

**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, CFO Greg DellaPia, Clerk Karen Sandorse and 17 members of the public.

**PRESENTATION OF MINUTES**

**Minutes of the Regular and Executive Session Meetings of October 17, 2018**

*Motion by Mr. Laul, seconded by Mr. McKee and carried by favorable roll call vote, the Township Committee approved minutes of the Regular and Executive Session meetings of October 17, 2018. AYES: McKee, Koehler, Laul, Schmidt ABSTAIN: Wunder*

**PUBLIC COMMENTS – for agenda items only.**

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

There were no comments from the public.

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

## **PRESENTATION**

### **Assemblyman Erik Peterson - Energy Tax Receipts Property Tax Relief Act**

Assemblyman Erik Peterson was present to inform the Committee and the residents of the Energy Tax Receipts Property Tax Relief Act and to seek the Township's support for Assembly Concurrent Resolution No. 176.

## **ORDINANCES**

### **Public Hearing**

#### **Ordinance No. 2018-10 - Historian Committee**

The Committee discussed proposed amendments to the ordinance which were submitted by Committeewoman Koehler.

Amendments were made to Section 5 under Powers.

*Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Committee accepted the changes discussed under Section 5.*

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2018-10, as amended, was opened.*

Mr. Victor Hoffman, Historian's Chairman, stated his concerns with Museum Trust Funds, Section A. Mr. Hoffman also noted his issue with Museum Trust Funds, Section C.

Ms. Laurie Hoffman had questions on the proposed amendments to Section 5, under Powers.

*Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2018-10 was closed.*

The Committee discussed the comments received from the public.

Mr. Wunder left the meeting. 8:29 p.m.

Mr. Wunder returned to the meeting 8:31p.m.

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, Section C is amended to read: Donations made to private groups, institutions, and individuals within the Township of Lebanon in accordance with the purposes of this ordinance, an example of such a private group would be the Squiers Point Historians of Lebanon Township, Inc.*

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2018-10 was opened for the content of the amendment that was made, only.*

There were no comments from the public.

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the public hearing was closed.*

*Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2018-10 as amended and written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO. 2018-10  
AN ORDINANCE ADDING CHAPTER 83 TO THE CODE OF THE TOWNSHIP OF  
LEBANON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY,  
SPECIFICALLY ENTITLED "HISTORIAN COMMITTEE"

BE IT ORDAINED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, that Chapter 83, entitled "Historian Committee" shall be added as follows:

Chapter 83, Section 1, entitled "Committee established; purpose," shall be added to read in full as follows:

Committee established; purpose.

- A. A Historian Committee for the Township of Lebanon is hereby established. It is recognized that a Historian Committee has existed for many years, but now is being formalized by Ordinance and shall forthwith be named the "Lebanon Township Historian Committee," hereinafter called the "Historian Committee."
- B. The purpose of the Historian Committee is to preserve the knowledge and artifacts of history pertinent to Township residents, as well as to conduct activities to educate the public on such history in order to improve the quality of life for all involved.

Chapter 83, Section 2, entitled "Composition; terms," shall be added to read in full as follows:

Composition; terms.

- A. The Historian Committee shall consist of nine members, designated as Historians. Such members shall be Township residents and be appointed by the Mayor and approved by the Township of Lebanon Committee for terms of one year with no limit on re-appointment to additional terms. Terms shall commence on January 1<sup>st</sup> and end on December 31<sup>st</sup>, or until a successor is appointed and qualified.
- B. In addition to resignation or death of an appointee or an appointee's moving his or her residence to outside of the Township, any appointee who shall fail to attend three successively called meetings of the Historian Committee without just cause shall be deemed to have vacated after review of the situation and discretion of the Historian Committee.
- C. Removal of any appointee shall be for cause, only on written request from the Historian Committee, and after a hearing before the Mayor and Township Committee.
- D. In the event of any vacancies on the Historian Committee, the Mayor may, with the approval of the Township Committee, fill such vacancies for the unexpired portion of the term only.

Chapter 83, Section 3, entitled "Compensation," shall be added to read in full as follows:

Compensation.

Members of the Historian Committee shall serve without compensation.

Chapter 83, Section 4, entitled "Meetings; officers; rules; quorum," shall be added to read in full as follows:

Meetings; officers; rules; quorum.

