire Department.

Ms. Schriver asked if the agreement can be terminated with 90 days notice. Mr. Buchanan stated that the contract for the day service can be terminated, either 30 days with cause, or 60 days without cause, if all parties of the contract approve. This was at the request of the service provider and the parties. The night contract which would be for 90 days, states that termination could be 30 days overall, with or without cause. This contract is for weekend, nights and holidays.

Mr. McKee asked for clarification on back up ambulances should the 27 Truck be on another call. Mr. Buchanan stated that under the current agreement if a town was to be utilizing the partnership ambulance and a second call was received the town would have four minutes to crew up one of their volunteer ambulances. If there was no volunteer ambulance available the call would then go to the closest available Clinton ambulance to handle the second call. The two available ambulances are staffed in Lebanon Borough and the Town of Clinton. On evenings and weekends the second call would go to the local volunteer squad and if they were not available the call would then go to the staffed ambulance. Clinton Rescue goes down one ambulance on nights and weekend. There are normally one to one and a half staffed ambulances on in the evening, two on Saturdays, and one on Sundays.

Mayor Wunder stated that recently a few members of the Fire Department stepped down over an issue that they were concerned about with the Fire Department's LOSAP. LOSAP is a benefit that volunteers receive throughout the State if they apply. The members had concerns that the LOSAP submission was incorrectly prepared and they are legitimate concerns. Mayor Wunder stated that when the members stepped away from answering calls the Township was left in a vulnerable position where EMS is concerned. There did not seem to be enough adequately trained members to handle the calls. The few members that the Fire Department did have were very professional and Mayor Wunder stated that it is amazing how much of their time they gave to the Township. Mayor Wunder stated that he feels that the less experienced member need to be propped up and helped temporarily. Mayor Wunder noted that this is not how it is going to be forever. Mayor Wunder stated that Clinton is willing to help with training of Lebanon Township volunteers and have them ride with them to the hospital to gain experience. This will assist in building a base of Township EMTs that can ride the Township's ambulance without relying on only a few people. Mayor Wunder stated that the EMTs who have been handling the calls have done an amazing job and the Township owes them a lot.

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

Mr. Anthony Casale asked if there was a fee schedule for each call. Mr. Buchanan stated that there is a two tier system. The base rate of Basic Life support is \$825.00. There is a variable rate also based on the mileage and services needs. A per patient charge will be charged for equipment that may be used for the individual patient. If there is an increase in overall charges it is across all parties of the contract. There is a mileage rate that is added to the calculation and it is within the Medicare allowable charges. Most private insurances will not cover the entire cost of the bill.

Mr. Jim Murray of Califon First Aid Squad stated that Califon, Hampton and High Bridge have been working as a group and in talking with the Lebanon Township Fire Chief they will be doing joint

drills together. There will be a cadet program which will also be a joint venture. The future of Lebanon Township's First Aid will be good.

Mr. Murray stated that the key for the day coverage is that Lebanon Township joins the 27 Partnership and form together as a team. Mr. Murray stated that it is important to the Partnership that they get a commitment from Lebanon Township for the term of the contract which is 19 months. Mr. Murray stated that the Partnership would like in the contract that Lebanon Township will not be permitted to withdraw from the contact without the unanimous consent of the other parties.

Ms. Jeanette Sliker asked if the contract is approved and the Fire Department has enough coverage on a certain day, can the Fire Department volunteers be utilized.

Fire Chief Edd Schaffer stated that two years ago the Fire Department was asked to take over EMS for the Township. The then Fire Chief, Warren Gabriel, took on all EMS calls in Lebanon Township. Recently there have been manpower concerns with members moving, resigning or not responding to calls. It has put the Fire Department in the position where they cannot provide the best EMS service to the Township residents. Mr. Schaffer contacted the Mayor and the Fire Department Liaison Committeeman Morrison and advised them that there is a manpower issue and if someone calls 911 they deserve to have an ambulance show up to their house. The Fire Department was put on a dual alert status for EMS calls. The Fire Department has met with surrounding Emergency and First Aid Squads to become part of the 27 Partnership in an effort to ease the daytime burden of EMS calls. It was hoped that the Township volunteers would be able to sustain night and weekend crews. The Fire Department's manpower for days, nights and weekends has been very limited. The Chief is hopeful that in the near future the Township can revert back to volunteers on nights and weekends but for now the Fire Department cannot provide the service. The Fire Chief stated that someone needs to be here to provide the service until there is another plan in place.

