

**Lebanon Township Committee
June 7, 2017**

Minutes of Regular Meeting

CALL TO ORDER

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

Absent-

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 5 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of May 17, 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 May 17, 2017. AYES: Wunder, Koehler, Schmidt, McKee ABSTAIN: Laul

Minutes of the Executive Session Meeting of May 17, 2017

Motion by Mr. McKee, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee approved minutes of the Executive Session of May 17, 2017. AYES: Wunder, Koehler, Schmidt, McKee ABSTAIN: Laul

PUBLIC COMMENTS – for agenda items only.

Motion by Mr. McKee, seconded by Mr. Wunder 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.

Mr. Stan Prater - JCP & L

Mr. Prater informed the Committee that JCP & L is now offering a new LED lighting program. The program was approved by the Board of Public Utilities and it is in JCP & L's tariff. Mr. Prater stated that the LED Program has a few different wattages that can be offered. The Township can save money by replacing the old mercury vapor lights with the LED lights or the high wattage lights. Mr. Prater stated that the LED lights are more efficient so they will not need to be replaced as often. The LED is a different type of light and is more directional. Mr. Prater noted that JCP & L will be replacing lights in groups of 12 or more. Ms. Koehler asked if there is a town that the Committee can visit to see what the lights look like. Mr. Prater said that there is no pilot town at this time but he will inform the Committee once there is one. Mr. Prater informed the Committee that he will be happy to meet with them to provide more details and to review the Township's inventory.

Mayor Laul asked if JCP & L is taking another look at the Ash Trees due to the Emerald Ash Borer being present in the Township. Mr. Prater said that if the Ash trees are within JCP & L's purview for trimming, JCP & L will be removing them. Mr. Prater stated that if the tree is within their trim zone, they will take it down to a certain point. If there are boarder line issues, right outside of the trim zone, JCP & L will work with the Township. Mr. Prater noted that if the DPW identifies problem trees, JCP & L will address them during the next trim cycle, unless there is an imminent danger. Mr. Prater informed the Committee that trim cycles run every four years and the Township's cycle was held last year.

Mr. Laurie Hoffman informed Mr. Prater that trees were removed by the high tension wires on Buffalo Hollow Road and now rocks and dirt keep sliding down and off the hill. Mr. Prater said that he will have Forestry look at it.

PROCLAMATIONS

Eagle Scout Christian Meyer

Motion by Mr. Schmidt, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the below written Proclamations.

**TO CHRISTIAN MEYER
FOR RECEIVING THE EAGLE SCOUT AWARD**

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, Christian Meyer, Boy Scouts of America, Troop 92, attained the designation of “Eagle Scout”; and

WHEREAS, Christian Meyer is to be commended for his Eagle Scout Service Project, which involved the design and creation of an aromatherapy garden at the Hunterdon Medical Center; and

WHEREAS, thanks to Christian’s efforts the patients and the staff, at the Medical Center, will have a place to visit that will offer tranquility and relaxation; and

WHEREAS, Christian Meyer will be honored and receive his award at an Eagle Court of Honor Recognition Ceremony on June 10, 2017; and

WHEREAS, the Lebanon Township Committee wishes to recognize this noteworthy achievement of Christian Meyer.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Lebanon hereby extend their congratulations to Eagle Scout, Christian Meyer for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.

Eagle Scout James Weber

TO JAMES WEBER FOR RECEIVING THE EAGLE SCOUT AWARD

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, James Weber, Boy Scouts of America, Troop 92, attained the designation of “Eagle Scout”; and

WHEREAS, James Weber is to be commended for his Eagle Scout Service Project, which involved the design and construction of 27 raised garden beds for The Good Earth Garden, a community garden, at the St. John Neumann Church; and

WHEREAS, due to James’ efforts, the community will benefit from the garden by learning how to grow their own vegetables and the local food pantries will be supplied with fresh produce during the summer months for their clients; and

WHEREAS, James Weber will be honored and receive his award at an Eagle Court of Honor Recognition Ceremony on June 10, 2017; and

WHEREAS, the Lebanon Township Committee wishes to recognize this noteworthy achievement of James Weber.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Lebanon hereby extend their congratulations to Eagle Scout, James Weber for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.

