

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

**Lebanon Township Committee  
December 1, 2021**

**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 and First Responders, especially noting the Township’s five School Resource Officers, in light of the heroic work done by Resource Officers in Michigan this week.

**ROLL CALL**

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

Absent-                    Administrator James Barberio

Also Present -                    Attorney Matthew Lyons, Clerk Karen Sandorse and 1 member of the public.

**PRESENTATION OF MINUTES**

- a. Minutes of the Regular and Executive Session Meeting of November 17, 2021 – Tabled

**IN MEMORY OF RUTH HAHN 1918-2021**

Mayor Schmidt said that longtime resident Ms. Ruth Hahn passed away on November 17, 2021 at 103 years of age. Mayor Schmidt read Ms. Hahn’s obituary for the record and offered sympathy to her family.

Mr. Wilson joined the meeting at 7:03 p.m.

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

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

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 at 7:04 p.m.*

**RESOLUTIONS**

**Resolution No. 90-2021 - State Of New Jersey County of Hunterdon Township of Lebanon  
Resolution Appointing Risk Management Consultant**

*Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 90-2021 as written below.*

STATE OF NEW JERSEY  
COUNTY OF HUNTERDON  
TOWNSHIP OF LEBANON  
RESOLUTION NO. 90-2021

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, Lebanon Township (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Hunterdon and State of New Jersey, as follows:

1. Lebanon Township (Local Unit) hereby appoints Groendyke Associates its Risk Management Consultant.
2. Mayor Schmidt (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2022 in the form attached hereto.

**Resolution No. 91-2021 - State of New Jersey County of Hunterdon Township of Lebanon  
Statewide Insurance Fund Resolution Appointing Fund  
Commissioner**

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee approved Resolution No. 91-2021 as written below. AYES: Laul, McKee, Koehler, Schmidt Abstain: Wilson*

STATE OF NEW JERSEY  
COUNTY OF HUNTERDON  
TOWNSHIP OF LEBANON  
RESOLUTION NO. 91-2021  
STATEWIDE INSURANCE FUND  
RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, Lebanon Township (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Lebanon (Local Unit) that Guy Wilson (*entity's elected official or employee*) is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2022**; and

BE IT FURTHER RESOLVED that Karen Sandorse (second elected official or employee) is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2022**; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

**Resolution No. 92-2021 - Township of Lebanon County of Hunterdon State of New Jersey  
Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle October 2020 - June 2025**

*Motion by Mr. Wilson, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 92-2021 as written below.*

Township of Lebanon  
County of Hunterdon  
State of New Jersey  
Resolution No. 92-2021  
Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle October 2020 - June 2025  
FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the

faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Lebanon, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon;

NOW, THEREFORE, BE IT RESOLVED by the Township of Lebanon, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Voorhees Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$ <u>7,306.00</u>
Cash Match	\$ <u>1,826.50</u>
In-Kind	\$ <u>5,479.50</u>

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. The Township Council further acknowledges that the Hunterdon County Educational Services Commission shall act as Fiscal Agent to all Hunterdon County Municipal Alliance Consortiums to provide a streamlined process for the reimbursement of expenditures.

## **UNFINISHED BUSINESS**

### **Personnel Policy and Procedure Manual**

Mayor Schmidt stated the Administrator is not present but he has updated the Policy based on comments received from the Committee and has reviewed it with the Township Attorney. Mayor Schmidt noted that the Policy will need to be adopted by ordinance. Mayor Schmidt said that the Committee can approve the Policy by motion, for this evening, to carry through the end of the year. Changes can be considered in 2022, for final adoption, through ordinance.

Attorney Lyons asked if he and the Clerk can move forward with preparing the ordinance. The Committee will determine the final content, which can be added before adoption.

Mr. McKee said that he would like to speak to the Administrator about a few items.

Ms. Koehler said that she has quite a few issues that she would like to see addressed before an approval by the Committee.

Attorney Lyons said that approving the policy will provide an extra layer of protection for the Township in defense.

If the Committee were to approve the policy this evening the Township employees will need to be provided with a copy and it will be in effect for the last three weeks of the 2021 year.

Attorney Lyons suggested that the Committee should push any discussions to be had over the next few weeks.

Discussion was held on when to approve the Policy and to distribute the to the employees.

The matter was tabled to the December 15, 2021 meeting.

## **NEW BUSINESS**

### **Schedule 2022 Reorganization Meeting**

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee scheduled the 2022 Reorganization meeting to be held on Wednesday, January 5, 2022 at 6:00 p.m.*

### **Police Chief's Request to Purchase Dell Computers – Vehicle and Desktop**

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Police Chief's request to purchase a Dell Latitude Laptop in an amount not to exceed \$855.40 and a Dell Optiplex Desktop in an amount not to exceed \$1326.83 from Dell Technologies.*

## **PRESENTATION OF VOUCHERS**

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

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the December 1, 2021 bill list in the amount of \$ 42,173.31.*

## **CORRESPONDENCE**

- a Curator's Report

## **PUBLIC COMMENTS**

*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 at 7:29 p.m.*

There were no comments from the public.

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 7:30 p.m.*

Attorney Lyons stated that discussions relating to the Township's agreement for Shared Services are closed session items as they relate to terms and conditions of a contract. Attorney Lyons also noted that he spoke with the current Administrator and he has not provided approval to be discussed without being present. He would like the discussion held over to the December 15, 2021 meeting. Attorney Lyons said that other matters relating to the Administrator's position can most likely be discussed in public.

### **EXECUTIVE SESSION**

*Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 93-2021 and convened in Executive Session at 7:31 p.m.*

Potential action may be taken.

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 93-2021

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;

\_\_\_\_\_ 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 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.); The general nature of the matter is:

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. – **Part Time Clerical**

\_\_\_\_\_ 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 Committee reconvened the public meeting at 8:32 p.m.

Mr. McKee stated that Maria Naccarato has been an outstanding employee for the Township and is in good standing; however, at this time the work load for the position has diminished significantly. The Committee is putting a final day of work as of January 19, 2022, subject to further reviews.

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee put the final day of work for Part Time Clerical Maria Naccarato as January 19, 2022 subject to further review. AYES: Laul, McKee, Wilson, Koehler ABSTAIN: Schmidt*

Mayor Schmidt stated that the Committee updated themselves on their contract with Tewksbury Township for a Shared Administrator. Mayor Schmidt proposed for the Committee to keep their options.

Discussion held.

*Motion by Mr. Wilson, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee authorized placing the administrator's position on the League of Municipalities website.*  
AYES: Laul, Wilson, Schmidt NAYS: McKee, Koehler

## **ADJOURNMENT**

Having no further business to come before the Committee a motion was made by Mr. Laul seconded by Mr. McKee and carried by unanimous favorable roll call vote to adjourn the meeting at 8:42 p.m.

Respectfully submitted,

---

Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: February 2, 2022

---

Mike Schmidt, Mayor