

**Meeting audio can be found at [lebanontownship.net](http://lebanontownship.net).**

**Lebanon Township Committee  
August 5, 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 First Responders, Health Care Workers and our Servicemen and Women.

## **ROLL CALL**

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

Absent-

Also Present - Attorney Matt Lyons, Administrator James Barberio, Police Chief Rautenberg,  
Clerk Karen Sandorse (via telecom)

## **Tropical Storm Isaias Impact on Lebanon Township**

Mayor Schmidt stated that JCP&L has reported that an estimated 70% or 2055 homes are without power in the Township. The Department of Public Works Manager reported that they had quite a few trees to clear but the work was completed by 6 p.m. There were a number of trees left for the power company to deal with. The Police Chief had no issues to report. JCP&L is still in the process of surveying with helicopters. There is no estimated restoration time. It could be through the weekend.

## **PRESENTATION OF MINUTES**

### **Minutes of the Regular Meeting of July 1, 2020**

*Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular Meeting of July 1, 2020.*

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

*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.*

There were no comments from the public.

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

**ORDINANCES**

**Ordinance No. 2020-06 – Adding Chapter 196 – Disorderly Conduct**

*Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2020-06, on first reading, as entitled below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO. 2020-06  
AN ORDINANCE ADDING CHAPTER 196 TO THE CODE OF THE TOWNSHIP OF  
LEBANON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY,  
SPECIFICALLY ENTITLED “DISORDERLY CONDUCT”

**Public Hearing to be held on September 2, 2020**

**Ordinance No. 2020-07- Amending Chapter 1, Article II**

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2020-07 on first reading, as entitled below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO. 2020-07  
AN ORDINANCE AMENDING CHAPTER 1, ARTICLE II,  
OF THE TOWNSHIP OF LEBANON,  
COUNTY OF HUNTERDON, STATE OF NEW JERSEY

**Public Hearing to be held on September 2, 2020**

**Ordinance No. 2020-08 – Revising Chapter 205, Article II; and Chapter 400-54(D) – Fees**

*Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2020-08, on first reading, subject to the amendment of, Under Memorial Park Rental Fees, Over 100 guests is to be changed to Over 100-499 guests.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO. 2020-08  
AN ORDINANCE REVISING CHAPTER 205, ARTICLE II; AND CHAPTER 400-54(D)  
OF THE TOWNSHIP OF LEBANON,  
COUNTY OF HUNTERDON, STATE OF NEW JERSEY

**Public Hearing to be held on September 2, 2020**

**Ordinance No. 2020-09 – Repealing Existing and Adopting New Chapter 77- “Police Department”**

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote,* the Township Committee approved Ordinance No. 2020-09, on first reading, as entitled below. Discussion was held on the Rules and Regulations document. The final version will be provided to the Clerk tomorrow. It will make no reference to the titles of Detectives or Lieutenants or the obligation to utilize the Township Physician.

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO. 2020-09  
AN ORDINANCE REPEALING EXISTING CHAPTER 77 ENTITLED “POLICE  
DEPARTMENT,” OF MUNICIPAL CODE OF THE TOWNSHIP OF LEBANON,  
COUNTY OF HUNTERDON, STATE OF NEW JERSEY,  
AND ADOPTING NEW CHAPTER 77 ENTITLED “POLICE DEPARTMENT”

**Public Hearing to be held on September 2, 2020**

**RESOLUTIONS**

**Resolution 49-2020 - Bond Anticipation Note - \$1,435,138**

*Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote,* the Township Committee approved Resolution No. 49-2020 as written below.