High Bridge Rescue Squad President Jessica Luteran and Hampton Rescue Squad Chief Elaine Engel were present to inform the Township Committee that they completely support Lebanon Township in joining the 27 Partnership for daytime coverage. For the last month Lebanon Township has been on dual alert with calls being answered by Hampton, High Bridge and Califon and they have been able to cover the calls. High Bridge bills for calls just as Clinton does however, Hampton and Califon do not at this time. Ms. Luteran stated that High Bridge has guaranteed themselves at this time and moving forward, two duties crews, one for High Bridge and a backup. The back up is just in case another call goes out in High Bridge or the surrounding communities while on mutual aid. High Bridge would like to stay on dual alert and mutual aid while continuing to work on this new partnership, not only to build up the cadet program but to build up the EMTs. Ms. Luteran stated that High Bridge has had some of the Lebanon Township's EMTs join their Squad which has been a good experience. Ms. Luteran stated that High Bridge and Hampton would like to continue to support Lebanon Township in mutual aid and for it to remain that way.

Mr. Eric Stark asked if the Township's equipment, including the new ambulance, can be sold and put into a fund for the residents who cannot afford the transports. Mayor Wunder stated that discussion has been had on this but it is too soon to make a decision. Mr. Stark said that it is astounding that something that has been in business for 30 years could fall apart in 2 years.

Mr. EJ Skidmore stated that he appreciated the Mayor's candor in noting the LOSAP problem as the cause of this problem. Mr. Skidmore stated that it is assumed that the Township Committee is working to resolve the LOSAP issue since there have been executive meetings with the Fire Chief and Fire Department President. Mr. Skidmore stated that once the LOSAP issue is resolved it may be reasonable to think that the volunteers that stopped responding due to the issue will be back. Mr. EJ Skidmore asked if the Township will be locked in for 19 months or can the Township get out after 60 days.

Attorney Judy Kopen provided the Township Committee with the two proposed contracts and stated that they are not in final form as it is a last minute issue.

Mayor Wunder stated that he does not feel that 60 days is practical in thinking that the Township could be that far along. Mr. Skidmore stated that it will all depend on the LOSAP issue and what the Local Finance Board chooses to do with it. Mr. Skidmore stated that maybe not 60 days but to lock the Township in for 19 months and say it is temporary is just not right for the community. Mr. Skidmore asked for the truth to be stated. Mr. Skidmore stated that the good volunteers of the Township need to be protected.

Mayor Wunder stated that the State Comptroller sent a letter to the Township and will be conducting an audit of LOSAP reports which were submitted by the Fire Department and Rescue Squad for the time period of 2008 to the present.

Mr. Skidmore stated that the Committee should not bind the Township for a long term when the situation can be corrected quickly. Mayor Wunder stated even if the volunteers return there are only a few who are doing all of the work, 24/7. Mayor Wunder stated that it is still a weak system after two years. Mayor Wunder stated that the Fire Department still has not amended their bylaws to include EMS as members.

Mr. Skidmore asked if the entire Committee heard of the four options proposed by Clinton Rescue as stated by Mr. Buchanan earlier in the meeting. Mr. Skidmore questioned, that if the Committee did all see the proposals, where was the meeting notice pertaining to such.

Mayor Wunder stated that temporary means something different to everyone. He is hopeful that the volunteers can step up and cover nights and weekends until it can be built stronger.

Mr. Murray stated that the 19 months is for only the day service. Many of the towns have problems covering these hours. Mr. Murray stated that unless the Township has employees to cover the day time calls they will need the day time coverage even with an active volunteer squad.

