

Meeting audio can be found at lebanontownship.net.
Timestamp in blue.

**Lebanon Township Committee
June 1, 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 the First Responders, Servicemen and Women and in memory of the Uvalde Texas shooting victims.

ROLL CALL

Present - Mike Schmidt Thomas McKee Marc Laul
 Beverly Koehler Guy Wilson

Absent-

Also Present - Attorney Matt Lyons, Business Administrator Karen Brown, Clerk Karen Sandorse, and 13 members of the public.

PUBLIC COMMENTS – for agenda items only.

1.13

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 7:01p.m.

There were no comments from the public.

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 7:01p.m.

PRESENTATION OF MINUTES

- a. Minutes of the Regular Meeting of May 18, 2022 – Tabled

ORDINANCES

1:42

Ordinance No. 2022-07 - Public Hearing

Motion by Mr. Wilson, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2022-07 was opened.

There were no comments from the public.

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2022-07 was closed.

Motion by Mr. Wilson, seconded by Ms. Koehler, and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2022-07 as written below.

STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON
ORDINANCE NO. 2022-07

CAPITAL ORDINANCE OF THE TOWNSHIP OF LEBANON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$694,251 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP.

BE IT ORDAINED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, New Jersey, as follows:

Section 1. The Township of Lebanon, in the County of Hunterdon, New Jersey (the "Township") is hereby authorized to undertake the following public improvements and acquisitions in, by and for the Township: (A) undertaking the Road Resurfacing Program at various locations; (B) undertaking the Chip Seal Program at various roads; (C) acquisition of a boom mower for the use of the Department of Public Works ("DPW") - Streets and Roads; (D) undertaking various improvements to the Municipal Building, the DPW Building and Fire House No. 2; (E) acquisition of an SUV for the use of the Police Department; and (F) acquisition of the following for the use of the Fire Department: (i) a duty officer pickup truck; (ii) an automatic stretcher; and (iii) defibrillators. Said improvements and acquisitions

shall include all equipment, work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$694,251 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Capital Improvement Fund of the Township. The sum of \$694,251 is hereby appropriated from the Capital Improvement Fund of the Township to the payment of the cost of said purpose.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefitted.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

RESOLUTIONS

3:21

Resolution No. 64-2022 - Reappointment of Tax Assessor

Motion by Mr. Laul, seconded by Mr. Wilson and carried by favorable roll call vote, the Township Committee approved Resolution No. 64-2022 as written below. AYES: Laul, Wilson, Schmidt ABSTAIN: McKee, Koehler

TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 64-2022
CONFIRMING THE APPOINTMENT OF TAX ASSESSOR

WHEREAS, pursuant to N.J.S.A. 40A:9-146, the Township is required to appoint a Tax Assessor; and

WHEREAS, Erica J. Brandmaier was appointed Tax Assessor of the Township of Lebanon beginning December 20, 2018, and ending June 30, 2022; and

WHEREAS, the Township Committee has determined that Erica J. Brandmaier has efficiently served as Tax Assessor since that time; and

WHEREAS, pursuant to N.J.S.A. 40A:9-148 the term of a tax assessor is "4 years from the first day of July next following his/her appointment;" and

WHEREAS, the Township Committee has also determined that Ms. Brandmaier should be appointed as authorized agent for the Township to appear and act as agent in all tax appeal matters before the Hunterdon County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, New Jersey, that Erica J. Brandmaier is hereby re-appointed to the position of Lebanon Township Tax Assessor for the four year statutory term from July 1, 2022, to June 30, 2026; and

IT IS FURTHER RESOLVED, that Ms. Brandmaier be and is hereby appointed as authorized agent for the Township for Lebanon to appear and act as agent in all tax appeal matters before the Hunterdon County Board of Taxation in which the Township of Lebanon is a party.

IT IS FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute the attached agreement with Ms. Brandmaier in substantially the same form as that attached hereto.

Resolution No. 65-2022 - Reappointment of Tax Collector

Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 65-2022 as written below.

TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 65-2022
CONFIRMING THE APPOINTMENT OF TAX COLLECTOR

WHEREAS, pursuant to N.J.S.A. 40A:9-141, the Township is required to appoint a Tax Collector; and

WHEREAS, Ann Marie Silvia was appointed Tax Collector of the Township of Lebanon beginning June 17, 2020, ending December 31, 2020; and

WHEREAS, the Township Committee has determined that Ann Maria Silvia has efficiently served as Tax Collector since that time; and

WHEREAS, pursuant to N.J.S.A. 40A:9-142 the term of a tax assessor is “4 years from the first day of January next following his/her appointment;” and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, New Jersey, that Ann Marie Silva is hereby re-appointed to the position of Lebanon Township Tax Collector for the four year statutory term from January 1, 2021, to December 31, 2024.

IT IS FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute the attached agreement with Ms. Silvia in substantially the same form as that attached hereto.