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 49-2020

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LEBANON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE TOWNSHIP OF LEBANON AND AUTHORIZING THE MAYOR, TOWNSHIP CLERK, CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO TAKE SUCH ACTION AS THEY

MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$1,435,138 BOND ANTICIPATION NOTE, DATED JULY 24, 2020, PAYABLE JULY 23, 2021, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

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WHEREAS, the Township of Lebanon, in the County of Hunterdon, New Jersey (the "Township") from time to time issues bonds, notes and other obligations the interest on which is excluded from gross income for Federal income tax purposes and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Township to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Township intends to issue a \$1,435,138 bond anticipation note, dated July 24, 2020 and payable July 23, 2021 (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 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 Township Committee hereby covenants on behalf of the Township, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Township (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Township Clerk, Chief Financial Officer and other officials of the Township are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

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

SECTION 4. 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 2020.

SECTION 5. It is further determined and stated that the Township has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2020.

SECTION 6. 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, said Township does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. 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 2020 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

**Resolution 50-2020 - DOT Local Aid Application – 2021 East Hill Road Resurfacing Project**

*Motion by Mr. Laul seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 50-2020 as attached.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
RESOLUTION NO. 50-2020  
NEW JERSEY DEPARTMENT OF TRANSPORTATION

**Resolution 51-2020 - Sliker and Anthony Road Improvements - Award of State Aid Project**

*Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 51-2020 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
RESOLUTION NO. 51-2020  
NEW JERSEY DEPARTMENT OF TRANSPORTATION  
DIVISION OF LOCAL AID  
AND ECONOMIC DEVELOPMENT  
RECOMMENDATION OF AWARD  
STATE AID PROJECT

BE IT RESOLVED

that \_\_\_\_\_Lebanon Township Committee\_\_\_\_\_ hereby recommends to the New Jersey Department of Transportation that the contract for \_\_\_\_\_The Intersection Realignment Portion of PRO-2018-Sliker Road Improvements 2018-00067 and PRO-2019 Anthony Road Improvements 2019-00373\_\_\_\_\_ (Name of Project) in the \_\_\_\_\_Township of Lebanon\_\_\_\_\_ County of \_\_\_\_\_Hunterdon\_\_\_\_\_ (Name of Municipality) be awarded to \_Capital Paving & Contracting, LLC\_ whose bid amounted to \$ \_\_268,149.30\_\_\_\_\_ subject to the approval of the Department. That the presiding officer of this body be and is hereby directed to sign for and, on its behalf, the contract in the prescribed form for said construction.

**Resolution No. 52-2020 - Sliker and Anthony Road Overlay – Award of State Aid Project**

Mr. Wunder stated that on Anthony Road, just past Mt. Lebanon Road, there is a narrow bridge with a blind curve which is a hazard. The County should look into addressing the problem.

*Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 52-2020 as written below.*

NEW JERSEY DEPARTMENT OF TRANSPORTATION  
DIVISION OF LOCAL AID  
AND ECONOMIC DEVELOPMENT  
RECOMMENDATION OF AWARD

STATE AID PROJECT

BE IT RESOLVED

that \_\_\_\_\_ Lebanon Township Committee \_\_\_\_\_  
hereby recommends to the New Jersey Department of Transportation that the contract for  
\_\_\_\_\_ The Road Overlay Portion of PRO-2018-Sliker Road Improvements 2018-00067 and PRO-  
2019 Anthony Road Improvements 2019-00373 \_\_\_\_\_

(Name of Project)

in the \_\_\_\_\_ Township of Lebanon \_\_\_\_\_ County of \_\_\_\_\_ Hunterdon \_\_\_\_\_  
be awarded to \_\_\_\_\_ Tilcon New York, Inc. (Through Morris County Cooperative Pricing Council)  
whose bid amounted to \$ 420,927.30 Per Road Resurfacing Contract #6 subject to the approval of the  
Department.

That the presiding officer of this body be and is hereby directed to sign for and, on its behalf, the  
contract in the prescribed form for said construction.