Relay for Life of Hunterdon County

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the below written Proclamation.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON**

**STATE OF NEW JERSEY
PROCLAMATION
RELAY FOR LIFE OF HUNTERDON
American Cancer Society Relay For Life Proclamation for Hunterdon County**

WHEREAS, the Relay For Life Program is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer; and
WHEREAS, money raised during Relay For Life of Hunterdon County supports the American Cancer Society's mission of saving lives by helping people stay well and get well, by finding cures, and by fighting back; and
WHEREAS, Relay For Life events helped fund more than \$150 million in cancer research last year;
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Lebanon does hereby proclaim June 16th and 17th of 2017 as,

"RELAY FOR LIFE OF HUNTERDON COUNTY DAYS"

in OUR COMMUNITY and encourage citizens to help finish the fight against cancer by participating in the Relay For Life event at the Hunterdon County Fairgrounds on June 16th and 17th of 2017.

ORDINANCE

Introduction

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance 2017-03 on first reading as entitled below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
ORDINANCE NO. 2017-03

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 125, ARTICLE II CONCERNING THE LICENSING OF KENNELS OF THE CODE OF
THE TOWNSHIP OF LEBANON

Public Hearing to be held on June 21, 2017

RESOLUTIONS

Resolution No. 56-2017 – Certification of the 2016 Annual Audit

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 56 -2017 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON

**STATE OF NEW JERSEY
RESOLUTION NO. 56-2017
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 2016 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,

cWHEREAS, 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. 57-2017 – Agreement for Animal Control Services

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 57-2017 as written below. The contract will run from July 1, 2017 through December 31, 2018, subject to the Township Attorney's findings, on the permitted length of the contract, as provided by law.

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 57-2017
RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A
AN AGREEMENT FOR ANIMAL CONTROL SERVICES**

WHEREAS, the Township of Lebanon (the “Township”) requires professional animal control services; and

WHEREAS, Animal Control Solutions, LLC having its principal place of business at 2 Marshall Drive, Flemington, New Jersey 08822, is available to perform the necessary services for the Township and has the expertise and staff to provide these services; and

WHEREAS, the Municipality desires the Contractor to undertake professional services as outlined in the contract attached hereto; and

WHEREAS, said services are professional in nature and **are**, therefore, excluded from the bidding requirements of the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-5); and

WHEREAS, the Mayor and Committee have reviewed the Contract and find that it is in the best interests of the Township to enter into the Contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, New Jersey, that the Mayor and Township Clerk, are hereby authorized to execute on behalf of the Township the Contract with Animal Control Solutions, LLC substantially in the form attached hereto, subject to review by the Township Attorney.

Resolution No. 58-2017 – Shared Services Agreement for Tax Assessor Services

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 58 -2017 as written below.

**TOWNSHIP OF LEBANON
RESOLUTION NO. 58-2017**

**RESOLUTION OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND
STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN INTERLOCAL
SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF LEBANON, COUNTY OF
HUNTERDON, FOR THE PROVISION OF TAX ASSESSOR SERVICES**

WHEREAS, the Township of Lebanon has a need for a Tax Assessor, and

WHEREAS, the Tax Assessor for Readington Township, Laura Whitaker (“Tax Assessor”), is a New Jersey Certified Tax Assessor; and

WHEREAS, Laura Whitaker is available to assist the Township of Lebanon with its tax assessment needs; and

WHEREAS, in enacting the “Uniformed Shared Services and Consolidation Act,” N.J.S.A. 40A:65-1 et seq., the New Jersey Legislature has permitted municipalities to enter into agreements to provide or receive services to/from one another as a means to reduce municipal expenses; and

WHEREAS, accordingly the Township of Readington and the Township of Lebanon desire to enter into this Interlocal Shared Services Agreement (“Agreement”) through which Laura Whitaker shall serve as Tax Assessor for the Township of Readington and the Township of Lebanon.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lebanon, in the County of Hunterdon, and State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute an Interlocal Shared Services Agreement with the Township of Readington for Tax Assessor services; and

BE IT FURTHER RESOLVED that the Interlocal Shared Services Agreement shall take effect upon the adoption of appropriate resolutions by all parties thereto, and execution of agreements are authorized thereunder as set forth in the agreement. This resolution shall take effect immediately.

Resolution No. 59-2017 - Redemption of Tax Sale Certificate

Motion by Mr. Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 59-2017 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 59-2017
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201505 on October 23rd 2015 to BV 001 Trust & Crdtrs and,

WHEREAS the amount of \$25,306.17 has been collected from Investors Bank for CIT Bank, owner of this property, known as Block 39 Lot 2, 9 Gary Lane, Lebanon Township for the redemption of Tax Sale Certificate #201505.