Mr. Karl Schoener asked the Township Committee if they considered hiring their own employees to cover the calls. Mayor Wunder stated that there are so many possible ways to proceed. Later in the meeting a Citizen's Council will be discussed in an attempt to look at all options. Mr. Schoener stated that he runs EMS calls all over the State and volunteerism is dying, in particular, during the day. The crews would be per diem and if you have volunteers you do not work the paid staff.

Chief Schaffer gave an overview of the hours it takes to maintain an EMT certification along with the busy life he and other volunteers have. The Chief stated that the Township was relying on two individuals to cover most of the EMS calls in the Township. Chief Schaffer encouraged all to join

the Fire Department and to help put the volunteers back in place. Chief Schaffer stated that the Fire Department does not have the manpower and someone needs to respond to the EMS calls.

Mayor Wunder stated that he is not the “king pin” of this situation and has not micromanaged the Fire Department. The Fire Department contacted him regarding this matter.

Mr. Victor Hoffman asked the Fire Chief what it entails to obtain your EMT Certification. The Fire Chief stated that in his opinion it would take six months at a minimum to reestablish a volunteer squad with proper training being put in place. Mr. Hoffman stated that these volunteers should be for EMS not to fight fires. Mr. Hoffman said that it is time for everyone to work together.

Mr. Anthony Casale stated that he is disappointed with how this all started. Mr. Casale stated that when the issue started with the Rescue Squad the entire back of the room was filled with Firemen in uniform. Tonight there is only a very few fire members here which is disappointing. Mr. Casale stated that EMS was moving in the right direction until the LOSAP matter occurred. Mr. Casale said that he is assuming that things will get better in the Fire Department soon and would like to see that the Township is able to get out of the agreement sooner than the 19 months. Mr. Casale stated that he does not want to see the new ambulance sold and asked if there is a credit granted if a volunteer from Lebanon Township responds to a call.

Mr. Stark asked if the Township went to the Fire Department to take over EMS two years ago or did the Fire Department come to the Township. Mr. Stark stated that due to that agreement not working, hopefully before making such a big decision the Committee will do some investigating to a greater degree.

Mr. Skidmore stated that it is imperative to let our volunteers know that we appreciate them as the Township has a good base of volunteers. Mr. Skidmore stated that the Township needs to work together and put yesterday behind us.

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

Mayor Wunder stated that he would like to see Clinton provide the daytime coverage for the Township and have nights, weekends and holidays covered by the Township’s volunteers until it can build up to something bigger.

Ms. Schriver stated that the cost to the Township has not been discussed. Mr. Buchanan stated that there is no anticipated cost to the Township and the other parties for the daytime coverage. There is a cost of \$525.00 a shift for the Stop Gap (nights and weekends) which will be offset for any billing that comes in within 120 days of that service. For long term, 24/7 ambulance service, which would be dedicated to Lebanon Township, the cost would be \$300,000.00. Some of the cost could be offset by billing.

Ms. Schriver stated that she feels that the Committee did research the situation a few years ago when there were problems with the prior Squad. Ms. Schriver stated that she does not feel that the Township would be dealing with the problem today if the situation did not come up with LOSAP. There were many people upset and Ms. Schriver is hoping that everyone can work collectively to put this back together. The Township will be getting the Squad building back and Ms. Schriver stated

that she is working on a grant to put the building back to a community facility and for a place to store the rigs and any necessary squad equipment. Ms. Schriver stated that there are people interested in having dinners like in the past to help bring funds in. Ms. Schriver feels that it would be a shame to not use our ambulances as we have people who would step up now. Ms. Schriver stated that if everyone pulls together it will work, possibly as a separate organization. Ms. Schriver stated that she knows that right now they have no choice but to join with a regional squad, however, she has a problem with the number of months stated in the contract and the requirement of the parties approving the Township's withdrawal without cause.

Mr. Milkowski had no comments.

