

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, the 34 police officers killed so far this year and the firefighters who have died in the California wildfires this week.

ROLL CALL

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

Absent-

Also Present - Attorney Matt Lyons, Clerk Karen Sandorse and 9 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular and Executive Session Meetings of July 18, 2018

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular and Executive Session meetings of July 18, 2018.

PRESENTATION

P.B.A. LOCAL 386 – Police Officer Ron Unkert

Lebanon Township Police Officer Ron Unkert provided a presentation on behalf of P.B.A. Local 386 concerning mass casualty incidents. Officer Unkert stated that it is up to the nation’s leaders to address the ways to deal with such incidents; however, the Local 386 wanted a way to help. After much research, it was found that during a mass casualty incident, there is a need for supplies. The Local 386 located trauma kits and purchased them through the P.B.A.’s annual fund drive. The kits were donated to each of the local schools and the high school and one kit will be placed on each floor of the schools for quick access.

There are also volunteers who will be working with the schools to provide mass casualty training to the staff.

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. 56-2018 - Bond Anticipation Note

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 56 -2018, as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 56-2018

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LEBANON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, DESIGNATING A \$3,024,231 BOND ANTICIPATION NOTE, DATED JULY 26, 2018 AND PAYABLE JULY 26, 2019, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Township of Lebanon, in the County of Hunterdon, New Jersey (the "Township"), intends to issue a \$3,024,231 Bond Anticipation Note, dated July 26, 2018 and payable July 26, 2019 (the "Note"); and

WHEREAS, the Township desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code");

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, New Jersey, as follows:

SECTION 1. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Township and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2018.

SECTION 3. It is further determined and stated that the Township has, as of the date hereof, issued the following tax-exempt obligations (other than the Note) during the calendar year 2018, viz:

<u>Amount</u>	<u>Dated – Due</u>
\$3,822,576 BANs	1/26/18 - 7/26/18

SECTION 4. The Township will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Township does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 5. The issuing officers of the Township are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2018 dated as of the date of delivery of the Note.

SECTION 6. This resolution shall take effect immediately upon its adoption.
The foregoing resolution was adopted by the following roll call vote:

Resolution No. 57-2018 – Redemption of Tax Sale Certificate

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 57-2018, as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 57-2018
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201101 on October 26th 2011 to Lebanon Township and,

WHEREAS the amount of \$52,457.43 has been collected from Rebryn Realty LLC, the owner of this property, known as Block 7 Lot 6, 2035 Route 31, Lebanon Township for the redemption of Tax Sale Certificate #201101,

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 \$52,457.43 to Lebanon Township for this redemption.

Resolution No. 58-2018 – Treatment Works Approval Application

Motion by Mr. Laul, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee approved Resolution No. 58-2018, as written below, AYES: McKee, Koehler, Laul, Schmidt ABSTAIN: Wunder

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON

STATE OF NEW JERSEY
RESOLUTION NO. 58-2018
RESOLUTION IN SUPPORT OF TWA APPLICATION

WHEREAS, Michael P & G, LLC, (“Property Owner”) owns a property in Lebanon Township known as Block 12, Lot 14;

WHEREAS, certain health concerns exist with respect to septic conditions on the property; and

WHEREAS, the Property Owner has requested that the Township express its support by authorizing a Statement of Consent that authorizes certain improvements to the septic system in order to cure the health concerns on the property as more particularly described by the Property Owner’s engineer on August 5, 2015 at the Lebanon Township’s Board of Health meeting, and

WHEREAS, the Township supports efforts of the Property Owner to improve the septic system.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Lebanon, County of Hunterdon, hereby authorizes the Mayor and Clerk to execute the Statement of Consent for a Treatment Works Approval Application submitted by Michael P & G, LLC, to the Department of Environmental Protection, Permit NJG0203181