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign a check in the amount of \$25,306.17 for the redemption of this lien and,

BE IT FURTHER RESOLVED that a check in the amount of \$24,100.00 also be prepared and signed for the return of the premium paid for Tax Sale Certificate #201505 and that these checks be mailed to:

BV001 Trust & Crdtrs
50 South 16th Street, Suite 2050
Philadelphia PA 19102-2513

Resolution No. 60-2017 – Award Bid for the Purchase of an Ambulance

Mayor Laul stated that one bid was received from VC Emergency Vehicles, in the amount of \$244,596.00, with the understanding that the ambulance will be complete.

Mr. McKee stated that he is concerned that only one bid was received and questioned if all was done to secure other bids. Mr. McKee wants to be sure that the Committee has a way to compare the cost for a new ambulance.

Mayor Laul stated that he called two municipalities, who just purchased new ambulances, and the cost for one was a little higher and one was a little lower than the bid the Township received. Mr. McKee said that he found that Gloucester County purchased three ambulances for \$401,000. The ambulances were purchased from the same company who provided the Township with a bid.

Mr. McKee questioned that since the Township only received one bid and the Houston-Galveston Coop was not able to provide a bid, is it the type of vehicle that the Township desires, which is the problem? Mr. McKee asked if the vehicle is what the residents need for the Township; is it a transport or a rescue vehicle?

Fire Chief Jim Crampton informed the Committee that he sent the bid package to three different companies but received no response. Chief Crampton said that Houston Galveston had the layout needed but it was on a 550 Chasis which would have been more expensive. Mr. Schmidt noted that things have changed with working with High Bridge for EMS services and he wants to know if the Township is paying premium or not. Chief Crampton stated that the bid is not premium. Mr. Schmidt questioned what the cost is for a standard ambulance and if the cost is quality for the additions.

Chief Crampton is to obtain coop prices for the closest comparable ambulance.

Tabled to next meeting.

Resolution No. 61-2017 - Renewal of Plenary Retail Consumption License – ATK Inc.

*Motion by Mr. Schmidt, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee approved Resolution No. 61-2017 as written below. AYES: Koehler, Laul, Schmidt, McKee
ABSTAIN: Wunder*

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 61-2017
RESOLUTION RENEWING PLENARY
RETAIL CONSUMPTION LICENSES

WHEREAS, the below listed Plenary Retail Consumption Licensee has submitted an application to the State of New Jersey Division of ABC; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, said Licensee has paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed Licensee is hereby granted a renewal for the 2017-2018 year:

1019-33-001-002 A T K Inc. t/a Tony's Restaurant & Pub, Califon, NJ

Resolution No. 62-2017 – Renewal of Plenary Retail Consumption License – RADGNA LLC

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 62-2017 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 62-2017
RESOLUTION RENEWING PLENARY

RETAIL CONSUMPTION LICENSES

WHEREAS, each of the listed Plenary Retail Consumption Licensees have submitted application forms that have been completed in all respects; and

WHEREAS, the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, each have paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed Licenses be granted a renewal for the 2016-2017 year:

1019-33-003-004 RADGNA, L.L.C. T/A DelliTurrus Tuscany Grill 2012 Route 31

OLD BUSINESS

Lebanon Township Museum Lavatory Facility Addition

Mayor Laul stated that the bid for the Lebanon Township Museum Lavatory Facility Addition came in largely over the estimated cost. Mr. Schmidt spoke to the architect who designed the addition and he also agreed that the bid was high. The total price is outside of the amount that the Committee budgeted for the project also.

Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee rejected the bid submitted by Brunswick Builders based on the fact that the bid came in substantially higher than the amount anticipated by the architect.

The Committee discussed increasing the amount in the Capital Ordinance by \$65000. to cover the additional cost for the addition and the septic system. Mr. Schmidt will speak with the CFO about including the Lavatory Addition into the Capital ordinance. Ms. Koehler questioned if the Committee is really willing to spend \$140,000. for a bathroom addition.

Mr. Wunder suggested obtaining information on the usage of the museum.

Attorney Cushing said that the Township should designate someone to talk to the bidders that did not bid to see if they will share why they chose not to.

DPW Manager Request to Proceed With Capital Projects

The DPW Manager sent a letter to the Township Committee requesting to proceed with Capital Projects that were discussed during the budget process.

Mr. Schmidt stated that he checked with the DPW Manager and he needs information from the Township Engineer to see if the Township needs to contribute matching funds or money upfront, for

reimbursement later, for the Hickory Run Road Guardrail grant. If there is a requirement for funds, they can be included in the Capital ordinance.

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the DPW Manager's request to proceed with Capital Projects, as outlined in his May 22, 2017 correspondence, and authorized the CFO to have the ordinance prepared. The ordinance is to include any funds needed for the Guardrail grant if necessary.