Mr. McKee stated that he feels that the Township has an urgent need at this time to go with Clinton Rescue for the 19 month period. Mr. McKee hopes that this can be worked out and that the Township volunteers can be strengthened in order to provide for a volunteer service for nights and weekends in the future. Mr. McKee stated that the Township needs to proceed with using the 27 Partnership for daytime service and a short term 24/7 agreement. Mr. McKee said that if the Township can work together they can rebuild this group and have a squad that all will be happy with.

Mr. Morrison stated that if all of the people would join a new team and work together it would work.

Mayor Wunder asked Chief Schaffer if the Fire Department would consider putting together coverage for nights and weekends. Chief Schaffer stated that he can bring it to the membership at their next meeting.

## **RESOLUTIONS**

### **Resolution No. 50-2012 – Refund for Overpayment of Taxes**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee adopted Resolution No. 50-2012 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 50-2012  
REFUND FOR OVERPAYMENT OF TAXES

WHEREAS there exists an overpayment of \$2,861.95 for second quarter 2012 taxes due to a duplicate payment for Block 36, lot 11.02, 643 Woodglen Road and,

WHEREAS this amount has been requested for refund by Warren and Mary Lessing, owners of this property, and

WHEREAS Hudson American Title has requested that this duplicate payment be refunded to the property owners,

THEREFORE BE IT RESOLVED, that the Treasurer be authorized to prepare and Mayor, Treasurer and Clerk be authorized to sign this refund check to Warren and Mary Lessing and that this check in the amount of \$2861.95 be refunded to them.

**Resolution No. 51-2012 – Renewing Plenary Retail Consumption Licenses**

*Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 51-2012 as written below.*

RESOLUTION NO. 51-2012  
RESOLUTION RENEWING PLENARY  
RETAIL CONSUMPTION LICENSES

WHEREAS, each of the listed Plenary Retail Consumption Licensees have submitted application forms that have been completed in all respects; and

WHEREAS, the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, each have paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed Licenses be granted a renewal for the 2012-2013 year:

1019-33-003-004 RADGNA, L.L.C. 2012 Route 31  
1019-22-007-001 LEDYARD B. SCHUYLER, JR - RIVER STYX INN –374 Vernoy Road  
1019-33-005-002 THE NEW HAMPTON INN, INC. t/a New Hampton Inn  
23 Musconetcong River Road

**Resolution No. 52-2012 – Renewing a Plenary Retail Distribution License**

*Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 52-2012 as written below.*

RESOLUTION NO. 52-2012  
RESOLUTION RENEWING A PLENARY  
RETAIL DISTRIBUTION LICENSE

WHEREAS, the listed Plenary Retail Distribution License has submitted an application form that has been completed in all respects; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, the applicant has paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed License be granted a renewal for the 2012-2013 year:

1019-44-008-002 The Rock Corp. of Tewksbury t/a Bourbon Street Wine and Liquor  
425 Route 513, Califon, NJ

**Resolution No. 53-2012 – Emergency Appropriations**

*Motion by Ms. Schriver, seconded by Mayor Wunder and carried by favorable roll call vote, the Township Committee approved Resolution No. 53-2012 as written below. AYES: Schriver, Wunder, McKee, Morrison ABSTAIN: Milkowski*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 53-2012  
RESOLUTION FOR EMERGENCY APPROPRIATIONS**

WHEREAS, an emergency has arisen with respect to providing EMS Service and, no adequate provision was made in the 2012 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$80,000.00 and three (3) percent of the total operating appropriations in the budget for 2012 is \$127,401.00, and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2012,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is here by made for EMS Services-Other Expenses in the amount of \$80,000.00
2. That said emergency appropriation shall be provided for in full in the 2013 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

**Resolution No. 54-2012 – Authorizing Acquisition of First Aid Services**

*Motion by Mr. McKee, seconded by Mayor Wunder and carried by favorable roll call vote, the Township Committee approved Resolution No. 54-2012 as written below. AYES: Schriver, Wunder, McKee, Morrison ABSTAIN: Milkowski*

