

CALL TO ORDER

Mayor Mike Schmidt 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 Schmidt asked everyone to please stand for the Flag Salute and for a moment of silence in tribute to the Fallen Police Officer’s Memorial that took place this week.

ROLL CALL

Present -	Mike Schmidt	Thomas McKee	Brian Wunder
	Marc Laul	Beverly Koehler	

Absent-

Also Present - Attorney Matt Lyons, Clerk Karen Sandorse and 16 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular and Executive Meetings of April 4, 2018

Motion by Ms. Koehler, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee approved minutes of the Regular and Executive Session meetings of April 4, 2018 with one spelling amendment. AYES: McKee, Koehler, Laul, Schmidt ABSTAIN: Wunder

Minutes of the Regular and Executive Session Meetings of May 2, 2018

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular and Executive Session meetings of May 2, 2018.

PUBLIC COMMENTS – for agenda items only.

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

GUEST PRESENTATION

Lebanon Township School Representative- Superintendent Jason Kornegay

The Board of Education is elected by the residents of the Township and has jurisdiction over the school budget and all other policy making decisions for the local school. Superintendent Kornegay has kindly agreed to attend the Committee meeting to inform the constituents of topics recently addressed by the School Board at their public meetings.

Ms. Koehler, School Board Liaison and Mr. Kornegay coordinated a presentation regarding to the 2018 Local School Budget.

Mr. Kornegay also provided information on the newly approved Send and Receive Agreement between Lebanon Township School District and the Hampton School District for the 6th, 7th and 8th grade students.

Motion by Mr. McKee, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee opened a public comment portion of the meeting specific to the information just provided.

Ms. Laurie Hoffman asked questions about the attrition of students and the increase in taxes, special needs students and a possible Send and Receive Agreement with the Califon School District.

Mr. Ron Milkowski asked for clarification on the cost per pupil for Lebanon Township and Hampton students.

Mr. Bernie Cryan asked about transportation costs for the Hampton students. Lebanon Township will not be transporting Hampton students.

Mr. Adam Duckworth commended Mr. Kornegay on his and the school district's efforts with special needs children.

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

PROCLAMATION – Municipal Clerk's Week

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the below written Proclamation.

Proclamation
Municipal Clerks Week
May 6-12, 2018

WHEREAS, The Office of the Municipal Clerk, a time honored and Vital part of local government exists throughout the world, and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all,

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community,

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations

WHEREAS, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, the Lebanon Township Committee, does recognize the week of May 6 through May 12, 2018, as Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Hunterdon County Cultural Heritage Commission – Junior Historians Essay Contest

Mayor Schmidt noted that at the Hunterdon County Freeholder's meeting, last evening, Jonah Duckworth was awarded a medal and certificate for winning 1st Place, in the Home Schools Division, of the Hunterdon County Jr. Historian Essay Contest. Jonah also acted as a County Freeholder in the second half of the meeting.

Jonah provided the Township Committee with details of his essay topic; Delaware Lackawanna Railroad, which once traveled through the home he lives in.

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee commended Jonah Duckworth on his Hunterdon County Jr. Historian Essay Contest award.

Municipal Telephones

Mr. Joseph Boratto, of Monmouth Telecom, was present to provide a presentation on a Hosted Phone System and to answer any questions that the Committee may have on his proposal.

Open Space Pelio

Mayor Schmidt stated that, last night, the Freeholders approved the Assignment Agreement for the Pelio Acquisition. The Agreement establishes that Hunterdon County will take 100%

ownership of the property. The various funding sources will be divided up to complete the transaction.

Hagedorn Property

Mayor Schmidt stated that there has been talk that business may be resuming at the Hagedorn site and it now appears that a lease has been signed. Mayor Schmidt, Mr. Wunder and Clerk Sandorse met with Senator Doherty to request assistance in obtaining information on the tenancy. The Senator's office is attempting to arrange for someone from the State to attend a Township meeting to provide background on what is transpiring at the site. Once the meeting is scheduled, the intent is to invite the Planning Board to attend as well.

DPW Floor

Mr. Laul said that the Committee was unsuccessful in receiving bids for the grinding of the DPW Mechanics Bay floor. Attorney Lyons stated that, after the process the Committee followed, they are now allowed to proceed in a more streamline fashion without the need to seek additional bids. Mr. Laul reached out to a few other companies to see if they would be interested in meeting to discuss the floor defects and to see if they would like to submit a proposal to solve the drainage issues.

NEW BUSINESS

Little Brook Lane Property Owners Association

Ms. Vicky Coles was present on behalf of the Little Brook Lane Property Owners Association.

Ms. Coles stated that 2 years ago she came before for Committee to request that the Township take over Winding Brook Lane and Pine Ridge Road. The Committee denied the request because the roads do not meet the Class II Standards. Ms. Coles informed the Committee that even though the Township denied taking the roads over the Association would still like services provided. Ms. Coles noted that, based on the New Jersey Municipal Services Act, the Association feels that they are entitled to certain services. Ms. Coles said that they are a unique situation and would like to be reconsidered for the services.

The Committee will have the Township Attorney look into the Municipal Services Act for a response to be provided.

DPW Manager Request to Purchase a Lawnmower

DPW Manager Warren Gabriel is requesting to purchase a Ferris Zero Turn for grass mowing. Mr. Gabriel received three quotes for the mower and the CFO has certified that funds are available in the 2018 budget. The new lawnmower will replace a 2005, which has 2123 hours of use.

The CFO is to determine if the cost is to come out of the Operating Budget or the Capital Budget.

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the DPW Manager's request to purchase a Ferris Zero Turn Mower from Frank Rymon and Sons, Inc., at a cost of \$10,800.00.

