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Timestamp in blue.

**Lebanon Township Committee  
August 17, 2022**

**Minutes of Regular Meeting  
Woodglen School**

**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 people of Ukraine.

**ROLL CALL**

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

Absent-

Also Present - Attorney Tara St. Angelo, Clerk Karen Sandorse, many members of the public.

**PRESENTATION OF MINUTES**

**0:56**

**Minutes of the Regular Meeting of July 6, 2022**

*Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Minutes of the Regular Meeting of July 6, 2022.*

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

**1:23**

*Motion by Mr. Wilson, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 7:01 p.m.*

There were no comments from the public.

*Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 7:03 p.m.*

**ORDINANCE NO. 2022-09 – Amending Ordinance 2022-06**

**3:25**

**Introduction**

*Motion by Mr. Wilson, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2022-09, on first reading and entitled below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO. 2022-09  
AMENDING ORDINANCE NO. 2022-06  
DESIGNATING THE NAMES OF PARCELS OF PRESERVED LAND IN THE TOWNSHIP  
OF LEBANON,  
COUNTY OF HUNTERDON, STATE OF NEW JERSEY

**Public Hearing to be held on September 21, 2022**

**UNFINISHED BUSINESS**

**4:56**

**American Tower/Dish Networks on Cell Tower and Verizon Routine Maintenance**

*Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee approved American Tower's requests for Preliminary Approval to start the process of adding a Dish Network to the Municipal Complex cell tower, as the 4<sup>th</sup> carrier, and for Verizon to conduct routine maintenance to the tower and authorized the Mayor to sign the agreements.*

**NEW BUSINESS**

**6:46**

**Police Chief Request to Purchase Motorola Radios**

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the Police Chief's request to purchase 4 Motorola R7 VHF Portable Radios at \$5684.00 and 2 Motorola Moto TRBO XPR5550e Mobile radios at \$2049.96, from M&W Communications, Inc., a State Contract Vendor, at a total cost of \$7736.96*

**Fire Department Request for Release of Capital Funds – Roof Replacement**

*Motion by Mr. McKee, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the Fire Department's request to award a contract to Babich*

Construction Co. in the amount of \$14,430.00 for the replacement of Station #2 roof. Three quotes were received with Babich being the lowest quote received. The funds have been certified and will come from the Capital Improvement Fund.

### **Fire Department - New Jersey EMS Task Force Membership Application**

Tabled for further review at future meeting.

### **Board of Adjustment Request to Appoint Member and Reassign Board Members Positions**

*Motion by Mr. Wilson, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee appointed Kathleen Devine to the Board of Adjustment as Alternate II, term expiring 12/2023. Karen Zatika will fulfill the unexpired term of John Locker – Class IV, term expiring on 12/2024. Charles Fortenbacker will be reassigned to Alternate I, term expiring 12/2022.*

### **PRESENTATION OF VOUCHERS**

**10:42**

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

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the August 17, 2022 bill list in the amount of 3,177,867.89.*

### **CORRESPONDENCE**

**14:35**

- a. Curator's Report

### **PUBLIC COMMENTS**

**15:41**

*Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:16 p.m.*

The Township Committee received comments from the public related to the proposed cannabis facility, the Business Administrator matter, Township security and Ash trees.

*Motion by Mr. Wilson, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 9:05 p.m.*

### **EXECUTIVE SESSION**

**2:05:16**

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 86-2022 and convened in executive session at 9:05 p.m.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 86-2022  
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;

\_\_\_\_\_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): **PBA Contract Negotiations** 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.

Meeting reconvened at 9:51 p.m.

#### **ADJOURNMENT**

Having no further business to come before the Committee a motion was made by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote to adjourn the meeting at 9:51 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: September 21, 2022

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Mike Schmidt, Mayor