

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

**Lebanon Township Committee  
September 4, 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 our Servicemen and Women.

### **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 18 members of the public.

### **PRESENTATION OF MINUTES**

#### **Minutes of the Regular Meeting of August 7, 2019**

*Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular Meeting of August 7, 2019.*

#### **Minutes of the Special and Special Executive Session Meetings of August 21, 2019**

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Special and Special Executive Session meetings of August 21, 2019.*

**Minutes of the Regular and Executive Session Meetings of August 21, 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 August 21, 2019.*

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

*Motion by Ms. Koehler, seconded by Mr. McKee 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**

**Introduction**

**Ordinance No. 2019-07 – Amending Chapter 269 – Parks and Playgrounds**

*Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance 2019-07, on first reading, as entitled below*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO. 2019-07  
AN ORDINANCE AMENDING CHAPTER 269 – PARKS AND PLAYGROUNDS  
OF THE TOWNSHIP OF LEBANON,  
COUNTY OF HUNTERDON, STATE OF NEW JERSEY

**Public Hearing to be held on September 18, 2019**

**RESOLUTIONS**

**Resolution No. 78-2019 – Appointing a Township Administrator**

Mr. Wunder stated that he hopes having an Administrator works well for the Township although he is opposed to the idea. Mr. Wunder questioned the statement in the resolution “increasing density of development” as with the Highlands, there is minimal development in the Township. Mr. Laul feels that the statement pertains to changes in the State.

Ms. Koehler asked if it has been determined what days of the week and what hours the Administrator will be working. Mayor Schmidt stated that this is still in development. Mr. Barberio stated that he will know the need when he becomes familiarized with the two Townships; however, Lebanon

Township will receive 20 hours a week from him, and probably more, as he will always get the work done.

Mr. Barberio provided a self-introduction and thanked the Governing Body for being given the opportunity to serve Lebanon Township as the Business Administrator.

Ms. Koehler said that she is not convinced that the Township needs an Administrator and her vote is not personal to Mr. Barberio.

*Motion by Mr. Laul, seconded by Mr. McKee and carried by favorable roll call vote, the Township Committee approved Resolution No. 78-2019 as written below. AYES: Laul, McKee, Schmidt NAYS: Wunder, Koehler*

Mayor Schmidt welcomed Mr. Barberio and said that he looks forward to working with him.

TOWNSHIP OF LEBANON  
HUNTERDON COUNTY, NEW JERSEY  
RESOLUTION NO. 78- 2019  
RESOLUTION OF THE TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON, STATE OF NEW  
JERSEY, APPOINTING JAMES R. BARBERIO AS BUSINESS ADMINISTRATOR

WHEREAS, throughout New Jersey the responsibilities and operations of local government have grown in complexity due not only to the increasing density of development in the State but also due to the ever-increasing rules and regulations set forth by various state and federal agencies; and

WHEREAS, in order to provide assistance to elected officials in ensuring the proper administration of the affairs of the municipality as well as providing for the efficient and effective administration and management of the resources of the municipal organization it is necessary to create the position of Business Administrator and to assign to this position those duties, responsibilities and authority that are necessary to accomplish the proper administration of the affairs of the municipality; and

WHEREAS, Lebanon has a need for the services of a Business Administrator.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, in the County of Hunterdon, that the Township of Lebanon hereby appoint James R. Barberio as Business Administrator of Lebanon Township effective immediately.

**Resolution No. 79-2019 – Award Bid for Snow and Ice Control Materials**

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 79-2019 as written below*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 79-2019  
RESOLUTION AWARDING A CONTRACT FOR  
ROCK SALT

WHEREAS, the Board of Chosen Freeholders awarded a master contract to Morton Salt (Rock Salt) on July 2, 2019 to provide rock salt for the County and members of the Cooperative Pricing System for Ice Control Materials Bid No. 2018-14 for the 2019/2020 season, and

WHEREAS, the Township Committee has requested to participate in the non-binding anticipation of purchasing 2000 tons of Rock Salt.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the following contract be awarded for a contract period of September 19, 2019 to September 19, 2020.

