



**LEBANON BOROUGH COMMON COUNCIL
SPECIAL MEETING MINUTES
December 27, 2012**

The Regular Meeting of the Lebanon Borough Common Council was called to order by Councilman Burton at 9:00 a.m.

The meeting was convened in compliance with the Open Public Meeting Act of 1975; notice was sent to three local newspapers and posted on the bulletin board at Borough Hall.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Councilman Burton.

ROLL CALL:

Present: Councilman Burton , Councilman Knoble, Councilwoman Schmidt, and Councilman Junge

Absent: Mayor Reino, Council President Berger, Councilman Pittinger

Also Present: Clerk Karen M. Romano

MOMENT OF SILENCE:

Councilman Burton stated a total of 8086 United States Service Members had given their lives for our country for the war on terrorism. New Jersey total is 119. Councilman Burton requested a moment of silence in remembrance of all service men and women, who have paid the supreme sacrifice on behalf of a grateful nation, they are truly heroes.

OPEN PUBLIC SESSION FOR ORDINANCE 2012-09:

Councilman Burton made a motion to open the public session. Councilwoman Schmidt seconded the motion with the unanimous approval of Council the floor was opened.

There being no public comment Councilman Burton made a motion to close the public session. Councilwoman Schmidt seconded the motion with the unanimous approval of Council the floor was closed.

ORDINANCE# 2012-09:

Councilwoman Schmidt made a motion to Adopt Ordinance #2012-09 an Ordinance authorizing North Hunterdon Municipal Court to store past records. With a second by Councilman Burton.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE NO. 2012-9

SCHEDULE "B"

AN ORDINANCE APPROVING THE CESSATION OF THE REGULAR MUNICIPAL COURT CASE FUNCTIONS OF THE NORTH HUNTERDON MUNICIPAL COURT AND APPROVING THE SHARED SERVICES AGREEMENT TO PROVIDE FOR THE STORAGE, SECURITY AND ADMINISTRATION OF THE MUNICIPAL COURT OF NORTH HUNTERDON'S CASE FILES AND RECORDS AND THE CONTINUATION OF BUSINESS AS REQUIRED AFTER CESSATION OF REGULAR MUNICIPAL COURT CASE FUNCTIONS

WHEREAS, the Municipal Court of North Hunterdon, 1322 Route 31 North, Suite 23, Annandale, New Jersey 08801, (hereinafter referred to as "**MCNH**"), will cease accepting new matters occurring after December 31, 2012 and will cease the active scheduling and trial of cases as of February 28, 2013; and,

WHEREAS, it is necessary to provide for the storage, security, servicing and administering of MCNH case files and records and for the continuation of MCNH business, as required, after the cessation of scheduling and adjudication of active cases; and,

WHEREAS, the Township of Clinton, (hereinafter referred to as "**Custodian Town**"), is in the position to store, service and administer the MCNH's case files and records and to continue MCNH's business, as required as of March 1, 2013 and as set forth in Appendix "A", attached; and,

WHEREAS, the Town of Clinton, Townships of Franklin, Lebanon, Tewksbury and Union, and the Boroughs of Glen Gardner, High Bridge, Bloomsbury, Califon Hampton and Lebanon, desire to establish a Shared Services Agreement for the administrative and financial terms by which the Custodian Town will assume the obligations of the MCNH as of March 1, 2013; and,

WHEREAS, the Shared Services Agreement shall be governed by the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.,

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED by the Mayor and Governing Body of the Borough of Lebanon, County of Hunterdon, as follows:

1. The MCNH will cease accepting new matters occurring after December 31, 2012
2. The MCNH will cease the scheduling and adjudication of all matters after February 28, 2013. Between January 1, 2013 and February 28, 2013, the MCNH will continue to process and adjudicate its existing caseload which was generated prior to January 1, 2013, at its current court facility located at 1322 Route 31 North, Suite 23, Annandale, New Jersey 08801.
3. The storage, security, servicing and administering of all MCNH case files and records and the continuation of all other MCHN business shall be addressed pursuant to a Shared Services Agreement with the Township of Clinton, Hunterdon County, New Jersey, assuming the responsibility for all MCHN case files, records and business.
4. Subject to the approval and by Order of the New Jersey Superior Court, Vicinage 13 Assignment Judge, as of March 1, 2013, the MCNH will be located at and administered by the Clinton Township Municipal Court.
5. The Shared Services Agreement provides for the storage, security and administration of the Municipal Court of North Hunterdon's case files and records and the continuation of business, as required after cessation of actual municipal court functions is hereby approved.

6. The Mayor and Municipal Clerk are hereby authorized to execute the agreement on behalf of the (Borough/Town/Township) and to execute any further documents and to take any further action to accomplish the purpose of the Agreement.

7. The Municipal Clerk shall forward two executed copies of the Agreement and a certified true copy of this Ordinance to John R. Lanza, Esquire, 5 Main Street, P.O. Box 2520, Flemington, New Jersey 08822.

8. The Municipal Clerk shall maintain a true copy of the fully executed agreement with the records of her office, for inspection, during normal business hours.

9. The Ordinance shall be effective immediately to meet the MCNH's timetable for the orderly transfer of its files, records and business.