- A. Meetings of the Historian Committee shall be open to the public, held monthly on such dates as determined by the Historian Committee at its annual reorganization meeting and as notified to the public.
- B. Following the Township annual reorganization meeting, the Historian Committee will hold a reorganization meeting when it shall elect a Chairman, Vice Chairman and Secretary from its members for one-year terms.
- C. The Historian Committee shall have the power to establish its own bylaws with such bylaws to be approved by the Township Committee.
- D. A majority of the Historian Committee shall constitute a quorum. Passage of any motion requires an affirmative vote by a majority of the members present.

Chapter 83, Section 5, entitled "Powers," shall be added to read in full as follows:

Powers.

The Township of Lebanon may employ a Museum Curator and Assistant Curator or other staff to perform duties related to historical activities, and the powers and duties of the Historian Committee shall not supersede the powers and duties of any Township employee. The Historian Committee shall work with such Township employees in their respective, assigned duties and coordinate their activities so as not to duplicate or conflict. Any unresolved matters shall be referred to the Township Committee for resolution. Pursuant to the bylaws set by the Historian Committee, the Historian Committee shall manage the Lebanon Township Museum in collaboration with the Museum Curator. The Historian Committee shall be responsible for providing guidance and direction concerning the following matters:

- A. Encourage the protection and preservation of historical landmarks and points of interest within the Township of Lebanon, and to advise the Township Committee on matters affecting the historical landmarks and points of interest.
- B. Encourage maintenance of an updated inventory or index of all historical documents, records, or relics held by the Township, especially those held at the Township Museum, as well as landmarks and points of interest within the Township of Lebanon.
- C. Encourage the acquisition and preservation of documents, records and relics of the Township of Lebanon, and whatever other documents or things that may relate to the history of the State of New Jersey and the United States of America. The Historian Committee will establish policy for accepting donations of historical artifacts for the Museum collection, but donations of real estate or items with estimated value in excess of \$2,000 will require Township Committee approval with the recommendation of the Historian Committee.
- D. Public education of history related to the Township of Lebanon including making all information and acquisitions of the Historian Committee available to the public. The Historian Committee may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purposes.
- E. Seek to coordinate, assist and unify the efforts of private groups, institutions, and individuals within the Township of Lebanon in accordance with the purposes of this Ordinance. An example of such a private group would be the Squier's Point Historians

of Lebanon Township, Inc., which is a non-profit entity, independent from the Township of Lebanon, but which may have overlapping membership with the Historian Committee.

- F. Maintain liaison and communication with public and private agencies and organizations of local, county, state and national scope whose programs and activities have an impact on the protection and preservation of the history and historical points of interest of the Township of Lebanon, or who can be of assistance to the purpose of the Historian Committee. Such activities include pursuing grants or other funding from such agencies or organizations, subject to approval of the Township Committee prior to any grant application.
- G. Recommendations for the annual budget for the Township Museum and the activities of the Historian Committee.
- H. Carry out other such duties as may be assigned from time-to-time by the Township Committee.

Chapter 83, Section 6, entitled "Museum Trust Fund," shall be added to read in full as follows  
Museum Trust Fund.

- A. The Township of Lebanon occasionally receives cash donations or bequests designated for the Township Museum or Historians, and all such monies received shall be kept in a special fund created by the Township's Chief Financial Officer ("CFO"), designated as the "Reserve for Museum Donations Trust Fund." This fund shall be used for purposes related to the operation, improvement or maintenance of the Museum or Museum property, including the acquisition or restoration of historical artifacts, or for materials and activities that will educate residents about history. It may also be used for the operation, maintenance, or acquisition of other real estate of a historic nature in the Township of Lebanon. Expenditures from this fund will be proposed by the Historian Committee subject to majority approval and approved by the Township Committee. Any balance in the fund at year's end will be carried over into the fund for the next calendar year.
- B. Funds in this account may not be used for any other Township expenses without the consent of a majority of the Historian Committee.
- C. Donations made to private groups, institutions, and individuals within the Township of Lebanon in accordance with the purposes of this ordinance, an example of such a private group would be the Squiers Point Historians of Lebanon Township, Inc., and designated for a specific historical use or monies received from fund raising events of the Squiers Point Historians of Lebanon Township, Inc., will not be put into the Reserve for Museum Donations Trust Fund.
- D. The Township's CFO will provide the Historian Committee, upon request, with a quarterly accounting of the Reserve for Museum Trust Fund and monthly income and expense statements of the fund.