Lebanon Township Vol. Fire Department Lease Agreement – Station 3

Motion by Mr. Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the Lebanon Township Vol. Fire Department Lease Agreement – Station 3 and the Lebanon Township Vol. Fire Department Hall Rental Agreement – Station 3, including conditions.

Amended Application for a Raffle License – NJ Center for Tourette Syndrome

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved the amended application for the NJ Center for Tourette Syndrome. The event was canceled; therefore, the drawing will not take place.

Open Space Funding Approval

Mr. Schmidt stated that the County Freeholders approved the Township's application for Open Space Funds, in the amount of \$750,000., for the purchase of the Tettertown to Pt. Mountain link. The Freeholders also approved \$250,000., in a non-profit grant, to the New Jersey Conservation Foundation (NJCF) for the acquisition. Mr. Schmidt stated that with the \$1,000,000. in funding, the NJCF is executing an option agreement on purchasing the property. The Township is being given 18 months to come up with Green Acres money which has been applied for along with other grants that NJCF has applied for. Mr. Schmidt thanked the Freeholders for their support.

Food Pantry

Mr. Wunder stated that the Food Pantry shopping carts have been delivered.

Prescription Drop Box

Mayor Laul stated that the Prescription Drop Box has been received by the Police Department.

NEW BUSINESS

LTVFD - Emergency Services for Hazardous Abatement Incidents

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Mayor Laul stated that last year the Township Committee adopted a Hazardous Abatement ordinance which enables the Fire Department to recapture the cost and expenses association with hazardous

incidents. The Committee now needs to approve the third party billing company for the hazardous abatement for the Fire Department. There is no charge for the billing as the company will collect 20% on the money that is collected.

Motion by Mr. Schmidt, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee authorized the Fire Department to enter into an agreement with Fire Abatement USA, LLC for third party Hazardous Abatement billing.

DPW Manager Correspondence – Equipment Rental

Motion by Ms. Koehler, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved the DPW Manager's request to rent a small paver, a crack sealing machine and trailer, as stated in his June 2, 2017 correspondence.

LTEOSC – Maintenance and Management Agreement for Properties Owned with NJWSA

Mayor Laul stated that the LTEOSC has been working with the New Jersey Water Supply Authority (NJWSA) on establishing a new Maintenance and Management Agreement for properties in the Township that are owned jointly by the Township and the NJWSA.

Motion by Mr. Schmidt, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee authorized the Township Attorney to review the amended Maintenance and Management Agreement as submitted by the LTEOSC.

Washington Borough Correspondence – Request to Purchase Concrete Bin Blocks

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the request of the Washington Borough to purchase 50 bin blocks, from the Township, in the amount of \$350.00. The Township DPW is authorized to assist in loading the block onto the Borough's trailers.

Request for Support for the Creation of a County Daytime Fire Department

Mayor Laul stated that he had attended a County Fire Chief's Association meeting and they are looking for support in the creation of a paid county daytime fire department. Ms. Koehler noted that she had also attended an Association meeting, last week, to hear about the proposal. Mayor Laul noted that most of the County's fire departments are staffed with volunteers and it is difficult to cover the daytime hours. The Association is looking to staff 3 departments, with paid crews, to cover the County during daytime hours and to help take the burden off of the volunteers. Mayor Laul stated that the cost for the service would be covered through County taxes. Ms. Koehler stated that the cost would be \$21.99 per \$300,000. of assessed value.

Mr. Rob Walton, member of the Hunterdon County Fire Chief's Association, was present to answer any questions that the Committee had.

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved resolution 63-2017 as written below.

**STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON
RESOLUTION NO. 63-2017
RESOLUTION SUPPORTING THE CREATION OF A COUNTY DAYTIME FIRE
DEPARTMENT TO SUPPORT OUR VOLUNTEER FIRE COMPANIES**

WHEREAS, Hunterdon County has 28 volunteer fire companies answering 3,500 calls for service each year; and

WHEREAS, the changes in where people work, increases in the training requirements, a decline in volunteerism have all contributed to a reduction in available volunteer firefighters; and

WHEREAS, these changes are especially acute during daytime responses, specifically from 06:00 until 18:00 weekdays; and

WHEREAS, in the face of these challenges Hunterdon's fire companies are doing an amazing job of protecting her citizens; and

WHEREAS, when one fire company is struggling its neighbors always rise to the occasion to assist thus placing further strain on those companies doing well with personnel response; and

WHEREAS, public safety and specifically providing fire protection to its citizens is among the primary responsibilities of local government; and

