

Meeting audio can be found at lebanontownship.net.

**Lebanon Township Committee
January 22, 2020**

Minutes of Regular Meeting

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 (via teleconference)

Absent-

Also Present - Attorney Matt Lyons, Administrator James Barberio, Clerk Karen Sandorse and 8 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular and Executive Session Meetings of December 18, 2019

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular and Executive Session Meetings of December 18, 2019.

Minutes of the Reorganization Meeting of January 7, 2020

Tabled

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. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting.

ORDINANCES

Introduction – Ordinance 2020-20

After the introduction for Ordinance No. 2020-02, at the January 7, 2020 meeting, it was discovered that there were technicalities that needed to be amended in the ordinance. Consequently, the ordinance was never published or posted. The ordinance has been amended for reintroduction at this meeting.

Motion by Mr. Laul, seconded by Mr. McKee and carried by favorable roll call vote, the Township Committee rescinded the motion made to introduce Ordinance No. 2020-02 at the January 7, 2020 meeting.

Motion by Mr. Wunder, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee approved Ordinance No. 2020-02, on first reading, as entitled below.

TOWNSHIP OF LEBANON - COUNTY OF HUNTERDON
ORDINANCE NO. 2020-02
AN ORDINANCE AUTHORIZING THE 2020 SALARY FOR OFFICERS AND
EMPLOYEES OF THE TOWNSHIP OF LEBANON,
COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Public Hearing to be held on February 5, 2020

RESOLUTIONS

Resolution No. 22-2020 – Professional Services Appointment – Tax Appeal Attorney

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 22-2020 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 22-2020
PROFESSIONAL SERVICE APPOINTMENTS

WHEREAS, there exists a need for Attorneys, Engineers, and Professional Experts for the Township of Lebanon, and

WHEREAS, the Local Public Contracts Law (N.J.S. A. 40A:11-1 et seq.) required that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, the Mayor, Township Clerk and Chief Financial Officer are hereby authorized and directed to execute the agreements; and

WHEREAS sufficient funds are available in the 2020 Temporary Budget and will be made available in the 2020 Municipal Budget for the Township of Lebanon for such services.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, on this 22nd day of January, 2020 as follows:

Martin Allen of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C is hereby appointed as Tax Appeal Attorney for the Township of Lebanon for the year 2020.

Resolution No. 23-2020 – Redemption of Tax Sale Certificate – Block 11 Lot 45

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 23-2020 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 23-2020
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201203 on October 10th 2012 to Lebanon Township and,

WHEREAS the amount of \$182.79 has been collected from A Absolute Escrow Settlement Company Inc, for Block 11 Lot 45, High Bridge Califon, Lebanon Township for the redemption of Tax Sale Certificate #201203,

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 \$182.79 to Lebanon Township.

Resolution No. 24-2020 – Re-appointing Certified Municipal Registrar

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 24-2020 as written below.

TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 24-2020
REAPPOINTING THE LOCAL REGISTRAR OF VITAL STATISTICS

WHEREAS, the State of New Jersey requires that every municipality shall have a Registrar of Vital Statistics; and

WHEREAS, N.J.S.A. 26: 8-13 requires that the local Registrar be appointed through municipal resolution every three years; and

WHEREAS, Karen Sandorse has served Lebanon Township as local Registrar since 2004.

NOW, THEREFORE, BE IT RESOLVED that Karen J. Sandorse, be re-appointed as Registrar with her term expiring December 31, 2022.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to the New Jersey State Office of Vital Statistics and Registry, to be kept on file for 30 years.

OLD BUSINESS

Tax Collector Position Update – Tabled to Executive Session

DPW Employee Hires - Tabled to Executive Session

ADMINISTRATOR UPDATE

Mr. Barberio informed the Committee that he expects to have the Personnel Manual completed by the end of February. He will then review it with the Township Attorney, prior to providing it to the Committee for approval.

Mr. Barberio said that once a new Tax Collector is appointed, he will work with them on the feasibility of providing online tax payments for the Township.

Mr. Barberio stated that as per the Township's IT Specialist we need to update seven of the computers in the Municipal Office. They need to be upgraded to Windows 10. Email integration will be included also in the process also.

NEW BUSINESS

Police Chief's Request to Purchase a 2020 Ford F150 4x4 Crew Cab - Tabled

Police Chief's Request to Begin Hiring Process - Tabled

NJWSA – Hazardous Tree Removal on Open Space Properties

Mr. Laul stated that he was notified by Ms. Julie Shelly, of the New Jersey Water Supply Authority, that they conducted a hazardous tree survey on the jointly owned Nicholson and Schaaf properties. NJWSA is willing to share 50% of the cost for the removal of 18 hazardous trees on the properties.