Chapter 83, Section 7, entitled "Scheduling use of the Township Museum," shall be added to read in full as follows:

Scheduling use of the Township Museum.

The Museum Curator or another designated municipal employee shall be empowered by the Township Committee to schedule use of the Museum facilities, subject to informing the Township Committee of all usage, but the hours set for the Museum to be open to the public will be set by the Township Committee. It is understood that events by community organizations that add to the quality of life for residents will not be charged a rental fee for use of the Museum, but a fee for use may be imposed for private use at the recommendation of the Historian Committee and with approval of the Township Committee. The Curator or

designated employee will provide the Historian Committee with a monthly usage report for the Museum and calendar of events in paper or electronic format. Any monies received for the use of the Museum will first be credited to the Township general funds to offset the costs of operating the Museum, with any additional monies provided to the Township CFO for deposit into the Reserve for Museum Trust Fund.

Chapter 83, Section 8, entitled "Records, annual report," shall be added to read in full as follows:  
Records, annual report.

The Historian Committee shall keep records of its meetings and activities and shall make an annual report to the Township Committee comprised of the records.

Chapter 83, Section 9, entitled "Dissolution," shall be added to read in full as follows:

Dissolution.

The Historian Committee may be dissolved at any time by a majority vote of the Township Committee

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

## **Public Hearing**

### **Ordinance No. 2018-11 – Amending Chapter 72 – Personnel Policies**

*Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2018-11 was opened.*

There were no comments from the public

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2018-11 was closed.*

*Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2018-11 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO. 2018-11  
AN ORDINANCE AMENDING CHAPER 72, SECTION 72-6(B) OF THE CODE OF THE  
TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON,  
STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that Chapter 72, "Personnel Policies," Section 72-6B, Part-time Employees, shall be updated and amended to incorporate a new sick leave policy, recently passed by the State of New Jersey, effective October 29, 2018, which provides for mandatory sick leave for full and part-time employees in the State of New Jersey, as set forth in N.J.S.A. 34:11D-1.

WHEREAS, the Township of Lebanon is desirous to update its Municipal Code pertaining to Personnel Policies to conform with the laws of the State of New Jersey.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the

Township of Lebanon, in the County of Hunterdon, that the Municipal Code of the Township of Lebanon pertaining to Personnel Policies, Section 72-6B, is hereby amended in the form attached hereto as Exhibit A, in order to incorporate N.J.S.A. 34:11D-1; and

BE IT FURTHER ORDAINED that this amendment shall be effective upon the date of adoption.

**Resolution No. 74-2018 - Urging the State Legislature and Governor to Pass ACR-176**

*Motion by Mayor Schmidt, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 74-2018 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 74-2018

RESOLUTION URGING FULL FUNDING OF ENERGY TAX RECEIPTS PROPERTY TAX  
RELIEF ACT THROUGH PASSAGE OF ACR-176

WHEREAS, Assembly Concurrent Resolution No. 176 (ACR-176) amends the New Jersey Constitution to require the Energy Tax Receipts Property Tax Relief Act aid and Consolidated Municipal Property Tax Relief Aid programs be fully funded each year, with dedicated amounts distributed to municipalities; and

WHEREAS, taxes on electric and gas utilities were originally collected by the host municipalities until the State made itself the collection agent for these taxes, at which time it promised to return the proceeds to municipalities for property tax relief; and

WHEREAS, just as municipalities collect property taxes for the benefit of school districts and counties, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for many municipalities, including the Township of Lebanon, the local utility properties represented one of the largest sources of local property tax revenues before the State took over as the collection agent for Energy Taxes; and

WHEREAS, the Energy Tax Receipts Property Tax Relief Act is established by statute such that diversion of its funding to other State spending can be implemented by budgetary action that would divert funds from the municipalities for which the taxes were to be collected; and

WHEREAS, any reduction in the Energy Tax Receipts Property Tax Relief Act funding would impose a significant and unfair burden on the property tax payers in the impacted municipalities;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Township of Lebanon urges the State Legislature and Governor to pass ACR-176 to amend the New Jersey Constitution to require Energy Tax Receipts Property Tax Relief Act aid and Consolidated Municipal Property Tax Relief Aid programs be fully funded each year, with dedicated amounts distributed to municipalities; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to the primary sponsor of ACR-176, Assemblyman Ryan E. Peters, as well as Governor Phil Murphy, Senator Michael J. Doherty, Assemblyman Erik Peterson, Co-Sponsor Assemblyman John DiMaio, Hunterdon County Freeholder Director Matt Holt, and the New Jersey League of Municipalities.

