

CALL TO ORDER

Deputy 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

Deputy Mayor Schmidt asked everyone to please stand for the Flag Salute and for a moment of silence in honor of our Servicemen and Women.

ROLL CALL

Present - Mike Schmidt Thomas McKee Brian Wunder Beverly Koehler

Absent- Marc Laul

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 33 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of April 5, 2017

Motion by Ms. Koehler, seconded by Mr. McKee and carried by favorable roll call vote, the Township Committee approved minutes of the Regular Meeting of April 5, 2017. AYES: Koehler, Schmidt, McKee ABSTAIN: Wunder

Minutes of the Executive Session of April 5, 2017

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by favorable roll call vote, the Township Committee approved minutes of the Executive Session of April 5, 2017. AYES: Koehler, Schmidt, McKee ABSTAIN: Wunder

Minutes of the Special and Executive Meetings of May 3, 2017

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Special Meeting and Executive Session of May 3, 2017.

Minutes of the Executive Session of May 3, 2017

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Executive Session of May 3, 2017

Minutes of the Special and Executive Meetings of May 3, 2017

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Special Meeting and Executive Session of May 3, 2017.

PUBLIC COMMENTS – for agenda items only.

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

OATH OF OFFICE

Theresa DaSilva, Police Officer

Deputy Mayor Schmidt administered the Oath of Office to Theresa DaSilva as a Class VIII Police Officer. Officer DaSilva was appointed to serve on the Police Department at the May 3, 2017 meeting.

PRESENTATION OF VOLUNTEER APPRECIATION AWARDS - 3rd Annual Litter Clean Up

Mr. Schmidt stated that during the month of April approximately 300 community members collected trash and recyclables from 50 miles of roads, streams and other public areas in the Township. Mr. Schmidt noted that this evening the Committee will be acknowledging the class from Woodglen School who collected the record amount of trash.

Mr. Adam Duckworth, Chairman of the LTEOSC and Ms. Deborah Szmajda, 6th Grade Science teacher, who coordinated the effort through the Woodglen School, were in attendance to present the awards. Mr. Duckworth stated that the litter cleanup was a wonderful accomplishment this year with more than 300 residents participated. One third of the participants were students from the Woodglen School thanks to the efforts of Ms. Szmajda. More than 1700 pounds of trash and recyclables were collected by the students alone. Mr. Duckworth stated that the top three students, from each of the 5th, 6th, 7th and 8th grades, who collected the most trash, will be recognized for their efforts. Three students were present at the meeting to accept their certificates; 5th Grade – Gabriella Como and Pasqualina D’Andrea, 7th Grade - Patrick Pfunke.

LTCM

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Other class winners, not in attendance, were fifth grade: Cassandra Avallone, sixth grade: Braydon Atlas, Kaitlin Milelli, Kate Glass, seventh grade: Tristan Weber, Ethan Englert, eighth grade: Megan DiGiovanni, Anderson Olson, Fiona Curley and Madison Jones.

Mr. Duckworth presented Ms. Szmaida with a bouquet of flowers and thanked her for her efforts in the cleanup.

RESOLUTIONS

Resolution No. 53-2017 – Awarding Bid for Accessory Equipment for FD Vehicle

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 53-2017 conditioned upon receipt of the Maintenance Bond and Public Work's Contractor Certificate.

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 53-2017
RESOLUTION AWARDING BID FOR ACCESSORY EQUIPMENT
FOR FIRE DEPARTMENT VEHICLE**

WHEREAS, bids were received by the Township Clerk on May 10, 2017 for the provision and installation of accessory equipment for a Chevrolet Tahoe utilized by the Township of Lebanon Volunteer Fire Department; and

WHEREAS, by letter dated May 12, 2017, the Chief of the Township of Lebanon Fire Department has recommended the awarding of the bid to the only responsive bidder, First Priority Emergency Vehicles, Inc., in the amount of \$34,805.00; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds will be available in the amount of \$34,805.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the contract for the provision and installation of accessory equipment for a Chevrolet Tahoe utilized by the Township of Lebanon Volunteer Fire Department be and the same is hereby awarded to most responsive bidder, First Priority Emergency Vehicles, Inc., 2444 Ridgeway Blvd., Bldg. 500, Manchester, NJ 08759, subject to approval of the form of the bids by the Municipal Attorney.

BE IT FURTHER RESOLVED, subject to the approval as to form of the bids by the Municipal Attorney, that the Mayor and the Township Clerk are hereby authorized and directed to execute the contract for the same.

OLD BUSINESS

Animal Control

Ms. Koehler stated that the Committee is very close to finalizing the negotiations for the Animal Control services for the Township. There are a few final matters that need to be discussed, in executive session, and once the items are resolved a template resolution can be considered for adoption.

Retirement – Assessor Mary Mastro

Mr. Schmidt stated that the Tax Assessor, Mary Mastro, will be retiring at the end of the month. Ms. Mastro has been with the Township for 15 years and was kind enough to provide the Committee with notice of her pending retirement in January. The Committee has since been discussing a transition plan. Mr. Schmidt thanked Ms. Mastro for her years of service to the Township.

