

Meeting audio can be found at lebanontownship.net.

**Lebanon Township Committee
January 19, 2022**

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, Servicemen and Woman and Health Care Heroes.

ROLL CALL

Present - Mike Schmidt Thomas McKee Marc Laul

Beverly Koehler

Absent- Guy Wilson - Due to illness.

Also Present - Attorney Matt Lyons, Clerk Karen Sandorse

PRESENTATION OF MINUTES

Minutes of the Regular and Executive Session Minutes of December 15, 2021 (Tabled)

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

ORDINANCES

Ordinance No. 2022-02 – Salaries – Public Hearing

There was an inconsistency found with the version of the ordinance that was published and the one that is before the Committee this evening. The ordinance will be reconsidered for introduction at a later meeting. No action will be taken.

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2022-02 was opened.

There were no comments from the public. A correct Salary Ordinance will be introduced at the next meeting.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2022-02 was closed.

RESOLUTIONS

Resolution No. 26-2022 – Authorizing the Award of a Non-Fair and Open Contract – Planner

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 26 -2022 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 26-2022

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
LEBANON TOWNSHIP

WHEREAS, the Lebanon Township Committee has a need to acquire professional services as outlined below as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Lebanon Township CFO has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year and may be extended as approved by the Lebanon Township Committee; and

WHEREAS, the following agencies have completed and submitted a Business Entity Disclosure Certification which certified that they have not made any reportable contributions to a political or candidate committee in the Township of Lebanon in the previous one year, and that the contract will prohibit the agency from making any reportable contribution through the term of the contract; and

WHEREAS, sufficient funds are available in the 2022 Temporary Budget and will be made available in the 2021 Municipal Budget for the Township of Lebanon as required in – N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Lebanon Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, as follows:

The Mayor and Municipal Clerk are hereby authorized and directed to execute contracts with the following person and firm for the year 2022:

James Kyle, is hereby appointed the Lebanon Township Professional Planner for the year 2022.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Resolution No. 27-2022 - Authorizing the Award of a Non-Fair and Open Contract- Tax Counsel - Tabled

Resolution No. 28-2022 – 2022 Salaries - Tabled

UNFINISHED BUSINESS

No unfinished business.

NEW BUSINESS

DPW Manager Request to Purchase New Mower

The DWP Manager has received three quotes for a new Zero Turn Mower to replace a 2008 mower with 1942 hours on it.

Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the DPW Manager's request to purchase a New Ferris Zero Turn Mower from Frank Rymon and Sons at \$13,750.00.

Request to Renew or Lease New Postage Machine

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved entering into an Agreement with Jersey Mail Systems for a new Model Postbase Vision Postage Meter at \$180 per month with a 63-month lease and authorized the mayor to execute the lease agreement. State Contract Vendor #41265.

New Jersey State Firemen's Association Application for Membership - David Sulpy

Motion by Mr. McKee, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Fire Chief David Sulpy's New Jersey State Firemen's Association Application for Membership.

Approve Junk Yard License – Milkowski and Sons, LLC

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved a Junk Yard application for AS Milkowski and Sons, LLC for the 2022 year.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the January 1, 2022 bill list in the amount of \$1,962,078.17.

CORRESPONDENCE

- a. Animal Control Officer Report – December 2021
- b. Recreation Commission – Fire & Ice Event February 5, 2022/Rain date of February 12, 2022

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 7:22 p.m.

Ms. Sharon Petzinger made comments about the Township's newsletter.

Ms. Lisa Rivers provided comments on the meeting of January 13, 2022.

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 7:29 p.m.

EXECUTIVE SESSION - Resolution No. 29-2022

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 29-2021 and convened in executive session at 7:30 p.m. It is not anticipated that action will be taken.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 29-2022**

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;

X A collective bargaining agreement, or the terms and conditions thereof (Specify contract: **PBA 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;

_____ 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;

X 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): **Business Administrator Position & Tax Counsel** 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: _____ And whereas 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 8:45 p.m.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee scheduled a Special Meeting to be held on Thursday, February 3, 2022, at 6:00 p.m. to conduct Business Administrator interviews.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote to adjourn the meeting at 8:46 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: February 16, 2022

Mike Schmidt, Mayor