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee authorized the 50% cost share for the removal of 18 hazardous trees on

the Nicholson and Schaaf properties. The total cost for the tree removal is \$6650 with Lebanon Township's portion being \$3325. The Open Space Trust Fund will cover the cost.

Township Historian's Bylaws

Mr. McKee stated that the Historians had two meetings to review their by-laws and they were approved with a majority decision. The By-laws provide a parliamentary process which promotes a majority rule. Mr. McKee said that he feels that the By-laws address all that the Historians were seeking.

Motion by Mr. McKee, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the Township Historian's Bylaws as submitted.

Township Historians – Acceptance of Donation of Sleigh and Shed

Mr. McKee said that a Historical Bobsled School Bus was donated to Squire's Point. Point Mountain Construction refurbished the Sled and now Squire's Point would like to donate it to the Historians. Mr. McKee said that the question of how and where to house the sled has been raised. The Historians unanimously agreed that a shed would be beneficial, to house the sled, and they can also store other historical artifacts in it. Squire's Point has also agreed to donate the shed. The Historians are requesting that the Township accept the donation of the sled and a shed. The shed will be placed on museum grounds, to the left of the Museum, toward the back, but not effecting the septic. The shed will be built by an Amish company, Lancaster Barns, on the site.

Ms. Koehler stated concerns that she has with Squire's Point finances and noted apprehensions she has with placing a 40 ft. shed on the museum property without approvals from the Township.

Ms. Koehler also asked who will maintain the shed in the future. Attorney Lyons said that the maintenance of the shed, in the future, will be the responsibility of the Township.

Mr. Wunder questioned if the shed will aesthetically fit on the Museum property and suggested placing the shed in the Park.

Motion by Mr. Wunder, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee approved the acceptance of a Sled and Shed and for it to be placed on the Museum property. AYES; Wunder, Laul, McKee ABSTAIN: Koehler, Schmidt

Schedule Budget Meetings

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee scheduled Budget Work Sessions to be held on March 5th, March 12th, March 19th and March 26th. All meetings are to be held at 6:00 p.m.

Approve Junk Yard Application – Burd Salvage

Motion by Mr. Laul, seconded by Mr. Wunder carried by unanimous favorable roll call vote, the Township Committee approved a Junk Yard application for Burd Salvage for the 2020 year.

Approve Junk Yard Application – Milkowski and Sons, LLC

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved a Junk Yard application for Milkowski and Sons, LLC for the 2020 year.

PRESENTATION OF VOUCHERS

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

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the January 22, 2020 bill list in the amount \$304,693.11.

CORRESPONDENCE

- a. Tax Collector's Report for the Month of December 2019
- b. Tax Collector's 2019 Annual Report
- c. Animal Control Officer's Report – December 2019
- d. Recycling Coordinator Memo – 2019 Free Computer/Electronic & Scrap Metal Event
- e. Curator Memo – Upcoming Events at the Museum
- f. Dreams for Kids/Voorhees HS Baseball Booster Club Event Invitation

PUBLIC COMMENTS

Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:37 p.m.

Ms. Larami Silber asked what the Township's responsibility would be with the schools if the proposed Haberman Site, on Valley Road in Hampton, is constructed as the Township shares a school with Hampton. Mayor Schmidt said that the School Board would need to answer the question. Ms. Koehler said that she will try to get information at the next school board meeting.

Ms. Jean Lang informed the Committee that she received a letter from Professional Property Appraisers. They did provide her with comps for her property but she does not feel that they are good comparisons. Ms. Lang also noted that with the potential for the new development she is concerned that more traffic will bring down the value of her property. Ms. Lang said that she did receive a new assessed evaluation but it did not have much detail. Ms. Lange recommended that, for future revaluations, comps should be mailed to the property owner so they are empowered to respond.

Ms. Lang informed the Committee that she has noticed four racoons that had died near her home. She is concerned that they may have rabies. Ms. Lang made many calls regarding the racoons and was informed that wildlife will only be tested for rabies if there is exposure to humans or family pets.

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:45 p.m.

EXECUTIVE SESSION - Resolution No. 25-2020

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 25-2020 and convened in executive session at 7:46 p.m. It is anticipated that action will be taken.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 25-2020**

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: _____);

X_____A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; **Real Estate Acquisitions**

_____Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____Investigations of violations or possible violations of the law;

_____Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is:

_____Professional Service Contracts_____. The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

_____Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general

nature of the matter is: _____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);
 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: **Tax Collector Position & DPW Appointment** _____ Union Contract _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Committee hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Township Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Committee, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Public Meeting reconvened at 8:33p.m.

DPW Employee Appointment

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee appointed Matthew Ruppe and Ryan Jacobson as DPW Employees.

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 8:34 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: February 5, 2019

Mike Schmidt, Mayor