**Resolution No. 75-2018 – Authorizing the Services of a Qualified Purchasing Agent**

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 75-2018 as written below.*

TOWNSHIP OF LEBANON  
HUNTERDON COUNTY, NEW JERSEY  
RESOLUTION NO. 75- 2018  
RESOLUTION OF THE TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON, STATE OF  
NEW JERSEY, AUTHORIZING THE SERVICES OF A  
QUALIFIED PURCHASING AGENT

WHEREAS, the New Jersey Uniform Shared Services and Consolidated Act (N.J.S.A. 40A:65-1, et seq.) authorizes shared services between municipalities; and

WHEREAS, Lebanon has a need for the services of a Qualified Purchasing Agent; and

WHEREAS, Lebanon has requested that Holland provide the services of a Qualified Purchasing Agent in accordance with the terms and conditions contained in a Shared Services Agreement executed on November 7, 2018.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, in the County of Hunterdon, that the Township of Lebanon hereby authorizes Holland Township to provide the services of a Qualified Purchasing Agent as set forth in the Shared Services Agreement executed on November 7, 2018.

**Resolution No. 76-2018 – Appointing a QPA and Increasing the Bid Threshold**

*Motion by Mr. Laul, seconded by Ms. Koehler, and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 76-2018 as written below.*

TOWNSHIP OF LEBANON  
HUNTERDON COUNTY  
NEW JERSEY  
RESOLUTION NO. 76- 2018  
A RESOLUTION AUTHORIZING THE TOWNSHIP OF LEBANON  
TO INCREASE THE BID THRESHOLD  
AND TO APPOINT A QUALIFIED PURCHASING AGENT

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.* permits local contracting units, such as the Township of Lebanon, to increase their bid threshold up to Forty Thousand Dollars (\$40,000.00); and

WHEREAS, *N.J.S.A. 40A:11-3a* permits an increase in the bid threshold if: 1. a Qualified Purchasing Agent (hereinafter “QPA”) is appointed by the local contracting unit; and 2. Said QPA is granted the authorization to negotiate and award contracts, below the bid threshold, on behalf of the local contracting unit; and

WHEREAS, *N.J.A.C. 5:34-5, et seq.*, establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Mr. William Hance possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with *N.J.A.C. 5:34-5, et seq.*; and

WHEREAS, the Township of Lebanon wishes to both increase the bid threshold, and to appoint Mr. William Hance, as the Township's Qualified Purchasing Agent through a Shared Services Agreement with Holland Township.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lebanon that:

1. All aforementioned recitals are incorporated herein as though fully set forth at length; and
2. The Township of Lebanon's bid threshold is hereby increased to Forty Thousand Dollars (\$40,000.00); and
3. The Township of Lebanon hereby appoints William Hance as Qualified Purchasing Agent, through a Shared Services Agreement with Holland Township, who is authorized to exercise the duties of a purchasing agent pursuant in accordance with *N.J.S.A. 40A:11-2(30)*, with specific relevance to the authority(ies), responsibility(ies), and accountability of the purchasing activity of the contracting unit, the Township of Lebanon.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the that the Mayor, or the Mayor's designee, is hereby authorized and directed to take such official actions as are necessary to effectuate the provisions of this Resolution.

## **OLD BUSINESS**

### **Municipal Office Meeting Room and Reception Office Door Replacement Proposal**

The Municipal Office Meeting Room and Reception Office doors need to be replaced. Quotes have been obtained and the lowest price received for the doors and materials is \$21,611.84 from Updyke Lumber. Distinctive Builders has provided a proposal for the installation of the doors at \$12,500.00.

