

**Lebanon Township Committee
February 21, 2018**

Minutes of Regular Meeting

CALL TO ORDER

Mayor Schmidt called the meeting to order at 7:04 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 stand for the Flag Salute followed by a Moment of Silence for our men and woman in service.

ROLL CALL

Present	Marc Laul	Thomas McKee	Brian Wunder
	Mike Schmidt	Beverly Koehler	

Absent-

Also Present - Attorney Matt Lyons, Deputy Clerk Kimberly Jacobus and 6 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of February 7, 2018

Motion by Mr. Laul, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee approved minutes of the regular meeting of February 7, 2018. AYES: McKee, Laul, Koehler, Schmidt ABSTAIN: Wunder

Minutes of the Executive Session of February 7, 2018

Motion by Ms. Koehler, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee approved minutes of the executive session of February 7, 2018. AYES: McKee, Laul, Koehler, Schmidt ABSTAIN: Wunder

PUBLIC COMMENTS – for agenda items only

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.

There were no comments.

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

ORDINANCES

Introduction

Ordinance No. 2018-02- Fair Share Housing

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance 2018-02 on first reading. (As entitled below)

STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON
ORDINANCE NO. 2018-02

AN ORDINANCE OF THE TOWNSHIP OF LEBANON AMENDING CHAPTERS 199 AND 400 OF THE CODE OF THE TOWNSHIP OF LEBANON PURSUANT TO A SETTLEMENT AGREEMENT BETWEEN THE FAIR SHARE HOUSING CENTER AND THE TOWNSHIP OF LEBANON DATED AUGUST 15, 2017 AS APPROVED BY THE SUPERIOR COURT OF NEW JERSEY, SOMERSET COUNTY LAW DIVISION ON SEPTEMBER 12, 2017

Public Hearing to be held on March 7, 2018

Introduction

Ordinance No. 2018-03- Increasing Developer's Fees

Mayor Schmidt informed the Committee that they needed to discuss a few items regarding Ordinance 2018-03 before they could introduce it. Discussion was held. Attorney Lyons will make the changes to Ordinance 2018-03 and provide them to the Clerk for publication.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2018-03 with amendments as discussed.

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2018-03 with amendments as stated on first reading. (As entitled below)

STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON
ORDINANCE NO. 2018-03

AN ORDINANCE OF THE TOWNSHIP OF LEBANON AMENDING CHAPTER 110 OF THE CODE OF THE TOWNSHIP OF LEBANON TO INCREASE DEVELOPER'S FEES IN COMPLIANCE WITH APPLICABLE LAW

Public Hearing to be held on March 7, 2018

OLD BUSINESS

Volunteer Event

There was discussion regarding the location for the volunteer event. Mr. McKee and Ms. Koehler stated what the options were. Mr. McKee made the recommendation to hold the event at the Riverview Banquet Hall and the date being May 5th if available with April 28th being the second choice, starting at 6 pm. The budget is \$5,000. Ms. Koehler will check on the availability of the hall.

Re-contouring of the Mechanics Bay Floor

Mayor Schmidt stated that the Township wanted to re-bid the re-contouring of the Mechanics Bay Floor at the DPW building. Specifications were sent out earlier this year to bid on the project and all bids were rejected. The main change made to the bid packet was taking out the need for a surety bond. The pre-bid conference is scheduled for March 13 at the DPW Building and the bid packets are due back on March 21, 2018.

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the re-bidding of the Re-contouring of the Mechanics Bay Floor.

LOSAP

Mr. Wunder asked where the Township stood on the money that is tied-up in the dormant LOSAP accounts. Mr. Laul stated that there wasn't much of it and he is working with Lincoln Financial about it. The amount of \$26, 000 stated in a report is really closer to \$3,000 that is sitting in accounts.

PANIC BUTTONS

Ms. Koehler stated that at the next meeting she will have another quote for panic buttons.

COMCAST GRANT

Mr. McKee asked whatever happened to the Comcast Technical Grant. He stated that the Township was supposed to get a grant for \$20,000 and wanted to know if we ever got it.

NEW BUSINESS

Appointment of Full-time DPW Employee – Tabled to executive for discussion.

RAFFLE APPLICATIONS

Raffle Application #1 – St. John Neumann Church – Event Date: June 2, 2018

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the 50/50 raffle application for St. John Neumann.

Raffle Application #2 – St. John Neumann Church – Event Date: June 2, 2018

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the raffle application for St. John Neumann.

Firing Range Lease Agreement - Melick's Town Farm

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Firing Range Lease Agreement at Melick's Town Farm.

Blue Light Permit Application – Edward T. Schaffer

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the blue Light Permit application for Edward T. Schaffer.

PRESENTATION OF VOUCHERS

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

Motion by Mr Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the bill list in the amount of \$2,633,808.24.

CORRESPONDENCE

Tax Collector's Report for the Month of January 2018
LT EOSC Commission's December 18, 2017 and January 15, 2018 Meeting Minutes
Meals On Wheels in Hunterdon, Inc. – March for Meals

Mr. Wunder challenged the Township Committee to participant in the March on Meals. He stated that he is going to participant in the challenge.

PUBLIC COMMENTS

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

Lorraine Healy-Matawan, NJ, stated that there was an incident with what she thought was Lebanon Township's animal control.

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.

EXECUTIVE SESSION

Resolution No. 27-2018

Motion by Ms. Koehler seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 27-2018 and convened in executive session at 8:15 p.m.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 27-2018**

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: _____ Police Chief's 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: _____). 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: Personnel-Police, and COAH _____ 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: hiring 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.

The Committee reconvened the public meeting at 9:23 p.m. No action was taken.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Wunder seconded by Mr. McKee and carried by unanimous favorable roll call vote to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

Kimberly S. Jacobus
Deputy Clerk

Approved: April 4, 2018

Mike Schmidt, Mayor