**Resolution 53-2020 - 2020-Hollow Road Beam Guide Rail Replace – Award of State Aid Project**

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote,  
the Township Committee approved Resolution No. 53-2020 as written below.*

RESOLUTION NO. 53-2020  
NEW JERSEY DEPARTMENT OF TRANSPORTATION  
DIVISION OF LOCAL AID  
AND ECONOMIC DEVELOPMENT  
RECOMMENDATION OF AWARD  
STATE AID PROJECT

BE IT RESOLVED

that \_\_\_\_\_ Lebanon Township Committee \_\_\_\_\_  
hereby recommends to the New Jersey Department of Transportation that the contract for  
\_\_\_\_\_ PRO-2020-Hollow Road Guide Rail Replace-00141 \_\_\_\_\_

(Name of Project)

in the \_\_\_\_\_ Township of Lebanon \_\_\_\_\_ County of \_\_\_\_\_ Hunterdon \_\_\_\_\_  
(Name of Municipality)

be awarded to \_\_\_\_\_ Road Safety Systems, LLC (via Morris County Cooperative Pricing Council) \_\_\_\_\_  
whose bid amounted to \$ \_\_\_\_\_ 139,294.05 (Based on Estimated Quantities) \_\_\_\_\_ subject to the  
approval of the Department.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the  
contract in the prescribed form for said construction.

**Resolution 54-2020 Covid-19 Township Vacation and Travel Policy**

*Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote,  
the Township Committee approved amending the Travel Policy, Under Travel Advisory, converting  
“restricts travel to and from” to “places restrictions on travel to and from”.*

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote,  
the Township Committee approved Resolution No. 54-2020 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 54-2020  
APPROVING THE  
COVID-19 TOWNSHIP VACATION AND TRAVEL POLICY

WHEREAS, Coronavirus disease 2019 (“COVID-19”) is a contagious respiratory disease caused by the SARS-CoV-2 virus; and

WHEREAS, the Township is committed to providing a safe and healthy workplace; and

WHEREAS, in order to mitigate the risk of spreading COVID-19 through employee travel decisions, the Township will be requiring employees to abide by the recent Travel Advisory issued by the State of New Jersey

WHEREAS, the Township of Lebanon has established a COVID-19 Township Vacation and Travel Policy attached hereto as “Exhibit A,” in order to mitigate the risk of spreading COVID-19 through employee travel decisions, the Township will be requiring employees to abide by the recent Travel Advisory issued by the State of New Jersey and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Township of Lebanon, County of Hunterdon, State of New Jersey. that the attached COVID-19 township Vacation and Travel Policy is hereby approved.

**Resolution 55-2020 Award Bid for Road Materials**

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 55-2020 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 55-2020  
RESOLUTION AWARDING A CONTRACT FOR  
2020 ROAD MATERIALS

WHEREAS, bids were received on August 5, 2020 for 2020 Road Materials, and  
WHEREAS, the Township Committee has reviewed the recommendations made by the Township Public Works Manager on said bids.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the following contracts be awarded based on the recommendation of the Township Manager of Public Works.

<b>COMPANY</b>	<b>ITEM</b>	<b>PRICE</b>
Warren Materials	Top Mix (I-5)	\$ 53.64 per ton
Warren Materials	Base Mix (I-4)	\$ 47.84 per ton

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the contracts for same.

**Resolution 56-2020 Renewal of Retail Consumption License – Asdal Holdings, LLC**

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 56-2020 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 56-2020  
PLENARY RETAIL CONSUMPTION LICENSE  
SPECIAL CONDITION

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

WHEREAS, the license has been inactive and the licensee has petitioned the Director of the Division of ABC for a Special Ruling pursuant to the provisions of N.J.S.A. 33:1-12.39; and

WHEREAS, as the licensee is requesting relief for the 2018-19, 2019-2020 and 2020-2021 license terms a Special Condition must be placed upon the license stating that no further renewals of this license shall be granted unless the license is being actively used at an approved site on or before June 30, 2021, except if good cause for reconsideration is shown.