**TOWNSHIP OF LEBANON  
HUNTERDON COUNTY, NEW JERSEY  
RESOLUTION NO. 54-2012  
RESOLUTION AUTHORIZING ACQUISITION OF FIRST  
AID SERVICES FOR THE TOWNSHIP OF LEBANON PARTIALLY THROUGH AN  
EMERGENCY ACQUISITION PURSUANT  
TO N.J.S.A. 40A:11-6**

WHEREAS, first aid services for the Township of Lebanon (“Township”) were provided by the Lebanon Township Post 115 First Aid Squad, Inc. (“Squad”), up to approximately 2010; and WHEREAS, the Squad no longer provides first aid services to the Township; and

WHEREAS, the first aid services for the Township were then taken over by the Lebanon Township Volunteer Fire Department which has provided those services since that date and; and

WHEREAS, the Lebanon Township Volunteer Fire Department advised the Township it would be unable to provide enough manpower in order to provide first aid services throughout the Township during the day, Monday through Friday; and

WHEREAS, the Township solicited three quotations from various first aid providers in the area in order to provide first aid services throughout the Township for 12 hours a day, Monday through Friday, excluding holidays ("Daytime Coverage"); and

WHEREAS, the lowest and best quote for those services was provided by a consortium of local first aid squads with the the Clinton First Aid Squad as the lead agency ("Consortium Group"), and it was anticipated that a contract with the Consortium Group would be entered into on June 6, 2012, for Daytime Coverage; and

WHEREAS, the Township was advised on June 5, 2012 by the Lebanon Township Volunteer Fire Department that, because of continued manpower shortages, it would no longer be able to provide any first aid services to the residents of the Township at anytime, thereby leaving the Township without coverage for first aid emergencies; and

WHEREAS, the absence of first aid services for the Township is an immediate threat to public safety, health and welfare; and

WHEREAS, it is critical for Township residents and others to have first aid services available immediately; and

WHEREAS, the cost for providing 24/7 emergency services will exceed the bid threshold; and

WHEREAS, it will be necessary for the Township to prepare bid specifications for the acquisition of emergency services to be provided on a 24/7 basis, but the preparation of those bid specifications will take a period of time; and

WHEREAS, the Clinton First Aid Squad is available immediately to provide first aid services for night time and weekends (for the periods not covered by the Consortium Group for Daytime Coverage) at a cost as set forth in the proposed contract with the Clinton First Aid Squad, a copy of which is attached; and

WHEREAS, it will be necessary for the Township to enter into two separate agreements in order to provide 24/7 coverage: one agreement with the Consortium Group for Daytime Coverage; and a second agreement with the Clinton First Aid Squad for night time and weekend coverage ("Night/Weekend Coverage") as more fully described in the proposed agreement with Clinton First Aid Squad, a copy of which is attached; and

WHEREAS, the Mayor and Committee are satisfied an emergency exists, and it is appropriate for the Township to enter into a contract with the Clinton First Aid Squad for a period of 90 days without public bidding in order to respond to an emergent need;

WHEREAS, the contract with the Consortium Group can be entered into without public bidding because three quotes were received and the amount of the contract is under \$17,500;

WHEREAS, the two contracts cannot be consolidated into one contract because there are different parties to the two agreements.

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

1. The Mayor and Clerk are authorized to execute a contract with the Consortium Group for Daytime Coverage for the Township of Lebanon generally in accordance with the form of contract attached hereto.

2. The Mayor and Committee hereby find that an emergency exists which affects the public health, safety and welfare of the residents and other persons in Lebanon Township because of the absence of the availability of first aid services

3. The Mayor and Clerk are hereby authorized to enter into a contract with the Clinton First Aid Squad to provide Night/Weekend Coverage for the Township of Lebanon generally in accordance with the form of contract attached hereto.

4. The Mayor and Committee hereby authorize the preparation of bid specifications for the providing of emergency services on a 24/7 basis for the Township of Lebanon which specifications may call for any combination of services or providers that is the most beneficial for the Township, first taking into account public safety and convenience, and secondly, taking into account price.

## **OLD BUSINESS**

### **Polt Property – Preliminary Site Assessment Report**

Mr. Milkowski stated that Quest Environmental was appointed by the Township to provide a Preliminary Site investigation of the Polt property. On June 1, 2012 the Township received the completed report. The report lists several items of concern, such as the fuel tanks. The report recommends that a more detailed investigation be conducted.