OLD BUSINESS

SLEO Class III NHVS Shared Services Agreement

Tabled

DPW Mechanics Bay Floor Repair

Mayor Schmidt stated that earlier this year, the Township pursued bids twice for the recontouring of the DPW Mechanics bay floor. In both instances there were no acceptable bids received. Due to the attempts made, the Township was able to negotiate with vendors directly to obtain a similar proposal. A proposal was received from Fromkin Bros., in the amount of \$44,692, and was thought to be able to solve the drainage defect. However, no action was taken because the Committee wanted to be sure that this would be the best direction to go as it has been a long-standing issue. The DPW Manager has since gone back to a concrete contractor to discuss the possibility of cutting and removing two 14’x36’ portions from each side of the floor and filling with concrete at the right profile. Attorney Lyons advised Mayor Schmidt that this method will require a new bidding process because he believes this to be a different procedure from the recontouring. Mr. Gabriel informed the Committee that in speaking with the Contractor they decided that it would be best to cut out two sections of the floor, leaving a 5’ section in the center, which will enable the two sections to be cut out and filled at the same time. Currently, they are waiting for the structural engineer to give his approval on the plan.

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee authorized a bid package to be prepared for the cutting of two sections of the Mechanics Bay floor to correct the drainage issue.

Municipal Building Door – Design Alterations

The main double doors of the municipal building need to be replaced. Mayor Schmidt asked the Committee for direction on whether to replace the doors with two doors with side lights or with one door with wider side lights. There will be a window above the either doorway. The Committee discussed the options and decided that a single wood door, with wider side lights, would be best for handicapped accessibility. The Committee would like to obtain a quote. The DPW Manager will look into state contract vendor pricing.

Statute Clarification - Resolution No. 54-2018 – Tax Grace Period

At the July 18, 2018 meeting, Ms. Koehler raised a question on the statute cited in Resolution No. 54-2018. Ms. Koehler spoke with the Tax Collector and stated that the resolution is adequate, for this year, but the laws are changing, so if necessary it will be revisited next June.

Municipal Building Security

Held to Executive Session

NEW BUSINESS

LTVFD-EMS Update

Chief James Crampton informed the Committee that the Fire Department took delivery of the new ambulance the end of July. It is not in service currently because they are waiting on the delivery of equipment. One of the existing stretchers needed to be retrofitted to fit into the newly required stretcher mount. Once completed, the ambulance should be on the road in a week or two for running calls. The FD-EMS is completing the state certification requirements. They need to get the new truck in service and the older, red ambulance up to par. The hope of the Fire Department is to have this done by mid to late fall, so they can begin billing for transports. The FD-EMS is still using the white ambulance, 19-53, and once state certified it will be used as a reserve ambulance. Chief Crampton said that once they obtain state certification the newer ambulances will need to be staffed by two EMT's as opposed to a driver and an EMT. 19-53 will be used at times when they do not have two EMT's to answer a call and a driver and one EMT can respond. Chief Crampton noted that they will only need to hold onto 19-53 until mid-2019, at which time they will return the ambulance to the Township.

Chief Crampton informed the Committee that they are still working with High Bridge for daytime coverage. High Bridge changed their staffing provider in February as they were having issues with the prior service. They are now using Clinton Rescue personal with a similar contract that they had with the prior agency. Due to manpower shortages within the Fire Department, High Bridge Rescue is covering High Bridge and Lebanon Township with the 27 truck, 6:00 am to 6:00 pm on Saturday and Sundays.

Mr. Wunder asked what the purpose is for the state certified ambulance. Chief Crampton said that it is to get things in order to eventually bill for service. Mayor Schmidt asked if any other agency is using the Township's vehicles. Chief Crampton stated that no other agency is using the vehicles. Ms. Koehler asked what it would cost to cover the existing annual calls, 24/7. Chief Crampton did not have the information available but stated that the volunteer EMS average between 350 and 400 transport calls per year for nights and weekends. For the 27 truck, 6:00 am to 6:00 pm, 7 days a week, there are 127 additional calls, where 90-100 were billable. When the LTFD-EMS begins billing it will be soft billing, where they will take the insurance companies payment and will send a notice that there is a balance due but will not pester for it. Chief Crampton believes that being state certified will increase the EMS's ability to provide a higher level of care for the Township.

Squier's Point Historians of Lebanon Township, Inc. – Museum Addition

Mayor Schmidt recused himself from the discussion due to Sharon Hardy being a member of Squier's Point.