Michael F. Reino, Mayor

Attest:

Karen M. Romano, RMC, CMR
Municipal Clerk

First Reading:
Publication:
Final Reading:
Published

Vote after public hearing and upon final adoption:

Berger 0

Burton 1

Junge 1

Knoble 1

Pittinger 0

Schmidt_ 1

Ordinance approved by the Governing Body and presented
to the Mayor on _____, 2012

Veto in Whole or Part:

Approved:

Michael Reino, Mayor
Date:

Michael Reino, Mayor
Date: December 27, 2012

Returned to Borough Clerk with statement attached on _____, 2012

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on November 27, 2012 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Lebanon to be held on December 27, 2012 at 7:30 p.m. in the Municipal Building, located at 6 High Street, Lebanon, New Jersey

Karen M. Romano, Borough Clerk

APPENDIX A –

Responsibilities to be performed by Clinton Township Municipal Court on behalf of the Municipal Court of North Hunterdon:

The following list is not exhaustive, but merely illustrative of the responsibilities to be performed by the Clinton Township Municipal Court on behalf of the Municipal Court of North Hunterdon.

- Notify - via memo and publication - law enforcement, members of the bar, public, Law Journal, Lawyers Diary, county directories, etc., that the Municipal Court of North Hunterdon is being operated by the Clinton Township Municipal Court as of March 1, 2013 – including address and phone number.
- Store and maintain court files and administrative records in locked filing cabinets or in a secure room that has access by court staff only.
- Schedule cases, manage case flow and adjudicate matters accordingly.
- Run, order and process all daily, weekly and monthly Page Center and Reports on Demand reports. This includes but is not limited to notices of delinquent time payments and proposed suspensions.
- Process other reports which include executed warrants, expungements, cases eligible for dismissal (parking) and cases on appeal reports.
- Request Failures to Appear, as appropriate.
- Request Driver License Suspensions, as appropriate.
- Issue warrants, appropriate.
- Accept payments in person, by mail, phone or web; this includes credit card payments.
- On a daily basis, balance out daily financial intake; print daily journal report & attach to bank deposit slips.
- Run and process cashbook and all related reports for financial account reconciliation on a monthly basis. This includes processing disbursements, overpayments, restitution, uncashed checks, and miscellaneous bank fees.
- On a monthly basis, balance and reconcile both general and bail accounts.

- Upon receipt of payment, notify defendant of new address for any future payments submitted.
- Backload pre-ATS/ACS tickets/complaints into ATS/ACS system when old case is re-opened.
- Process conditional discharge notices received from Probation Department.
- Process cases returned from Prosecutor's Office accordingly. Maintain all prior and recent reports and other court records in accordance with the retention schedule.
- Complete Judiciary records retention and destruction list accordingly.
- Follow expungement procedures accordingly.
- Perform any and all other duties and responsibilities as required to effectively and efficiently run a municipal court in Vicinage 13 of the State of New Jersey.

Due to the length of time since the inception of the Municipal Court of North Hunterdon, there are thousands of cases that will continue to need administration and/or adjudication. They include, but are not limited to: active cases in inventory that must be scheduled and adjudicated; adjudicated cases in time payment status; closed, but non-adjudicated, cases where the court has issued a warrant for the defendant's arrest; closed, but non-adjudicated, cases where the court has requested that the defendant's driver license be suspended by the Motor Vehicle Commission; fully adjudicated cases awaiting the lapse of a certain time period and Judiciary authorization for destruction or appropriate records retention; cases pending conditional discharge; cases pending Pre-Sentence Investigations; cases pending Probation review; cases sent to mediation that were neither settled nor adjudicated; and all other cases that need processing and were generated in the jurisdictions of the Municipal Court of North Hunterdon prior to January 1, 2013.

The motion was passed by the following vote:

YES: Councilman Knoble, Councilman Junge, Councilman Burton and Councilwoman Schmidt

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger, Council President Berger

Resolution #115-2012:

Councilman Knoble made a motion to approve Resolution #115-2012 with a second by Councilwoman Schmidt.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION# 115-2012

Account	Description	Debit	Credit	<u>From</u>	<u>To</u>
01-201-20-145-200	COLLECTION OF TAXES - OTHER EXPENSE			283.00	
01-201-20-145-011	COLLECTION OF TAXES - REGULAR SALARIES				283.00

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 4
Nays: 0
Absent: 2
Abstain: 0

Council President, Sam Berger

ATTEST:

Karen M. Romano, RMC
Lebanon Borough Clerk

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the December 27, 2012, that this resolution has not been amended or repealed; and that it remains in full force and effect as of the date I have subscribed my signature.

Date: December 27, 2012

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

YES: Councilman Knoble, Councilman Junge, Councilman Burton and Councilwoman Schmidt

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger, Council President Berger

Resolution #116-2012:

Councilman Knoble made a motion to approve Resolution #116-2012 with a second by Councilwoman Schmidt.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**RESOLUTION #116 -2012
TABLETS**

WHEREAS, the governing body of the Borough of Lebanon, working in conjunction with the Communication Committee and

WHEREAS, a need has arisen for Tablets for Council for the means of email communication, Council packets, correspondence and the effort to go Green; and

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Lebanon with regard to the purchase of Tablets the Communications Committee recommends the purchase of approximately 10 Tablets for a sum not-to-exceed **\$ 10,000.00** has been approved.

Introduced and adopted

LEBANON BOROUGH COUNCIL

Ayes: 4
Nays: 0
Absent: 2
Abstain: 0

Council President, Sam Berger

ATTEST:

Karen M. Romano, RMC
Lebanon Borough Clerk

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the December 27, 2012, that this resolution has not been amended or repealed; and that it remains in full force and effect as of the date I have subscribed my signature.

Date: December 27, 2012

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

YES: Councilman Knoble, Councilman Junge, Councilman Burton and Councilwoman Schmidt

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger, Council President Berger

MISCELLANEOUS:

AJOURN:

Councilman Junge moved and Councilman Knoble seconded a motion to adjourn, there being no further business to come before Council. The meeting was adjourned at 9:25 AM by unanimous vote.

Respectfully Submitted

Karen M. Romano, RMC
Borough Clerk

LLCC
12-27-12
10

LBCC
6-20-12
12