WHEREAS, in Hunterdon County the fire service has long been a combination of volunteer companies, Municipal Government support and County Government coordination; and

WHEREAS, Hunterdon's 28 fire companies, through mutual aid agreements, multiple task forces, the Office of Fire Coordinator, Hunterdon County Fire Chiefs Association and Hunterdon's Division of Communications & Office of Emergency Management, operate similarly to one fire company with 28 stations; and

WHEREAS, in response to these challenges and cognizant of these long standing practices the Hunterdon County Fire Chiefs Association has crafted a plan to address the problem of daytime fire response; and

WHEREAS, that plan calls for the creation of a County Daytime Fire Department staffed with paid employees in three regions strategically placed across the county to ensure timely response; and

WHEREAS, this Department will serve as a supplement to our local first due fire companies to ensure on every call there is a fully staffed engine;

NOW, THEREFORE BE IT RESOLVED the Township of Lebanon fully supports our volunteers on our fire company and the mutual aid companies that routinely answer calls in our municipality;

AND BE IT FURTHER RESOLVED that the Township of Lebanon endorses and supports this plan to create a County Daytime Fire Department to ensure the continued protection of our citizens and their property;

AND BE IT FURTHER RESOLVED that the Township of Lebanon encourages our 25 neighboring Hunterdon municipalities to endorse this plan and the Board of Chosen Freeholders to implement same,

AND BE IT FINALLY RESOLVED that a copy of this resolution be sent to all Hunterdon municipalities, the Board of Chosen Freeholders, our fire companies and the Hunterdon County Fire Chiefs Association.

LT Historian's Request – Historical Documents

Mayor Laul stated that the Historians are requesting historical documents, which the Assessor has, prior to them being destroyed.

Mr. Schmidt noted that the Assessor provided him with documents, from the past, which he will be presenting to the Historians at their next meeting.

Ms. Hoffman stated that since the Assessor is retiring the Historians just want to be sure that any documents with historical value are not disposed of mistakenly. The Clerk noted that she is the custodian of the public records and all documents must have State and/or auditor approval prior to being disposed of. There is a process that needs to be followed with respect to public records.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Koehler, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved the June 7, 2017 bill list, in amount of \$109,732.04.

CORRESPONDENCE

- a. Tax Collector's Report for the Month of May 2017
- b. Lebanon Township EOSC – April 24, 2017 Meeting Minutes
- c. Township Historian's April 13, 2017 Meeting Minutes
- d. NJDOT – Notice of Funding from the 2017 Municipal Aid Program –
Hickory Run Road Guide Rail Replacement
- e. Replacement of Bridge L-6 on County Route 513

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 8:50 p.m.

Ms. Lauri Hoffman asked if the letter was ever sent to Verizon as discussed at the May 21, 2017 meeting. Attorney Cushing stated that the letter was sent but Verizon still has concerns. Ms. Hoffman asked if there has been any movement on the Social Media Policy. Mayor Laul stated that he has not heard anything from Mr. Duckworth. Ms. Hoffman stated that Storytime will be held on Sunday, June

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25th from 3-5 p.m. in the Park. The Historians and the Recreation will also be sponsoring a historic scavenger hunt.

Mr. Ron Milkowski asked if the prospective Township sign will be a permanently mounted. Mayor Laul stated that it will be permanent and it will replace the sign in front of the municipal office. Mr. Milkowski asked for clarification on the proposed cost of the museum lavatory addition. Mr. Milkowski asked the Committee to evaluate the need of the restroom as opposed to the ambulance that is being requested by the Fire Department. Mr. Milkowski said that the Committee needs to consider the terrane in Lebanon Township and the need for a heavy ambulance to travel the roadways.

Motion by Mr. Wunder, seconded by Ms. Schmidt and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:54 p.m.

EXECUTIVE SESSION

Resolution No. 64 -2017 –Executive Session

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 64-2017 and convened in executive session at 8:55 p.m.

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

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 64-2017
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 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: **Verizon Wireless**

_____ 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: **Fire Official Position** 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 10:05 p.m.

Mayor Laul stated that the Committee discussed the applicants for the Fire Official position and determined that Gary Apgar would be the best candidate.

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee appointed Gary Apgar as Fire Official for the Township at the current rate of \$25.19 per hour. Term to expire on 12/31/2017. Gary's duties are to commence at his earliest convenience.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Ms. Koehler, seconded by Mr. McKee, and carried by unanimous favorable roll call vote, to adjourn the meeting at 10:07 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: June 21, 2017

Marc Laul, Mayor