### **Polt Property – Architect's Existing Conditions Report**

Mr. Milkowski stated the Township Architect, along with the fuel provider for the fuel system for the DPW building, went to the Polt site to inspect the fuel tanks to see about the feasibility of using them. Recommendations for repairs and upgrades were provided to the Committee by the Architect. It is believed that the life span for the tanks is approximately 25-30 years. The Architect's report provided an estimate of approximately \$125,000.00 for the upgrades.

Mr. Milkowski stated that the insurance policy that is presently covering the property was sent to the Township's insurance broker. The broker noted that there is no present coverage on the tanks and recommended that the tanks be removed and that the site be cleaned before the Township acquires ownership.

Mr. Dewey Polt thanked all of the Emergency Response volunteers for all that they do for the Township.

Mr. Polt stated that he cannot dispute the Architect's report as he is not an expert however; he feels that his property is a community asset. Mr. Polt feels that there are so many other important costs that the Township will incur, as discussed this evening, if the Township takes his property and the fueling station they would not have a lost opportunity cost that will be put into the DPW facility fueling station. Mr. Polt noted that his experts stated that his tanks had a life expectancy of 50 years. Mr. Polt stated that he does realize that one of the pumps has the old pressure type pump for the diesel. The newer tank, which was installed in 1990, has a suction pump on it. Mr. Polt stated that the pressure pump would likely need to be upgraded.

Ms. Schriver stated that the Committee has a few issues to deal with. The Quest findings need to be addressed versus the fuel tanks. There should be no decision on the removal of the fuel tanks until it is determined what the cost would be for the Phase II Environmental Assessment. The second matter would be where the Township would get the money to pay for the Assessment. Mayor Wunder agreed with Ms. Schriver and stated that the Township is broke.

Discussion on this matter will continue in the Closed Session.

### **DPW Manager – Plowing Guidelines**

The Township Committee asked the DPW Manager Warren Gabriel to provide them with guidelines for the DPW employees during snowstorms. Mr. Milkowski stated they he reviewed Mr. Gabriel's recommendations and feels that they are thorough. Mr. Milkowski stated that the insurance company should see if the guidelines are acceptable.

Mayor Wunder informed Mr. Gabriel that he was informed that the prior Squad members have finished the clean out of the Squad building. The Mayor also reminded Mr. Gabriel that there is an underground water line that is leaking in front of the Squad building.

### **NEW BUSINESS**

#### **EMS Citizen's Council Press Release**

Mayor Wunder stated that Mr. EJ Skidmore was kind enough to put together a draft news release for an EMS Citizen's Council. The proposed release is an effort to form an objective committee to review the EMS status in the Township, short and long term.

Mr. Milkowski stated that he just received that proposal this evening so he is not familiar with it, however, he thinks it sounds like a good idea.

Ms. Schriver asked if the Council would be looking into the fire department also or just EMS. Ms. Schriver stated that she has many questions regarding the proposal.

Ms. Schriver said that she understands that this Council would be limited to a certain number of people and asked how it would be insured that there would be a wide variety of people on the Council and not everyone thinking in the same way. Mayor Wunder stated that there is a volunteer Chairperson who would need to screen the possible participants.

Mr. McKee stated that the Committee has a 90 day window of time to make decisions on the emergency services for the Township. Mayor Wunder stated that however long it takes to come together, it is a long term benefit for EMS.

Mr. McKee asked if the purpose of the Council is to provide the Committee with their findings and to offer ideas. Mayor Wunder stated that that is correct.

Ms. Schriver and Mr. McKee questioned if the Township's EMS members would be part of the Council. Mayor Wunder stated that it could possibly include EMS professionals but not current

Township EMS members. Ms. Schriver stated that the Committee would need the support of the local people and their input. Mayor Wunder agreed.