Resolution No. 66-2022 - Standing Committee Meeting Policy

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 66 -2022 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON

STATE OF NEW JERSEY
RESOLUTION NO. 66-2022
RESOLUTION ON MEETING POLICY FOR
LEBANON TOWNSHIP STANDING COMMITTEES

WHEREAS, the Township of Lebanon relies on resident volunteers appointed to various Boards, Commissions, and Committees, together referred to as the Standing Committees, to carry out essential and accessory functions of the Municipality, and

WHEREAS, the dates, times, and locations for the meetings of the Standing Committees are established annually at the Township Reorganization Meeting and notified to the public, including posted on the Township Website, and

WHEREAS, the Standing Committees are an extension of the Municipal Government and public participation in the meetings and activities of the Standing Committees is encouraged, and

WHEREAS, unforeseen events occasionally prevent the Standing Committee volunteers from being able to meet at the regularly scheduled date, time or location established at the Reorganization, making it beneficial to the Township for meeting dates, times or locations to be changed, and

WHEREAS, a policy and procedure for changing the established date, time or location of the meetings of Standing Committees is required.

NOW THEREFORE BE IT RESOLVED that, without superseding any requirements of State Statute, Township Ordinance, or Standing Committee Bylaws, a Standing Committee may change its meeting date, time or location with no less than three-business-day notification to the Municipal Clerk in order for the Clerk to post such change to the Township Website with at least two days' advance notice of such change to the public, and

BE IT FURTHER RESOLVED that Standing Committees will inform the Municipal Clerk of any change in the established meeting schedule as soon as such changes are made in order to provide the public with as much advance notice as possible and that the Clerk will promptly have such changes posted on the Township Website, and

BE IT FURTHER RESOLVED that the Chairperson of any Standing Committee that has changed its established meeting date, time, or location will confirm that such change has been updated on the Township Website with as much advance notice as possible, but in any case, at least two days in advance of any meeting, and report any incorrect meeting information to the Municipal Clerk for rectification.

UNFINISHED BUSINESS

7:58

Special meeting for DPW Interviews

Motion by Ms. Koehler, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee scheduled a special meeting to be held on June 15, 2022 at 6:15 p.m. to conduct DPW candidate interviews in closed session.

Forest Stewardship Plan

Ms. Nancy Lawler and Ms. Sharon Petzinger of the EOSC, were present to request authorization from the Township Committee in requesting funding from the Highlands Council's Plan Conformance Grant in the total amount of \$36,250.00. The funds will be divided into two parts;

\$28,050 to create a municipal forest stewardship master plan for all municipal-owned forest lands, and \$8,200 to create a forest stewardship plan for two contiguous parcels in the Anthony Preserve. Discussion held.

Motion by Mr. Wilson, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee endorsed the funding request from the Highlands Council Plan Conformance Grant in the amount of \$36,250.00.

Newsletter

Mayor Schmidt raised questions on a recommendation made for the newsletter editor position in November 2021. Discussion held.

ADMINISTRATOR REPORT

29:20

Ms. Brown stated that Senator Booker and Congressman Malinowski's offices have selected the Township's grant project to submit to the Appropriations Committee.

There will be two trainings for harassment and discrimination for the employees, volunteers and Township Committee members.

The Township is in process of conducting an IT assessment. Security measures will be discussed in closed session.

The DPW Position has been posted on the website and township buildings with the application deadline being June 3, 2022.

NEW BUSINESS

Resignation of Police Officer

34:27

Officer Hayden Lechner has submitted a letter of resignation as he has been appointed to the United States Secret Service.

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee accepted the resignation of Officer Hayden Lechner with congratulations.

Appointment of Park Committee Member

Motion by Mr. McKee, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee appointed Tamara Dunning to the Park Committee.

Shared Services Agreement - NHVRHS Special Law Enforcement Officer

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Shared Services Agreement with NHVRHS for Special Law Enforcement Officer and authorized the mayor to sign.

Shared Services Agreement –NHVRHS School Resource Officer

Motion by Mr. Wilson, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Shared Services Agreement with the NHVRHS for a School Resource Officer and authorized the mayor to sign.

PRESENTATION OF VOUCHERS 41:42

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

Questions were raised and discussion was held on the RK Environmental Invoice in the amount of \$4,224.50. The invoice will need further review prior to approval.

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee amended the June 1, 2022 bill list, in the amount of \$126,233.26, to exclude the RK Environmental invoice (\$4,224.50) for a total approved bill list amount \$122,008.76.

CORRESPONDENCE 49:38

No correspondence

PUBLIC COMMENTS 49:43

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 7:50 p.m.

Ms. Sharon Petzinger made comments on Clean Community Grant funds and provided suggestions on ways in which to use them.

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 7:52 p.m.

EXECUTIVE SESSION – Police Personnel & PBA Contract 52:30

Motion by Mr. Wilson, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 67-2022 and convened in executive session at 7:53 p.m. Action will be taken.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 67-2022**

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;

_____A collective bargaining agreement, or the terms and conditions thereof;

_____ 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;

 X Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection; **Information Technology Services**

_____ 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): 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

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in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: **Police Personnel** 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.

Meeting reconvened at 8:35 p.m.

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee entered into an agreement with Hunterdon County ESC Technology Division in an amount of \$1,960.0 for IT services.

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee appointed Police Officer's 10th Class, Douglas Nichuck, Logan Torres and Cody Crowley, subject to the execution of an Employment and Reimbursement Agreement as approved by the Township Committee.

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 8:36 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: June 15, 2022

Mike Schmidt, Mayor