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee authorized the purchase of the doors and materials from Updyke Lumber and for Distinctive Builders to install the doors for a total project cost, not to exceed, \$35,500.00. Approval is subject to the QPA's endorsement, appropriate contract terms, as reviewed by the Township Attorney, insurance being reviewed by Insurance broker, and certification of funds from the CFO.*

*Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the colors of Cinnamon Toast and Birch Bark White for the doors and trim.*

### **Professional Standards and General Procedures for Administrative Inspections**

**Tabled**

### **Museum Septic System Proposal**

Mr. McKee stated that four proposals have been received for the Museum Septic System installation. Two qualified and two did not. Cedar Ridge provided the lowest proposal at \$16,890.00. There is an Alternate in the proposal for sch 80 pipe versus sch 40 pipe, at a cost of \$400. Attorney Lyons noted that payments will be made in accordance with the standard course of Township business.

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee awarded the bid to Cedar Ridge for the installation of the*

Museum septic system, at a cost of \$16,890.00, without the deduction of the sch 80 pipe. Approval contingent upon a contract being drafted by the Township Attorney.

### **Little Brook Lane Association**

To be discussed in Closed Session and it is anticipated that action will be taken at the next meeting.

### **NEW BUSINESS**

#### **Best Practices Worksheet CY 2018**

CFO Greg DellaPia provided the Committee with copies of the Best Practices Worksheet CY 2018 which will be submitted to the State tomorrow. Mr. DellaPia noted that there will be no loss in State Aid for the Township this year. There were 61 Worksheet questions this year with an additional 25 that did not pertain to the Township. 92% of the questions were answered as yes or prospective, excluding non-applicable questions. No action is required by the Committee.

#### **Tax Assessor Resignation**

The Tax Assessor Laura Whitaker has submitted a letter of resignation effective December 1, 2018. Ms. Whitaker has offered to assist with the transition by working per diem based on the terms of her existing agreement. The hours that Ms. Whitaker will work will be at the discretion of the Township Committee and she will be paid hourly.

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by favorable roll call vote, the Township Committee accepted the Tax Assessor's resignation and appointed her to work on a per diem bases as outlined in her existing employment agreement. AYES: Wunder, McKee, Laul, Schmidt NAYS: Koehler*

#### **Approve Advertisement for Assessor Position**

*Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee authorized the Clerk to advertise for the Assessor's position on the League of Municipalities website.*

### **Township Historians – Caucus Archival Projects Evaluation Service (CAPES)**

Ms. Laurie Hoffman and Ms. Maria Naccarato attended a training on how to archive the Township's possessions. At the training they were informed of a CAPES survey program where they offer professional assessment services through consultants from the New Jersey Caucus of Historical Paper Collections, at no cost to the Township. Ms. Hoffman is asking for Committee approval to apply for the survey as it will provide grants opportunities.

*Motion by Mr. McKee, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee authorized the Historian to apply for the service and to be able to apply for grants.*

### **Cancel November 21, 2018 Meeting**

*Motion by Mr. McKee, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee authorized the cancelation of the November 21, 2018 Committee meeting.*

### **Raffle Application – Voorhees Vikings Booster Club – Various Dates**

Tabled

### **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 November 7, 2018 bill list in the amount of \$959,772.47.*

### **CORRESPONDENCE**

- a. Lebanon Township EOSC – July 2, 2018 Agenda and Minutes
- b. Lebanon Township Historian's September 13, 2018 Meeting Minutes
- c. NJDEP – Gypsy Moth Survey Results
- d. Meals on Wheels Appreciation Letter
- e. Tax Collector's Report for the Month of September

### **PUBLIC COMMENTS**

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 9:11 p.m.*

Mr. Ron Milkowski questioned if the technology grant was ever received from Comcast as written in the Agreement that they have with the Township.

Mr. Victor Hoffman congratulated Mayor Schmidt on his election win. Mr. Hoffman asked if the Historians will be provided with a copy of the ordinance once amended.

*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 9:12 p.m.*

### **EXECUTIVE SESSION - Resolution No. 77-2018**

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 77-2018 and convened in executive session at 9:13 p.m.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 77-2018  
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:);

\_\_\_\_\_ 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.

  X   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: **Little Brook Lane Association** 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.);

  X   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: 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.; **OEM Coordinator Position/Assistant Library Clerk Position/Municipal Office Filing**

\_\_\_\_\_ 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 10:09 p.m.

## 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 10:10 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: December 5, 2018

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Mike Schmidt, Mayor