

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 Service Men and Women.

ROLL CALL

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

Absent-

Also Present - Attorney Matt Lyons, CFO Greg DellaPia, Clerk Karen Sandorse and 6 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular and Executive Session Meetings (#1 and #2) of December 5, 2018

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular and Executive Session (#1 & #2) meetings of December 5, 2018.

PUBLIC COMMENTS – for agenda items only.

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

No Comments from the Public.

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

APPOINTMENT/OATH OF OFFICE – Lebanon Township Tax Assessor

Resolution No. 84A-2018 – Appointing Tax Assessor

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 84A-2018 as written below.

TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 84A-2018
RESOLUTION APPOINTING TAX ASSESSOR

WHEREAS, the current Tax Assessor of the Township of Lebanon, Laura Whitaker, voluntary resigned from her position effective December 20, 2018; and

WHEREAS, Ms. Whitaker was appointed for the unexpired term of the former Tax Assessor occurred on July 5, 2017, for the unexpired term of the former Tax Assessor for the period of July 5, 2017, to June 30, 2018, and for the statutory four-year term from July 1, 2018, to June 30, 2022, and

WHEREAS, pursuant to N.J.S.A. 40A:9-146 the Township is required to appoint a Tax Assessor; and

WHEREAS, pursuant to N.J.S.A. 40A:9-148, a vacancy in the position of Tax Assessor shall be filled by appointment for the unexpired term; and

WHEREAS, the Township Committee has determined that Erica J. Brandmaier is the most qualified candidate to hold the position; and

WHEREAS, pursuant to N.J.S.A. 40A:9-148 the term of a Tax Assessor is “4 years from the first day of July next following his/her appointment;” and

WHEREAS, since the appointment of Ms. Brandmaier will occur on December 20, 2018, she will be appointed for the unexpired term of the former Tax Assessor for the balance of the four year statutory term from December 20, 2018, to June 30, 2022; and

WHEREAS, the Township Committee has also determined that Ms. Brandmaier should be appointed as authorized agent for the Township to appear and act as agent in all tax appeal matters before the Hunterdon County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, New Jersey, that Erica J. Brandmaier is hereby appointed to the position of Lebanon Township Tax Assessor for the balance of the four year statutory term from December 20, 2018, to June 30, 2022; and

IT IS FURTHER RESOLVED, that this appointment does not confer tenure on Ms. Brandmaier as Tax Assessor unless and until she is appointed for an additional term beyond June 30, 2022; and

IT IS FURTHER RESOLVED, that Ms. Brandmaier be and is hereby appointed as authorized agent for the Township for Lebanon to appear and act as agent in all tax appeal matters before the Hunterdon County Board of Taxation in which the Township of Lebanon is a party.

IT IS FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute the attached agreement with Ms. Brandmaier in substantially the same form as that attached hereto.

Oath of Office

Mayor Schmidt administered the Tax Assessor's Oath of Office to Erica Brandmaier.

Mayor Schmidt stated that the hours for the Tax Assessor will now be the 1st and 3rd Wednesday of the month, 5:30 p.m. to 8:30 p.m. and by appointment.

Resolution No. 85-2018 – Transfers

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 85-2018 as attached.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION 85-2018
TRANSFERS

Resolution No. 86-2018 - Appointing a Risk Management Consultant

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 86-2018 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION 86-2018
STATEWIDE INSURANCE FUND
RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the Township of Lebanon (hereinafter "LOCAL UNIT") has joined the Statewide Insurance Fund (hereinafter "FUND"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the FUND; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk Management Consultant

WHEREAS, the FUND has requested its members to appoint individuals or entities to that position; and

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

1. Township of Lebanon hereby appoints Groendyke Associates as its local Risk Management Consultant.
2. The Mayor, Township Clerk and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the fund year 2019 in the form attached hereto.

Resolution No. 87-2018 – Appointing a Fund Commissioner

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 87-2018 as written below.

STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON
RESOLUTION NO. 87-2018
APPOINT FUND COMMISSIONER

WHEREAS, the Township of Lebanon (hereinafter “Local Unit”) is a member of the Statewide Insurance fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Lebanon that Thomas McKee is hereby appointed as the Fund Commissioner for the Local Unit for the 2019 year; and

BE IT FURTHER RESOLVED that Karen Sandorse is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the 2019 year; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

OLD BUSINESS

Retirement of Curator/Assistant Library Clerk and Assistant Curator

Long-time Museum Curators, Joan Lucas and Deanna Kinney are retiring. Mr. McKee stated that they have touched many lives and have organized many wonderful events for the Township, and they will be greatly missed.

Motion by Mr. McKee, seconded by Mr. Wunder, and carried by unanimous favorable roll call vote, the Township Committee accepted the resignation of Museum Curator/Assistant Library Clerk Joan Lucas and Assistant Curator Deanna Kinney effective December 31, 2018 with regrets.

NEW BUSINESS

Quest Environmental Proposal – Fire Station No. 1 – Biennial Certification for Deed Notice

Motion by Mr. Laul seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Quest Environmental Proposal for the Biennial Certification for Deed Notice for Fire Station No. 1.

Recreation Commission - Accept Resignation - Fran Polizzano

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee accepted the resignation of Fran Polizzano from the Recreation Commission effective December 31, 2018 with regrets.

Police Chief Purchase Requests

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the following (4) purchase requests for the Police Department.

- 2 Dell Laptop Computers from Dell Inc. in the amount of \$1740.26.
- 1 Dell Desktop Computer from Dell Inc. in the amount of \$1126.40.
- Ammunition from Hackettstown Guns and Ammo in the amount of \$1520.00.
- 2 Motorola Portable Radios from M & W Communications in the amount of \$1684.00.

Raffle License Applications

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

- Voorhees Vikings Booster Club for an event to be held on 05/22/2019.
- High Bridge PTO for an event to be held on 01/20/2019.
- Voorhees Vikings Booster Club for various event dates.

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 December 19, 2018 bill list in the amount of \$44,885.78.

CORRESPONDENCE

- a. Gail Glashoff, Planning and Zoning Memo – 2019 Appointments
- b. JoAnn Fascenelli, Recycling Coordinator Memo – E-Waste and Scrap Metal Event
- c. Tax Collector's Report for the Month of November 2018

PUBLIC COMMENTS

Motion by Ms. Koehler seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:22 p.m.

Ms. Laurie Hoffman wished everyone a Merry Christmas and thanked the Committee for all their efforts with the museum addition.

Ms. Jean Lang informed the Committee of her concerns with traffic on Musconetcong River Road. The bridge is being fixed at this time, so it is quiet, but typically the road is used as a cut through for trucks and speeding cars. She feels that it is very dangerous. Mayor Schmidt noted that the road is a county road and he will forward Ms. Lang's concerns to the County.

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:27 p.m.

EXECUTIVE SESSION - Resolution No. 88-2018

No action is anticipated when the public meeting reconvenes.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 88-2018 and convened in executive session at 7:28 p.m. Action may be taken.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 88-2018
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 –

_____ 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 – **Animal Control Officer**. 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: 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.); **Matter of Potential Liability**

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: 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.); **Statutory and Supervisory Positions and Museum Curator Position**

_____ 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 9:20 p.m.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Laul seconded by Ms. Koehler, and carried by unanimous favorable roll call vote to adjourn the meeting at 9:20 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: January 16, 2019

Mike Schmidt, Mayor