

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

**Lebanon Township Committee  
October 2, 2019**

**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 the victims of the two very tragic car accidents that occurred in the Township last month, along with their families and first responders.

**ROLL CALL**

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

Absent-

Also Present - Attorney Matt Lyons, Administrator James Barberio, Clerk Karen Sandorse and 3 members of the public.

**PRESENTATION OF MINUTES**

**Minutes of the Regular and Executive Session Meeting of September 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 September 18, 2019.*

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

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

There were no comments from the public.

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

## **RESOLUTIONS**

### **Resolution No. 82-2019 – NJ DEP Grant – Stop the Soot**

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 82-2019 as attached.*

**THE STATE OF NEW JERSEY  
BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: AQ20-048  
GOVERNING BODY RESOLUTION NO. 82-2019**

### **Resolution No. 83-2019 – Redemption of Tax Sale Certificate – Blk 61.01 Lot 25.08**

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 83-2019 as written below.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 83-2019  
REDEMPTION OF TAX SALE CERTIFICATE**

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201906 on September 13<sup>th</sup> 2019 to Christiana T C/F CE1/Firsttrust and,

WHEREAS the amount of \$3,021.73 has been collected from Wells Fargo, for the owners of this property, Lewis and Kim Wetherall known as Block 61.01 Lot 25.08, 148 Anthony Road, Lebanon Township for the redemption of Tax Sale Certificate #201906,

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 \$3,021.73 and,

BE IT FURTHER RESOLVED that an additional check in the amount of \$30,100.00 for the premium paid and that these checks be mailed to:

Christiana T C/F CE1/Firsttrust  
PO Box 5021  
Philadelphia PA 19111-5021

## **OLD BUSINESS**

Mayor Schmidt reminded the Committee that the election will be held in 35 days or so. Mayor Schmidt said that the Referendum will be on the ballot and that during standing committee meetings it may be a good time to answer questions and educate those on the referendum. It can also be said that the Committee's position is that they recommend an affirmative vote on the question.

Ms. Koehler reminded all that the 40<sup>th</sup> Anniversary event for the Bunnvale Library will be held on October 19, 2019 from 9:00 am - 2:00 pm. The Library staff will be present to speak about the Library and there will refreshments and giveaways for the attendees.

Mr. Laul said that he had to amend the prior notice for the Police Chief's position and have it reviewed by the Township Attorney. The notice was not actually posted until Monday, September 30, 2019 so they have extended the time for the notice to come upstairs until October 11, 2019.

Mr. Laul said that the Fire Department is asking to have a handicapped spot placed by the doors at Station 3. Ms. Koehler will speak to the DPW Manager about it and conduct a feasibility study to bring back to the Committee.

## **NEW BUSINESS**

### **Township Historian's Request to Appoint Member**

The Township Historians have requested the appointment of Joshua Burd to the Historian Committee.

Mr. Burd introduced himself to the Committee and informed them of his love for history.

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee appointed Joshua Burd to the Historian Committee.*

### **Cancel November 20, 2019 Meeting - NJ League of Municipalities Conference**

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee canceled the November 20, 2019 meeting for attendance at the NJ League of Municipalities Conference.*

### **High School Class III- SLEO Class III**

Mayor Schmidt informed the Committee that Chief Gale contacted him to let him know that the High School is interested in adding a new SLEO. It has not been approved by the School Board yet so no action is to be taken at this time. If the Committee has concerns, they should be filter through the Clerk.

## **Buildings and Grounds**

Mr. Wunder proposed that a subcommittee be established to look into buildings and grounds needs for consideration at budget time. Mr. Wunder and Mayor Schmidt will work together.

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the appointment of Mr. Wunder and Mayor Schmidt to a subcommittee to look into buildings and grounds needs.*

## **PRESENTATION OF VOUCHERS**

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

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the October 2, 2019 bill list in the amount \$58518.59.*

## **CORRESPONDENCE**

- a. LT EOSC August 5, 2019 Meeting Minutes
- b. Meals on Wheels Letter of Appreciation
- c. Curator's Report

Mr. McKee read the Curator's report and stated that the Curator has requested that the Museum be closed on Halloween so she may attend the Halloween event at Valley View.

*Motion by Mr. McKee seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the Museum on October 31, 2019 with no compensation for the employees.*

## **PUBLIC COMMENTS**

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:19 p.m.*

Ms. Kathryn Koch said that Halloween is not a good night for the Museum to be open because they are not equipped to have Trick or Treaters and kids should not be on the roadway. Ms. Koch thanked the Committee for appointing Joshua Burd to the Historians and said that the Committee is thrilled to welcome him.

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:21 p.m.*

**EXECUTIVE SESSION - Resolution No. 84 -2019**

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 84-2019 and convened in executive session at 7:22 p.m. It is not anticipated that action will be taken.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 84-2019**

**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

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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: **Heather Hill Road/Trees in the Township**          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: **DPW Manager – Municipal Clerk Contracts**          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    p.m.

## ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Laul seconded by Ms. Koehler and carried by unanimous favorable roll call vote to adjourn the meeting at 8:35 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: October 16, 2019

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Mike Schmidt, Mayor