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 License be granted a renewal for the 2020-2021 year: and

NOW, BE IT FURTHER RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that a Special Condition is placed upon License No. 1019-33-007-002; Asdal Holdings, LLC- 374 Vernoy Road, establishing that no further renewals of this license shall be granted unless the license is being actively used at an approved site on or before June 30, 2021, except if good cause for reconsideration is shown.

**Resolution 57-2020 - Renewal of Retail Consumption License – The Rock Corp. of Tewksbury**

*Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 57-2020 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 57-2020  
RESOLUTION RENEWING A PLENARY  
RETAIL DISTRIBUTION LICENSE

WHEREAS, the listed Plenary Retail Distribution 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, the applicant 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 License be granted a renewal for the 2020-2021 year:

1019-44-008-002      The Rock Corp. of Tewksbury t/a Bourbon Street Wine and Liquor  
425 Route 513, Califon, NJ

## **OLD BUSINESS**

### **Fire Department's Request to Refurbish Ambulance**

The Fire Department is requesting that the Township upgrade the oldest ambulance. This would bring the third ambulance up to meet the requirements for state certification. The Fire Department will then be able to charge for transports with the ambulance. The ambulance will be back up for other ambulances and will reduce the amount of mileage put on them. The upgrade will extend the life of the ambulance by 8 to 10 years. Upgrading the ambulance was discussed during budget meeting and the cost is in the Capital Budget.

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the request of the Fire Department for VCI Emergency Vehicle Specialists to upgrade the ambulance at a cost of \$39,880.00, as approved by the QPA.*

Mr. Wunder said that it was posted on Facebook that the Fire Department is looking for PPE donations. Mr. Wunder asked if the Township can assist them in some way. Mr. McKee said that he will look into it.

### **Utility Room Sink**

Mr. Wunder provided the Committee with a handout for the cleaning of the basement. Mr. Wunder would like to schedule an inspection of the building. Mayor Schmidt feels that the Township needs a more comprehensive plan. Discussion was held on removing and replacing the sinks in the utility room.

*Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the hiring of a plumber, as soon as possible, to remove one large sink, replace the small one with a wall mounted sink and to cap off piping. Three quotes need to be received.*

## **ADMINISTRATOR UPDATE**

Mr. Barberio stated that he will be providing the Committee with a formal report the second meeting of each month. Items from the first meeting will be held for later in the month. The formal reports will include Department Head meeting details as well as an update on his tasks.

Mr. Barberio said that he is very close to completing the Policy and Procedures Manual. He had to add the appendix, including forms needed as well as job descriptions and essential functions. Mr. Barberio will also be meeting with the Property and Casualty Company.

## **NEW BUSINESS**

### **Voorhees High School - Shared Services Agreement for Law Enforcement Officers (SLEO's)**

*Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the Voorhees High School - Shared Services Agreement for Law Enforcement Officers for the 2020-2021 year with the amendment of changing the title of the Agreement to Voorhees High School - Shared Services Agreement for Special Law Enforcement Officers.*

### **Voorhees High School - Shared Services Agreement for Law Enforcement Office (SRO)**

Mayor Schmidt stated that for the past several years the Township has been providing a School Resource Officer to Voorhees High School. Since the initial agreement the fee paid to the Township stayed flat at \$86,000. The Township has requested to increase the amount by 10% to \$94,600. for the 2020-2021 year.

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the Voorhees High School - Shared Services Agreement for Law Enforcement Office (SRO) for the 2020-2021 year.*

### **Lebanon Township School District - Agreement for Law Enforcement Officers**

Mayor Schmidt said that the Township provides two SLEO's to the School. Attorney Lyons stated that he has not discussed the title change to include the Special Law Enforcement Officers but he does not feel that there will be a problem. Attorney Lyons informed the Committee that the School has requested a substantive change to Paragraph 13 in the Agreement.

The School is requesting that they not be required to indemnify the Township for the actions of the Special Law Enforcement Officer. They would also like for the Township to indemnify the School of the actions of the Officer. The remaining indemnifications of the Township Officials and the Governing Body will remain the same. The School's position is that the Township is in a better position to prevent any actions of the Officers that may lead to litigation against both entities.