Mr. McKee stated that at this time, the 24/7 coverage has a 90 day window of time which is the real emergency at this time. It is critical to get something accomplished during that time. Mayor Wunder stated that the Committee has to handle the 90 day timeframe. The Citizen's Council is to provide an overall long term plan.

Ms. Schriver stated that prior to moving forward she feels that the Committee should decide on guidelines on selection, leadership and the goals of the Council.

*A motion was made by Mayor Wunder to proceed with the press release to form a Citizen's Council, there was no second to the motion. Motion failed.*

### **Historians – Request for an Appointment**

*Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by favorable roll call vote, the Township Committee accepted the Historians recommendation and appointed Laurie Hoffman to the Township Historians.*

## **COMMITTEE REPORTS**

**COMMITTEEWOMAN SCHRIVER** –Ms. Schriver stated that she spoke to the Hunterdon County Open Space Coordinator Kevin Richardson and the Township can use some of the Open Space money for the park. Voorhees High School and other schools that provide basketball programs have asked for an upgrade to the basketball courts. When the courts were put in they were not constructed well and water ponds on them. The courts were built in memory of a young boy who was killed and Ms. Schriver stated that it would be nice for them to be used in a better way. The Clerk will look into the process of applying for the funds. Ms. Schriver stated that there is approximately \$30,000.00 in Open Space funds available and suggested that the Committee look into ways to utilize it. Ms. Schriver stated that she asked Mr. Richardson if the Open Space funds could be used to construct the parking lot at the museum but he declined. Ms. Schriver stated that she is now looking for other options for the parking lot.

Ms. Schriver stated that the Veteran's Haven is moving along and she feels that they will be good neighbors.

**DEPUTY MAYOR MILKOWSKI-** Mr. Milkowski stated that work is being conducted on the new DPW Garage. It appears that more than half of the footings are installed for the main building. The contractors are working on the fire tank which is located by Fire Station No. 1. Mr. Milkowski met with the Clerk of the Works and was informed that he spoke to the Engineer, the Architect and the DPW Manager about moving the salt shed closer to the road to enable better access for the delivery trucks. Mr. Milkowski stated that he is in agreement with the suggestion.

Mr. Milkowski stated that last night the Township Committee had a joint meeting with the Planning Board regarding the Highlands. The Land Use portions were reviewed. Questions were raised at an

earlier date and a letter was sent to the Highlands. The Highlands did respond with answers however, a few questions still remain.

**MAYOR WUNDER-** Attorney Kopen stated that her office is working on the Comcast Franchise Agreement which will hopefully be submitted by the next meeting hopefully.

**COMMITTEEMAN MCKEE** –Mr. McKee stated that the Historians have proposed their new parking lot. They were required to obtain a permit from the County. The County is now asking that the Township abandon the existing driveway as well as the front parking lot. The Historian's plan was to utilize the front parking area as a bus drop off and loading area.

Mr. McKee thanked the Township Park Committee for their efforts with the Blues Fest. The Committee kept the organizers in check and kept an eye on the things leading up to the event. The Committee took care of the parking issues and did a wonderful job. Mr. McKee stopped in the park days later and all was clean. Mr. McKee commended the Park Committee and stated that the event was well run.

Mr. McKee stated that COAH Liaison Gail Glashoff and Planner Mike Bolan have been working diligently to find out what the actual balance is for the Township's COAH expenditures. The balance is due to COAH by July 17, 2012. COAH had a balance which was outrageous in comparison to the Township's accounting. The current balance is now at \$10,694.00 which is considerably less than before. Ms. Glashoff feels that she will have a use for the remaining funds as she will be meeting with a qualified resident tomorrow to discuss a possible COAH Rehab loan.

#### **COMMITTEEMAN MORRISON –**

**Police, Fire and Rescue-** Mr. Morrison read the monthly Police report.

#### **PRESENTATION OF VOUCHERS**

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

*Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved the June 6, 2012 bill list in the amount \$349,233.26.*

#### **CORRESPONDENCE**

- a. Township Historian's May 3, 2012 Meeting Minutes
- b. Comcast – Franchise Agreement Renewal Period
- c. NJ Ride Against Aids
- d. Mr. and Mrs. Don Prostack – DPW Commendation

## **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.*

Mr. Anthony Casale asked the Committee if there was any negotiations regarding using the Township's equipment for EMS so the Township can possibly receive a credit and save money. Mayor Wunder stated that yes the use of the equipment was discussed, however the saving was a ridiculous amount and the Committee would be responsible to fuel and stock it. It did not work in the Township's favor.