American Tower – Request for Approval & Authorization for Tower Modification

American Tower is requesting Municipal Consent to make modifications to the cell tower located behind the Municipal Office.

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the request of American Tower to modify the tower, with the condition that there is no substantial change in the width or the visual appearance of the tower and that the Township does not waive their rights to any additional revenues that may occur from the work.

Perc Witness Resignation

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee accepted the resignation of Jess Symonds, as Perc Witness, with regrets and much appreciation.

Perc Witness Appointment

Motion by Mayor Schmidt, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee appointed Joseph Modzelewski, PE, PP, CME, as Perc Witness, term expiring on December 31, 2018.

Recreation Commission Appointment – Alternate No. 2

Mayor Schmidt appointed Jason Juskeiwicz to the Recreation Commission, as Alternate No. 2. *Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee endorsed the Mayor's appointment of Jason Juskeiwicz to the Recreation Commission, as Alternate No. 2, term expiring December 31, 2018.*

Request for Waiver of CCO Requirement – 240 Musconetcong River Road

Mr. John Trudel and his wife Joyce own the property of 240 Musconetcong River Road. The Trudels have a buyer for the property who intends to demolish the home, due to its poor condition, and build a new one. In addition, there is no well on the property currently; only a spring, so they are requesting a waiver of the CCO requirement. The buyer will be installing a well and a new septic system after the closing.

Mayor Schmidt stated that when a property is sold it is the one opportunity that the Township has to ensure that there is a healthy well and a good septic system for the purchasers. The Committee has spoken to the Township Attorney and the easiest solution would be for the structure to be demolished before the sale. This way the property will be sold as vacant land and there is no need for a CCO. Mayor Schmidt stated that this can be accomplished between the buyer and the seller without involving the Township. Attorney Lyons stated that for the Township to put together all of the safe guards it needs, in case the building becomes occupied before it is demolished, it will be very time consuming and costly. Mr. Trudel thanked the Committee and stated that he understands what he needs to do at this point.

Friends of Memorial Park - Flea Market - Saturday, May 19, 2018

The Friends of Memorial Park will be holding a Flea Market at the Memorial Park on Saturday, May 16, 2018

Township Events

Historians –

Story Telling in Memorial Park –

June 24, 2018 – July 29, 2018- August 26, 2018 and Sept. 23, 2018

Recreation Commission-

Nature Walk – May 23, 2018 at Point Mountain

Movies in the Park – June 8, 2018 – July 13, 2018 - August 10, 2018 - September 7, 2018

Fire Department Hose Down – August 25, 2018

Historian's Minutes

Ms. Koehler said that she read in the Historians minutes that they submitted a draft ordinance to Township Committee for consideration last year, but they have not heard anything back to date. Ms. Koehler asked what the ordinance was for. Mayor Schmidt said that the ordinance relates to the creation and responsibilities of the Historians.

PRESENTATION OF VOUCHERS

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

Motion by Mr. Laul seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the May 16, 2018 bill list in amount of \$ 27,611.75.

Mr. Laul left the meeting. 9:20 p.m.

CORRESPONDENCE

- a. Township Historian's March 15, 2018 Meeting Minutes
- b. Recreation Commission's April 19, 2018 Meeting Minutes
- c. NJ Special Needs Registry for Disasters.
Mr. McKee stated that he would like to explore the registry further and will work with OEM in doing so. The notice will be placed on the Facebook page and Mr. Wunder will bring to the Senior Center.

Mr. Laul rejoined the meeting at 9:23 p.m.

- d. Volunteer of Fatima - May 27, 2018, between the hours of 3 p.m. – 6 p.m. Walk to Fatima will be coming through Pleasant Grove Road near Penwell Road.

PUBLIC COMMENTS

Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 9:24 p.m.

Ms. Laurie Hoffman said that her son has been signed up for Register Ready since before Sandy and no one has ever contracted her. Ms. Hoffman said that the local OEM is aware that she is on the list and must be involved. OEM must be more proactive instead of reactive.

Ms. Hoffman asked how to post on the Facebook page. Mr. Laul said that requests should come through the Clerk and noted that he is putting a policy together and certain items will be preapproved for posting.

Ms. Hoffman asked about the State fees for the testing of Fire Station No. 3.

Mr. Victor Hoffman asked if the Rescue Squad plaque was ever placed at the Station No 3.

Mr. Hoffman asked how the subcommittees are going to know that they need to notify the Township Committee about events that are going to take place.

Mr. Hoffman said that it was nice that the Committee recognized Jonah for his accomplishment as a home-schooled student and questioned why there was no participants from the local school.

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 9:36 p.m.

EXECUTIVE SESSION - Resolution No. 43-2018

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 43-2018 and convened in executive session at 9:37 p.m.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 43-2018
RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Committee find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Committee will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

_____A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon: _____);

_____A matter where the release of information would impair a right to receive funds from the federal government;

_____A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

_____A collective bargaining agreement, or the terms and conditions thereof (Specify contract: _____);

_____A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions –

 X Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection; **Building Safety**

_____ Investigations of violations or possible violations of the law;

 X Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: **Hodgkins v. Weichert, County of Hunterdon, Township of Lebanon- Docket: 452-18**)

_____ Professional Service Contracts _____. The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or

negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.

_____Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____

_____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

_____Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: _____ Union Contract the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;0

BE IT FURTHER RESOLVED that the Mayor and Committee hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Township Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Committee, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Public Meeting reconvened at 10:01p.m. No action taken.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote to adjourn the meeting at 10:02 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: June 6, 2018

Mike Schmidt, Mayor