

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 honor of our Servicemen and Women, particularly for the 2 soldiers who lost their lives in Afghanistan in the past few weeks.

ROLL CALL

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

Absent-

Also Present - Attorney Matt Lyons, Clerk Karen Sandorse and 12 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular and Executive Session Meetings of June 20, 2018

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular and Executive Session meetings of June 20, 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.

ORDINANCE

Public Hearing

Ordinance No. 2018-04 –Amending Chapter 77/Special Law Enforcement Officers Class III

Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2018-04 was opened.

There were no comments from the public.

Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2018-04 was closed.

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2018-04 as entitled below.

ORDINANCE NO. 2018-04

**ORDINANCE OF THE TOWNSHIP OF LEBANON, COUNTY OF
HUNTERDON, STATE OF NEW JERSEY AMENDING AND
SUPPLEMENTING ARTICLE TWO, CHAPTER 77 TO ALLOW
FOR THE APPOINTMENT OF SPECIAL LAW ENFORCEMENT
OFFICERS CLASS III**

RESOLUTIONS

Resolution No. 54-2018 – Extending August 2018 Tax Grace Period

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 54-2018, as written below, subject to clarification from the Tax Collector on the statute cited in the resolution.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 54-2018
EXTEND AUGUST 2018 GRACE PERIOD**

WHEREAS the certified 2018 tax rate has been delayed from the Tax Board of Hunterdon County, and

WHEREAS the rate is needed for the property tax bills to be printed, and

WHEREAS there must be twenty-five days from the date of mailing for the return of the quarterly payment before interest is charged,

THEREFORE BE IT RESOLVED, that pursuant to N.J.S.A. 54:4-66 et seq., the payment without interest for the third quarter 2018 taxes will be extended to at least twenty-five days from the mailing of the tax bills, after which time all receipts for the third quarter shall be deemed delinquent with interest accruing from August 1st, 2018.

OLD BUSINESS

Monmouth Telecom/Telephone System/Service Agreement

Attorney Lyons has negotiated with Monmouth Telecom and they agreed to most all of the Township's requests in the Agreement; however, they will not agree to the Termination Clause. If the Township were to terminate the Agreement during the annual term the Township will be responsible to pay the monthly premiums for the remainder of the contract period. The risk of possible exposure was discussed.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the contract, with addendum, and authorized the Mayor and Clerk to sign.

Social Media

Mr. Laul stated that the Township created a Facebook page which was supposed to be for informational purposes only; with no commenting. It was brought to Mr. Laul's attention that individuals were now able to comment on it. Mr. Laul explained that this is due to the new Facebook upgrade, where no one is restricted from commenting. The Facebook page has now been shut off until a better plan can be established. Mr. Laul will speak to Karen Newman, the Webmaster, to see what the best way is to get the word out on the webpage.

Pelio Acquisition

Mayor Schmidt stated that 244 acres should be realized tomorrow as the Green Acres funding arrived this afternoon for the Pelio Acquisition. The closing is scheduled for tomorrow afternoon at the County Freeholders office.

NEW BUSINESS

Musconetcong River Signage

Nancy Lawler and Erik Henrikson, of the Musconetcong Watershed Association (MWA) and Township Liaison's to the Musconetcong River Management Council, were present.

Ms. Lawler stated that Lebanon Township is a partner with the Musconetcong River Management Council (MRWC) and informed all that this year is the 50th Anniversary of the Wild and Scenic Act. The Musconetcong River is unique in the Wild and Scenic Program

because it runs through private and public land and; therefore, the management of the river falls to a partnership with municipalities and interested nonprofit parties. Ms. Lawler said that in honor of the 50th Anniversary, the MWA decided that they would like to make people aware of the River's asset by placing signs at every bridge crossing located in the Wild and Scenic zone. The MWA has received approval from the County to place small signs at each of the 5 bridges in the Township. The signs will read that it is a Wild and Scenic river and it is managed by the MRMC. Ms. Lawler stated that there are 203 rivers in the United States that have the Wild and Scenic designation and the Musconetcong River is only one of three in NJ. Ms. Lawler stated that Bethlehem Township decided that, in lieu of the MWA signs, they would like signs with their name on it. The MWA thought this was a great idea so Ms. Lawler and Mr. Henrikson are here to ask Lebanon Township if they would like to do the same. The MWA signs would be provided cost free and the custom "Lebanon Township" signs would cost approximately \$300 for each of the 5 bridges. The Committee agreed that they would like the personalized signs.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee authorized Ms. Lawler and Mr. Henriksen to work with their grant sources, and the DPW Manager, for the purchase of possibly 5 personalized signs, at a cost not to exceed \$1500.