Mr. Anthony Casale stated that he would like to recognize the letter of recognition for the DPW Manager which was attached to the agenda. Mr. Casale feels that this is a good thing as there have been several things that were not mentioned. Mayor Wunder apologized for some correspondence items being rushed through.

Mr. Casale stated that he never saw the press release for the Citizen's Council and he is not sure of what is in it but questioned why no one is looking into it.

Mr. Casale stated that at the last meeting he inquired on the settlement with the Squad. Mr. Casale stated that in his own experience, post petition activity needs the blessing of the Court. Mr. Casale has concerns with Title Insurance and stated that he wants to be sure that all is in order before moving forward.

Mr. Polt stated that he appreciates all that the Committee does. He stated this issue has been going on with his property since December. Mr. Polt stated that he understands that the Committee will be discussing the matter in executive session and asked that someone call him tomorrow morning to notify him as to how the Committee decides to proceed. The Clerk will call Mr. Polt.

Ms. Nancy Darois thanked the Committee for what they have done but stated her concerns with the Committee's actions in dealing with those who ruined the Township Fire Department and Rescue Squad. Ms. Darois stated that it is a shame to have to go to an outside source when you have good people here to provide the service. Ms. Darois said that she hopes that the Committee learned a lesson and stated that they should work to get our people back to where they belong.

Mr. Victor Hoffman asked Ms. Schriver who is going to provide the EMS for the Veteran's Haven. Ms. Schriver stated that the Township will service Veteran's Haven, however they do use another service. Mr. Hoffman asked if Clinton EMS has been informed of such. Mr. Gabriel stated that there will be minimal response to Veteran's Haven as they are not ailing individuals and there is no real need for transport. The need for EMS would be for emergency use only.

Mr. Hoffman asked where to put the stone for the DPW Garage which he has been storing. Mr. Milkowski asked Mr. Hoffman to hold on to the stone a little longer and to also provide suggestions on a way to install the stone in the new building. The stone is approximately 125 lbs.

Mr. Hoffman suggested that the Township Committee return the new Public Address System if the microphones do not all work at the same time.

Mr. Mark Laul stated that last year Voorhees and North Hunterdon High School put out a request for a Strategic Planning Group which Mr. Laul was the Chairman of. They asked the public to come out and discuss the next seven years of the North Hunterdon –Voorhees School system. It was stated that anyone who would like to be involved should join and bring their expertise. Mr. Laul feels that the Citizen’s Council Press Release proposal is of the same principle.

Mr. Laul stated that the Public Address System is working correctly. It is a mobile system and it only allows for a certain number of microphones so the recorder does not get overwhelmed with the amount of people talking into it at one time.

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

### **Agenda**

Mr. Milkowski stated that the Clerk is having a hard time getting all information together to prepare the agenda in a timely fashion. Mr. Milkowski stated that a deadline needs to be established for the submission of agenda items. Mr. Milkowski suggested that Friday should be the deadline and it should be adhered to except for on an emergency basis. The Committee all agreed on the policy.

### **EXECUTIVE SESSION**

*Motion by Mayor Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 53-2012 and convened in executive session at 9:30 p.m.*

### **TOWNSHIP OF LEBANON RESOLUTION NO. 53-2012**

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:

Attorney Advise  
Contract Negotiations  
Acquisition of Property  
Possible Litigation

The Township Committee convened the Regular Committee meeting at 10:09 p.m.

*Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved the execution of the PBA Contract by Mayor and Township Clerk.*

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

LTCM  
06/06/2012  
Page 19 of 19

Respectfully submitted,

---

Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: July 18, 2012

---

Brian Wunder, Mayor