

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.

ROLL CALL

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

Absent-

Also Present - Attorney Matt Lyons, Clerk Karen Sandorse and 5 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular and Executive Session Meeting Minutes of May 16, 2018

Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular and Executive Session meetings of May 16, 2018.

PUBLIC COMMENTS – for agenda items only.

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

RESOLUTIONS

Resolution No. 44-2018 – Certification of the 2017 Annual Audit

Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 44-2018 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 44-2018
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Lebanon, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby

submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution No. 45-2018 – Fireworks Permit

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 45-2018 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 45-2018
RESOLUTION GRANTING FIREWORKS
PERMIT TO A&B STAINLESS VALVE
AND FITTING COMPANY

WHEREAS, A&B Stainless Valve and Fitting Company has applied for a permit for public display of fireworks to be held on July 7, 2018 at 9:00 p.m.; and

WHEREAS, the Lebanon Township Fire Code Official has reviewed the application, investigated the area where the display will take place and recommends that the permit be granted; and

WHEREAS, the necessary bond and surety has been posted.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon and State of New Jersey that a fireworks permit be granted to A&B Stainless Valve and Fitting Company for the activity described in its application.

BE IT FURTHER RESOLVED that the Township Fire Official file copies of this Resolution and any other pertinent document with the appropriate New Jersey agency.

Resolution No. 46-2018 - Awarding Contract for 2018 Road Materials

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 46-2018 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 46-2018
RESOLUTION AWARDING A CONTRACT FOR
2018 ROAD MATERIALS

WHEREAS, bids were received on May 24, 2018 for 2018 Road Materials, and

WHEREAS, the Township Committee has reviewed the recommendations made by the Township Public Works Manager on said bids.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the following contracts be awarded based on the recommendation of the Township Manager of Public Works.

COMPANY	ITEM	PRICE
Warren Materials	Top Mix (I-5)	\$ 56.85 per ton
Warren Materials	Base Mix (I-4)	\$ 51.35 per ton

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the contracts for same.

OLD BUSINESS

Municipal Telephones

Mr. Laul stated that he requested that Monmouth Telecom and TKG Technologies narrow down their quotes to be more specific to the Township's needs. Mr. Laul stated that Monmouth's quote for equipment is cheaper, but the hosting costs are a little higher. If the equipment and hosting costs are combined the two vendor's proposals are approximately the same for the first year. A benefit with Monmouth Telecom is that they will be the hosting company, whereas, TKG works with a third-party hosting company. Monmouth Telecom's proposal includes service issues and they provide IT support. Mr. Laul recommended entering into an Agreement with Monmouth Telecom. Discussion was held on whether the Yealink or Cisco phones would be best for the Township's needs.

Mayor Schmidt noted that the Monmouth Phone System will pay for itself in 5 or 6 months with monthly charges being decreased from \$1000 to \$375 per month.

Motion by Ms. Koehler seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee selected Monmouth Telecom to provide the phone system for the Township buildings, with Cisco phones and related accessories, and authorized the solicitor to negotiate a final contract in accordance with the proposal submitted on May 31, 2018.

Comcast Proposal

Mr. Laul provided the Committee with rates from Comcast for the items that need to be upgraded to work with the new phone service.

Little Brook Lane Property Owners Association Request

Mayor Schmidt stated that the Little Brook Lane Property Owner's Association Request will be tabled for an update in Executive Session. Action may be taken, when the public meeting

reconvenes, which could involve authorizing legal expenses outside of the Retainer that the Township has with Gebhardt and Kiefer.

Facebook Policy Update

Mr. Laul provided a preliminary draft of a Facebook (Social Media) Policy and reviewed it with the Township Committee. Attorney Lyons gave input on his concerns with establishing a Facebook page and a policy relative to such. The Committee decided that the Mayor/designee and the Clerk are to handle all posting on the Facebook page at this time. Mr. Laul will be working on a training program for the Clerk and the Editors. Mr. Laul will reach out to the standing committees and commissions to inform them that they should send posting requests to him or the Clerk.

Motion by Mr. McKee seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee authorized the Administrators of the Facebook site to reach out to the Standing Committees to inform them that they can start forwarding information to them for posting on the Facebook site.