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Lebanon Township School District Agreement for Law Enforcement Officers with the amendment to the title to read Special Law Enforcement Officers and to amend Paragraph 13 as stated by Attorney Lyons in the above paragraph.*

### **Lebanon Township School District – Agreement for Various Services**

Mayor Schmidt stated that the cost for the various services has remained at \$20,000 since 2017. The Township is proposing to increase the amount to \$22,000. Mr. Laul stated that the payment schedule in the Agreement does not reflect the increase. Each of the quarterly payments should be \$5500.

*Motion by Mr. McKee, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the Lebanon Township School District – Agreement for Various Services with the amendment to the payment schedule to reflect \$5500. per pay period.*

### **Police Chief Request to Purchase Ammunition**

*Motion by Mr. Laul, seconded by Ms. Koehler, and carried by unanimous favorable roll call vote, the Township Committee approved the Police Chief's request to purchase ammunition from Hackettstown Firearm Storage at \$1590.*

### **Electronic Payment Proposal**

Mayor Schmidt stated that the Committee has been provided with a proposal from Cit-e-Net, LLC for online payments. This is not for credit card payments. It would work right out of checking accounts. The company links with the Township's property tax company, Vital. Mayor Schmidt provided an overview of how the payment process will work. There is a one-time cost to link to the system at \$1000. The annual fee is \$1250 which is for any number of payments received.

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the Cit-e-Net, LLC proposal pending Attorney Lyons approval of the contract.*

### **Route 513 Bridge Project**

Mr. Laul stated that he has been informed by the County that the Route 513 Bridge Project is due to be completed early to mid-September.

Mr. Laul also stated that with regard to the Hill Road and Bunnvale Road resurfacing, the County will be trying to focus on Hill Road first to minimize Bunnvale Road closures. The hope is that when they are ready to work on Bunnvale Road they will be close to opening the bridge on Route 513.

### **SLEO Appointment**

Chief Rautenberg asked when the third Special Law Enforcement Officer will be appointed. The Chief was informed that the appointment can be made at the August 19, 2020 meeting, after the Board has approved the agreement.

### **PRESENTATION OF VOUCHERS**

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

*Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the July 17, 2020 (\$80,620.90) and August 5, 2020 (\$1,009,975.74) bill lists in the total amount of \$1,090,596.64.*

## CORRESPONDENCE

- a. Tax Collector's Report for the Month of June 2020
- b. Animal Control Officer's Report for June 2020
- c. Township Historians January 2019 – December 2019 Meeting Minutes
- d. Curator's Report – July 15, 2020 and August 5, 2020

## PUBLIC COMMENTS

Mr. Wunder stepped out of the meeting.

*Motion by Ms. Koehler seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 9:00 p.m. AYES: Koehler, Laul, McKee, Schmidt ABSTAIN: Wunder*

There were no comments from the public.

*Motion by Ms. Koehler seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 9:00 p.m. AYES: Koehler, Laul, McKee, Schmidt ABSTAIN: Wunder*

Mr. Wunder rejoined the meeting.

## EXECUTIVE SESSION - Resolution No. 58 -2020

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee approved Resolution No. 58-2020 and convened into executive session at 9:02 p.m. Action may be taken.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 58-2020**

### **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: \_\_\_\_\_);

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; **Giaquinto Land Acquisition**

Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection; **Building Safety**

\_\_\_\_\_ 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: **Municipal Court Agreement** 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: **CWA 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.

The public meeting reconvened at 10:25 p.m.

*Motion by Mr. Laul seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee authorized an increase in the amount to purchase the portion of the Giaquinto land in an amount not to exceed \$2500, for the cost associated with clearing title for the piece of property, subject to submitting proof of those costs.*

**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 10:27 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: August 19, 2020

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Mike Schmidt, Mayor