Squier's Point Historian members, Laurie Hoffman, Sharon Hardy, Nina Savoia and Victor Hoffman present.

Ms. Laurie Hoffman said that Squier's Point is a non-profit 501-3c group which was established in 1979. The past group had interests in the old farmhouse at Voorhees High School, the Swackhammer Church and turning the old school into the museum. The present group has gone through the process of becoming a full 501-3c organization and is able to accept donations. Ms. Hoffman stated that they have a few donors who are willing to donate enough to cover the cost of the Museum's bathroom addition. Architect Chris Nash has agreed to donate the design of the addition, previously approved by the Township Committee, to Squier's Point. The group now needs Committee approval to move forward and noted that they are willing to obtain insurance and enter into a Memorandum of Understanding with the Township. Ms. Hoffman said that once the addition is complete, Squier's Point will be turning it over to the Township. The money received will be placed into a bank account and the funds will be used only for that specific project. The Township will be responsible for the cost of the septic system.

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee supports Squier's Point's efforts to construct the bathroom addition at the museum, which will be built in accordance with Architect Chris Nash's plans that were previously approved by the Township Committee.

DPW New Hire Advertising

A DPW employee recently resigned and the DPW Manager is requesting to seek applications for his replacement. Mr. Gabriel informed the Committee that he would like the employment ad to include a preference for a Fire Fighter 1 Certification for the position.

LTCM
08/01/2018

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee authorized the advertisement for a new DPW Employee with a preference for Fire Fighter 1 Certification.

Police Chief's Request to Lease/Purchase a 2019 Police Interceptor SUV

Motion by Ms. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Police Chief's request to lease purchase a 2019 Police Interceptor SUV from Beyer Ford, in the amount of \$39,708.35, under Cranford Contract #47-CPCPS.

Sgt. Erik Rautenberg – Request to Land Helicopter in Park – 09/09/2018

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the request of Sgt. Erik Rautenberg to land a Black Hawk Helicopter in the park for a Veterans' Event to be held on 09/09/2018 and authorized the Mayor to sign the required paperwork.

Raritan Headwaters Association Request – 28th Watershed-wide Annual Stream Cleanup

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee authorized the donation of \$300 to Raritan Headwaters for the 28th Watershed-wide Annual Cleanup.

Social Affair Permit – Friends of Memorial Park – Event Date – 09/29/2018

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved a Social Affair Permit application for the Friends of Memorial Park for an event to be held on 09/29/2018, subject to police background check approval.

Raffle Application – Friends of Memorial Park - 09/29/2018

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved a Raffle License Application for the Friends of Memorial Park, for an event to be held on 09/29/2018.

PRESENTATION OF VOUCHERS

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

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the August 1, 2018 bill list in amount of \$159,205.84.

CORRESPONDENCE

- a. NJ DEP – Green Acres Inspection of Open Space Funded Projects asked marc to review and bring back action suggestions.
- b. NJ Department of Community Affairs – Local Finance Board Determination– Wunder - Milkowski Complaints
(The Committee received a letter from Mr. Wunder summarizing the history of complaints and asking for action by the Committee.)
- c. Recreation Commission June 18, 2018 Meeting Minutes

PUBLIC COMMENTS

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 8:07 p.m.

There were no comments from the public.

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:07 p.m.

EXECUTIVE SESSION - Resolution No. 59-2018

Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 59-2018 and convened into executive session at 8:08 p.m.

Potential action may be taken.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 59-2018
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:); **CWA Local 1040**

_____ 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; **Municipal Office Building Security**

_____ 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: **DellaPia, Hyland, Gabriel, Sandorse Salaries and Library Staff** 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.

LTCM
08/01/2018

Public Meeting reconvened at 8:58p.m.

Motion by Ms. Koehler, seconded by Mr. Wunder and carried by favorable roll call vote, the Township Committee approved the SDG proposal for the installation of the security system in the Municipal Office.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Laul seconded by Mr. Wunder and carried by unanimous favorable roll call vote to adjourn the meeting at 9:01 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: August 15, 2018

Mike Schmidt, Mayor