LTVFD-EMS Update

Tabled

Park Committee– Proposal for Stage in Honor of Patricia Schriver, Past Committeewoman

Erik Petrik, Park Committee and Friends of Memorial Park member.

Mr. Petrik stated that a group of citizens got together in the interest of preserving the legacy of Patricia Schriver, who did so much for the Township. Mr. Petrik informed the Committee that, in the past, there would be bands that enjoyed playing at the Day in the Park event. Mr. Petrik said that Ms. Schriver would provide a makeshift stage, through her employer, Custom Alloy. Mr. Petrik said that after Ms. Schriver passed they thought that it would be perfect idea to have a stage built in her honor. Mr. Petrik provided the Committee with a conceptual drawing and noted that there may be grant money available; though, they will work to raise the funds if not. Mr. Petrik said that he is speaking with an architect at this time and with the Committee's blessing they would like to have the stage built by next summer. The Committee said that they like the idea but would like updates as the venture progresses. Attorney Lyons informed the Committee with some matters that will need to be considered before moving forward.

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee partially endorsed the concept of creating a stage, to be built in the park in honor of Patricia Schriver, and to further explore the size, location and the mechanics of the project.

Park Committee – Request to Hire Grounds Maintenance Contractors

Mr. Petrik stated that the Friends of Memorial Park would like to hire Homestead Landscaping for grounds maintenance work in the Park. They would also like to have the ball field restored.

Attorney Lyons said that he will need additional information in order to provide the Committee with guidance on possible exposures and liability issues. Someone will reach out to Mr. Petrik once the Committee has had time to speak with Attorney Lyons.

Park Committee – Request for Clean Communities Funds/ Rizzo Reptile Program/Fall Festival

Tabled

DPW Letter

Mr. Petrik provided the Committee with a letter of appreciation for the DPW Manager, Warren Gabriel and the entire DPW staff for all the work that they did for the Friends/Park Committee in the Spring and for all that they do in general. Mr. Petrik said that their efforts are truly appreciated.

Fall Festival Fundraiser- Friends of Memorial Park

Mr. Petrik stated that last year Friends revamped the Day in the Park event. Friends took a year off and decided to have a Fall Festival. This year the Festival will be held on September 29, 2018 from 1:00 p.m. to 6:00 p.m.

Raffle Applications

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the following 4 Raffle Applications.

St. John Neumann Church for events to be held on 10/12/2018 & 12/02/2018

Voorhees Viking Booster Club, Inc./Football for Various Event Dates and Voorhees

Viking Booster Club, Inc./Field Hockey for an event to be held on October 16, 2018.

Solicitor's License Applications (9) – Aptive Environmental – Pest Control Services

The Township received 9 Solicitor's License Applications from Aptive Environmental/Pest Control Services. All municipal fees have been paid and the Police Department has conducted background checks on the individuals with no violations being found.

DPW Employee Resignation – James Kihullen

Motion by Mr. McKee, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee accepted the resignation of James Kihullen from the DPW, effective June 29, 2018, and wished him well in his new endeavors.

Mr. Wunder stated that the DPW is currently short-staffed which the Committee must consider.

Library Committee Resignation – Kristin Petrik

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee accepted the resignation of Kristin Petrik, from the Library Committee with regret, and wished her well in her new endeavors.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the July 18, 2018 bill list in amount of \$184,359.01.

CORRESPONDENCE

- Thank Letter from Friends of Memorial Park for the DPW's efforts in the Park
- a. Tax Collector's Report for the Month of June 2018
 - b. Minutes of the June 3, 2018 LTEOS Meeting

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 7:54 p.m.

Mr. Ron Milkowski asked what Project Life Saver is and asked how the sealing machine worked on the roadways for the DPW.

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:56 p.m.

EXECUTIVE SESSION - Resolution No. 55-2018

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 55-2018 and convened into executive session at 7:57 p.m.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY

RESOLUTION NO. 55-2018
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:); CWA Local 1040

 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;

 Investigations of violations or possible violations of the law;

 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

 X Professional Service Contracts **Park Maintenance** 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.

 X 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: **Negotiations with the Little Brook Lane Property Owners**

Association _____ 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.); X 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: **DellaPia, Hyland, Gabriel, Sandorse Salaries** 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;

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 9:15 p.m.

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 9:15 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: August 1, 2018

Mike Schmidt, Mayor