Lighting Upgrade/Energy Grant

Mr. Laul stated that a few months ago, a company who is associated with the NJ Direct Install Grant Program, approached the Township. The program deals mostly with electrical devices; primarily lighting and HVAC. Mr. Laul said that, with the Grant, the State puts a value on a fixture and they will pay 70% of the cost to replace the fixture to make it more efficient. The company came out and viewed five of the Township's buildings to provide a proposal. The proposed cost for the work is \$57,528.00, which is for lighting upgrades. The Township's obligation, under the Grant Program, would be \$18,932.00. The company also looked at the HVAC, however; because the Township uses heating oil, as opposed to natural gas, it did not prove to be cost effective in upgrading. Mr. Laul noted that the current HVAC equipment is still good for another 7 years. Mr. Laul said that the contractors who would be doing the work are hired by the State. Mayor Schmidt said that it would take 1.5 (approx.) years to earn back the Township's cost for the upgrades and after that time there will be an annual savings of \$9000 (approx.) in the electric bills.

The next step would be to obtain Certification of Funds from the CFO with the intent that the cost will be budgeted in the Capital Ordinance.

DPW Maintenance Garage Floor Proposal

Mr. Laul said that he met with Fromkin Brothers, Inc. regarding the repair of the drainage issues with the DPW Maintenance Garage floor. The company is not in favor of the idea of the heavy grinding of the floor because it cannot be feathered and will result in steps. They recommended building up the perimeter of the floor and tapering it down to the drains. The drains are the highest part of the floor but the DPW Manager feels that he can chisel around the drain and remove it to see how far it can be lowered.

LTCM

06/06/2018

Page 6 of 9

A 4 ft. by 8 ft. trench drain is something to think about as opposed to the round drain. Mr. McKee stated concerns with the area of the stairs, which Mr. Laul will look into.

The quote for the floor work is \$44,692.00. If the trench drain is included the project will be close to \$50,000.00. The purpose of the project is to protect the walls and equipment and the standing water issue will be resolved. The employees will still have the need to squeegee any fluids.

The matter will be tabled for the Committee to contemplate.

NEW BUSINESS

Impending Retirement – Joan Lucas – Museum and Library Employee

Mr. McKee read a letter from Joan Lucas informing the Committee of her anticipated retirement at the end of December 2018. Mr. McKee said that Ms. Lucas will be greatly missed.

Approve Jr. Police Academy and Accident Insurance Policy Renewal

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the Police Academy event which will be held from July 9, 2018 to July 13, 2018.

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the renewal of the RPS Bollinger Accident Policy for the Jr. Police Academy, at a cost of \$350.00.

PRESENTATION OF VOUCHERS

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

An invoice was received from Point Mountain Mechanical in the amount of \$1332.37. The invoice relates to the repair of broken pipes at the Fire Station No. 3 building. Discussion was held on who should be responsible for the charges; the Fire Department or the Township. The invoice will be paid out of the Township's Buildings and Grounds budget, at this time, but will be reconsidered at the next Committee meeting.

Motion by Mr. McKee, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the June 6, 2018 bill list in amount of \$329,490.45 with the addition of Point Mountain Mechanical in the amount of \$1332.37, to come out of Buildings and Grounds.

CORRESPONDENCE

- a. Hunterdon County Tax Board Administrator Tony Porto –
Municipal-Wide Revaluation Order
- b. Tax Collector's Reports for the Month of April and May 2018
- c. Township Historian's April 12, 2018 Meeting Minutes
- d. Township EOSC April 9, 2018 Meeting Minutes

PUBLIC COMMENTS

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 at 8:18 p.m.

Mr. Ron Milkowski asked about the damage to the Police Explorer and questioned if a report was done and if the damage was preventable.

Mr. Milkowski asked why the cost for the Comcast service is higher for the Police Department and the Department of Public Works than it is for the Municipal Office. Mr. Milkowski also noted that there is no need for an entertainment packet if that is the reason for the additional cost.

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 8:21 p.m.

EXECUTIVE SESSION - Resolution No. 47-2018

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 47-2018 and convened in executive session at 8:21 p.m.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 47-2018

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: **Update on Contract Negotiations**);

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

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;

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 9:13 p.m.

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee authorized Attorney Lyons to undertake work outside of the scope of the Retainer for Contractual Negotiations.

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 9:14 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: June 20, 2018

Mike Schmidt, Mayor