

PUBLIC COMMENTS – for agenda items only.

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.

There were no comments from the public.

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

ORDINANCES

Mayor Schmidt noted that there is a change in the agenda. CAP Ordinance 2021-02 was introduced in January but after publication the Auditor found an error. He has provided a revised Ordinance, No. 2021-03, for the Committee to consider.

Ordinance No. 2021-01- CAP – Public Hearing

Motion by Mr. Laul, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2021-01 was opened.

There were no comments from the public.

Motion by Mr. Laul, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2021-01 was closed.

Motion by Ms. Koehler, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee withdrew Ordinance No. 2021-01.

STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON
ORDINANCE NO. 2021-01
CALENDAR YEAR 2021
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40a:4-45.14)

Introduction

Ordinance No. 2021-03- To Exceed the Municipal Budget Appropriations Limits and to Establish a Cap Bank

Motion by Mr. Abuchowski, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2021-03, on first reading as amended and entitled below.

STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON
ORDINANCE NO. 2021-013
CALENDAR YEAR 2021
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40a:4-45.14)

Public Hearing to be Held on March 3, 2021

RESOLUTIONS

Resolution No. 26-2021

Tabled at the January 20, 2021 meeting for clarification.

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 26-2021 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 26-2021
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR THE
TOWNSHIP OF LEBANON FOR ENVIRONMENTAL ENGINEER /LICENSED SITE
REMEDIAION PROFESSIONAL

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 are hereby authorized and directed to execute the agreements; and

WHEREAS, sufficient funds are available in the 2021 Temporary Budget and will be made available in the 2021 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 3rd day of February, 2021 as follows:

1. Darin Vogel is hereby appointed as Environmental Engineer/Licensed Site Remediation Professional for the 2021 year.
2. The Mayor and the Municipal Clerk are hereby authorized and directed to execute the contract with Darin Vogel and his firm Lisko Environmental, LLC, for the year 2021.

Resolution No. -2021 – Professional Service Appointments

LTCM

02/03/2021

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Motion by Mr. Abuchowski, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 32-2021 as written below.

TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 32-2021
RESOLUTION EXTENDING THE DEADLINE FOR
POSTING OF FEES FOR DOG LICENSE

WHEREAS, the Township Committee of the Township of Lebanon, in the County of Hunterdon and State of New Jersey, pursuant to Executive Order No. 103, which declared a Public Health Emergency in the State of New Jersey as a result of an outbreak of COVID-19, to extend the deadline for thirty (30) days as to the posting of fees for dog licenses.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, authorizing the thirty (30) day extension of the posting of fees for dog licenses and waiving any penalties set forth in Chapter 205, Article II, Fee Schedule, during the extension period

OLD BUSINESS

Block 59 Lot 21 Donation- Environmental Assessment and Title Search

Mayor Schmidt stated that last year the Township was offered a donation of a .28-acre property on Musconetcong River Road, Block 59 Lot 21. The Committee approved the donation subject to an Environmental Review being conducted and a clear Title.

Three proposals were solicited for the Environmental Review to be conducted with two received. The lowest proposal received was from Brokerhoff Environmental Services of Washington, NJ in the amount of \$2945.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee authorized the Mayor and Clerk to engage Brokerhoff Environmental Services, for a Preliminary Environmental Assessment at a cost of \$2945.

Three proposal were also solicited for the Title work and minimum insurance levels. Titles Lines was the lowest quote received at \$508.

Motion by Mr. Abuchowski, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the proposal of Title Lines for the Title work and minimum insurance for Block 59 Lot 21.

Mayor Schmidt noted that due to COVID delays it may take a few months for the work to be completed. Mayor Schmidt also noted that the donation is still contingent on the adoption of an ordinance by the Committee.

IT Update

Tabled to Executive Session.

Mr. Barberio informed the Committee that the IT Company was in for an assessment of the Municipal Office and Police Department. He expects to receive a proposal by next week.

NEW BUSINESS

Fire Inspector – Advertisement

Mayor Schmidt stated that the Township has a Fire Official who conducts inspections for real estate change of ownership and life hazard uses. The Official will be out of town from time to time and is requesting the appointment of a Part Time Fire Inspector. The Inspector will cover for him for real estate fire inspections. The job description has been posted. It will need to be posted for 10 days so action can be taken at the next meeting, if there are qualified candidates. The Committee will decide at the next meeting if the Fire Inspector will be paid the same hourly rate as the Fire Official for the inspections.

Township Structure - Roles, Responsibilities and Authorities

Mr. Abuchowski stated that he feels that the Township is need of an organizational chart. Mr. Abuchowski noted that, from a transparency standpoint, it is important for the residents to be able go the website and find the interrelationships of the Departments. Mr. Abuchowski said that he feels that it will be a worthwhile undertaking this year to develop an organizational chart for the website. Mr. Abuchowski also noted that job descriptions, roles and responsibilities would also be beneficial on the website. Mr. Barberio stated that he has begun to prepare an organizational chart and will work with Mr. Abuchowski on the endeavor. Mr. Abuchowski said that it is a matter of codifying what already exists, not to create something new. Mr. Barberio said that the chart will then be placed in the Personnel Policy and Procedures Manual.

RHA Water Quality Volunteer Award - Kathryn Koch

Mayor Schmidt stated that Kathryn Koch has been informed that she will be receiving a Raritan Headwaters Water Quality Volunteer Award. Ms. Koch has been selected as one of five honorees who will be receiving the award this year.

Motion by Mr. Laul, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee congratulated Ms. Koch for her award and thanked her for her efforts with the EOOSC and the Water Test Program.

Approve Junk Yard Application – Burd’s Salvage

Motion by Mr. Abuchowski, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved a Junk Yard License for Burd’s Salvage.

VOUCHERS – No vouchers this meeting.

CORRESPONDENCE

- a. Curator's Report

PUBLIC COMMENTS

Motion by Ms. Koehler, seconded by Mr. Abuchowski 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. Kathryn Koch thanked the Committee for the recognition of her award and noted that the Well Test program will be held on May 22, 2021.

Ms. Koch provided a summary of the Curator's report.

Motion by Mr. Abuchowski, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:43 p.m.

EXECUTIVE SESSION - Resolution No. 33-2021

Motion by Mr. Laul, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 33-2021 and convened in executive session at 7:43 p.m. Action is anticipated.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 33-2021**

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;

_____ 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): 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.)

Internet Technology Contract

_____ 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: _____ 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.); **Police**

Chief's Retirement and Succession

_____ 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.

There is no formal action to be taken.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Ms. Koehler seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote to adjourn the meeting at 8:12 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: February 17, 2021

Mike Schmidt, Mayor