Mr. Schmidt informed the Committee that the administrative staff would like to take Ms. Mastro to lunch on her last day, May 31, 2017, and are requesting permission to close the office from noon to 1:30 p.m. to do so.

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the staff's request to close the office from noon to 1:30 p.m., on May 31, 2017, to have lunch with Ms. Mastro on her last day.

Cellco Partnership d/b/a/ Verizon Wireless – Petition for Township

Attorney Cushing stated that the language was cleaned up in the Verizon resolution. The Committee reviewed the resolution, paragraph by paragraph and discussed the changes.

The Committee determined that the Zoning Officer's duties should also include code enforcement so that he has the authority to enforce the resolution.

The Committee will review the resolution and submit any comments that they have to the Attorney. If the comments are not substantial the document will be sent to Verizon. If there are material changes, the resolution will come back to the Committee at the next meeting. The Zoning Officer should be notified of the Committees thoughts on code enforcement.

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee authorized the resolution to be sent to Verizon, subject to the significance of any Committee comments that are submitted to the Township Attorney. The Committee is to send comments to the Clerk and she will forward to the Township Attorney by the close of the day on Monday.

Lavatory Addition to the Museum

Mr. Schmidt informed the Committee that the Lavatory Addition bid opening was today. One bid was received from Brunswick Builders in the amount of \$147,450.00. Mr. Schmidt noted that there has not been legal or technical review of the bid and questioned that; due to the bid exceeding the anticipated cost, does the Committee want to proceed with the review? Attorney Cushing informed the Committee that, if the bid exceeds the architects estimate, the bid can be rejected.

Mr. Schmidt will speak to the Architect to see what his thoughts are on the bid and if the bid is substantially more than the Architect had estimated.

Attorney Cushing suggested that the Architect submit his comments in writing for the next meeting.

NEW BUSINESS

DPW Manager Request for Summer Employees

Mr. Schmidt stated that the DPW Manger is requesting to advertise for two summer employees. The employee's salaries will be paid for out of the Clean Communities Grant. Mr. Schmidt stated that the Grant program is very limited and is used for litter abatement. There is \$5000 left in last year's allocation of \$30,000. Mr. Schmidt noted that this year's allocation has not been posted yet; however, it is usually between \$25,000 and \$30,000. Mr. Schmidt stated that the balance from last year will cover the cost for the employees.

Mr. Schmidt noted that the Cleanup Day was well received by the community with four and half dumpsters being filled. The cost of the Cleanup Day was approximately \$3500 and was paid for out of the Clean Communities Grant money. The DPW Manager's thought is to schedule another Cleanup Day in the fall and to hold one twice a year in the future.

Mr. Schmidt stated that there will most likely be enough Clean Communities money to pay for an additional Cleanup and the hiring of two summer employees.

Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the DPW Manager's request to seek applications for up to two Summer employee as requested in his May 12, 2017 memo.

Shared Service Agreement – Lebanon Township and the Lebanon Township Board of Education

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Shared Service Agreement between the Township and the Board of Education, for DPW services, at a cost of \$20,000 per year, for the 2017/2018, and authorized the Deputy Mayor and Clerk to sign.

LTEOSC Resignation and Reformation

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by favorable roll call vote, the Township Committee accepted the resignation of Deborah Goodsite, from the LTEOSC, with regrets. Sharon Hardy will fill Deborah's unexpired term and Kathryn Koch will fill the Alternate #1 term. AYES: Wunder, Koehler, McKee ABSTAIN: Schmidt

LTEOSC Appointment

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee recommended the appointment of Marty Collett as Alternate #2, to the LTEOSC, term expiring 12/31/2018.

Debbie Vaccarella, HCHD Correspondence – Licensing of Kennels

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee authorized the Township Attorney to review the Township Code to insure that it

complies with the requirements of NJAC 8:32A as requested by the Hunterdon County Health Department.

PRESENTATION OF VOUCHERS

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

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the May 17, 2017 bill list, in amount of \$ 83,512.00.

CORRESPONDENCE

- a. Tax Collector's Report for the Month of April 2017

PUBLIC COMMENTS

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 7:57 p.m.

Police Chief Jack Gale stated that he spoke to Engineer Steve Risse regarding the speed limit proposal and the State DOT has resolutions that are in place, in the Township, for some of the roads. Clarification needs to be made on whether there are resolutions already in place for the relevant roads and signs can just be placed or if additional resolutions will need to be adopted.

Chief Gale thanked Mr. Schmidt for swearing in Theresa DaSilva. Mr. Schmidt thanked Chief Gale for all of his efforts in recruiting the new officer.

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:00 p.m.

EXECUTIVE SESSION

Resolution No. 54-2017 –Executive Session

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 54-2017 and convened in executive session at 8:01 p.m.

Action may or may not be taken when the Public Meeting is reconvened.

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: **Animal Control – Police Resource Officer**

_____ 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: **Tax Assessor, Fire Official** 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;

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.

The Township Committee reconvened the public meeting at 9:32 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 Ms. Koehler, and carried by unanimous favorable roll call vote, to adjourn the meeting at 9:32 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: June 7, 2017

Mike Schmidt, Deputy Mayor