<b>COMPANY</b>	<b>ITEM</b>	<b>PRICE</b>
Morton Salt	Rock Salt	\$ 50.59 per ton

## **OLD BUSINESS**

### **Affordable Housing Rehabilitation Contract – Final Notice for Proposals for Siding and Windows**

Mayor Schmidt stated that the Township is working through the process of a Rehabilitation Application for a resident. The Township will be funding the contractual relationship; however, will not be a party in the contract. Mayor Schmidt noted that if there are any contractors who are interested in bidding on the project, they should submit their proposals by September 13, 2019.

### **Harlin and Leslie Parker- Request to Extend Approval for Trailer on Property**

The Township Committee received a letter from Harlin and Leslie Parker requesting an extension of time to have a trailer placed on their property, at 23 Dewey Lane, while their home is being constructed. Mr. and Mrs. Parker were present at the meeting and informed the Committee that all permits have been submitted and all state, county and local fees have been paid. Construction has begun and, if the weather cooperates, the house should be framed with roof and siding by October. The Parker's are hoping that the house will be completed by Spring 2020.

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the Parker's extension of time for 90 days with the Parker's being responsible to come back to the Committee for another extension, if necessary.*

### **VFIS- Accident Policy Career Rider**

The VFIS Accident Policy that the Township carries for the Volunteer Fire and EMS members does not carry over to the paid per-diem employees. There is an additional cost to provide the same level of coverage under the Career Rider.

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the addition of Weekly Injury Permanent Impairment: \$176 annually, Transition Benefit: \$10 annually, Extra Expense Benefit: \$165 annually to the Accident Policy contingent on the cost covering all paid per diem employees, not individuals.*

## **NEW BUSINESS**

### **Police Chief's Request to Purchase Duty Ammunition**

*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 duty ammunition from Hackettstown Firearm Storage at \$1840.00.*

### **Police Chief's Request to Purchase a Bulletproof Vest**

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the Police Chief's request to purchase a bulletproof vest from Lawmen Supply Company at \$1053.38.*

### **Social Affair Permit – St. John Neumann Church – December 6, 2019**

*Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved a Social Affair Permit for St. John Neumann Church, for an event to be held on December 6, 2019, contingent upon approval from the Police Department.*

### **Veteran's Haven North**

Mr. Wunder stated that Veteran's Haven North is at full capacity, at 75 residents, with a waiting list.

### **Food Pantry**

Mr. Wunder stated that he is working with the Food Pantry in trying to acquire an air conditioner through a donation.

## **PRESENTATION OF VOUCHERS**

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

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the September 4, 2019 bill list in the amount \$41,759.53.*

## **CORRESPONDENCE**

### **a. NJ Dept of Treasury – East Hall-Former Hagedorn Psychiatric Hospital**

Mayor Schmidt stated that the letter from the Treasury informs the Township that they are in process of leasing out the East Hall at the Hagedorn Facility. It will be used as a rehabilitation facility for addiction, psychiatric, mental and behavioral services. The lessee is a Florida based company who is in process of making application to the State. There will be approximately 90 beds and it is anticipated to open early to mid-2020.

- b. Curator's Report
- c. Township Historian's Walking Tour

**PUBLIC COMMENTS**

*Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:39 p.m.*

Mr. Ron Milkowski asked if the phone company or Comcast is providing the internet service for the Township. Mr. Laul stated that the internet is provided by Comcast.

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:40 p.m.*

**EXECUTIVE SESSION - Resolution No. 80 -2019**

*Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 80-2019 and convened in executive session at 7:41p.m. It is not anticipated that action will be taken.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 80-2019**

**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: **CWA Negotiations**);

A matter involving the purchase, 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

**Real Estate Matter relating to Voorhees High School District**

\_\_\_\_\_ 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: **Potential Litigation relating the Township's Personnel Policies and the Administrator**

\_\_\_\_\_ 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 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:

\_\_\_\_\_ 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.; **Personnel Matters relating to the Police Chief, the DPW Manager and the Municipal Clerk**

\_\_\_\_\_ 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.


The Clerk left the meeting at 8:45 p.m.

Public Meeting reconvened at \_\_\_\_\_ p.m.

**ADJOURNMENT**

Having no further business to come before the Committee a motion was made by M \_\_\_\_\_ ,  
seconded by M \_\_\_\_\_ and carried by unanimous favorable roll call vote to adjourn the meeting at  
p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: September 21, 2019

  
\_\_\_\_\_  
Mike Schmidt, Mayor