

Meeting audio can be found at lebanontownship.net.

**Lebanon Township Committee
February 5, 2020**

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, Police Chief Rautenberg, Clerk Karen Sandorse and 13 members of the public.

PRESENTATION OF MINUTES

Minutes of the Reorganization Meeting of January 7, 2020

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Reorganization Meeting of January 7, 2020.

Minutes of the Regular and Executive Session Meetings of January 22, 2020

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular and Executive Session Meetings of January 22, 2020.

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. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting.

PROCLAMATION

100 Year Anniversary of Women's Suffrage

Ms. Koehler provided a presentation and proclamation, which she prepared, in Celebration of Women’s Suffrage in the U.S. 1920-2020.

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee endorsed the 100 Year Anniversary of Women's Suffrage Proclamation as presented by Ms. Koehler.

ORDINANCES

Ordinance No. 2020-01- CAP – Public Hearing

Motion by Mr. Laul, seconded by Mr. Wunder, and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2020-01 was opened.

There were no comments from the public.

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2020-01 was closed.

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2020-01 as written below.

STATE OF NEW JERSEY
COUNTY OF HUNTERDON
TOWNSHIP OF LEBANON
ORDINANCE NO. 2020-01
CALENDAR YEAR 2020
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40a:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to **2.5%**

unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Lebanon in the County of Hunterdon finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$ 46,579.52 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Lebanon shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 163,028.32, and that the CY 2020 municipal budget for the Township of Lebanon be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ordinance No. 2020-02 – Salaries – Public Hearing

Motion by Mr. Wunder, seconded by Ms. Koehler, and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2020-02 was opened.

There were no comments from the public.

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2020-02 was closed.

Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2020-02 as written below.

ORDINANCE NO. 2020-02

AN ORDINANCE AUTHORIZING THE 2020 SALARY FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

BE IT ORDAINED by the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey, that:

SECTION A. This Ordinance shall be known and may be referred to be its short title which is “The 2020 Salary Ordinance.”

SECTION B. The annual salary of the following officers and employees of the Township of Lebanon shall be as set forth hereafter:

Employee	Salary Ranges	
Mayor	4,000.00	6,000.00
Committee	3,000.00	6,000.00
Open Space Coordinator	4,000.00	6,000.00
Tax Assessor	26,000.00	55,000.00
Municipal Clerk*	40,000.00	110,000.00
Deputy Clerk	30,000.00	55,000.00
Tax Collector	15,000.00	55,000.00
Chief Financial Officer	15,000.00	40,000.00
Treasurer	30,000.00	40,000.00
Planning Board Clerk	15,000.00	35,000.00
Zoning Officer	11,000.00	35,000.00
Board of Adjustment Secretary	15,000.00	35,000.00
Police Office Manager	29,000.00	55,000.00
Certified Public Works Manager*	55,000.00	115,000.00
Ass't Road Supervisor	40,000.00	80,000.00
Chief Mechanic	29,000.00	80,000.00
Road Employee	27,000.00	80,000.00
Police Chief	86,000.00	140,000.00
Police Sergeant	66,000.00	125,000.00
Police Officer	32,000.00	115,000.00
Office of Emergency Management	2,000.00	6,000.00
Dog Census	2,000.00	6,000.00

SECTION C. The hourly wage of the following employees of the Township of Lebanon shall be set forth hereafter:

Employee	Salary Ranges	
Buildings and Grounds	12.00	15.00
Library Clerk	19.00	22.00
Assistant Library Clerk	11.00	15.00
Museum Curator	11.00	20.00

Assistant Museum Curator	11.00	17.00
Special Police Class II & Matrons	20.00	24.00
Dog Wardens	11.00	14.00
Mechanic Helper – over base pay	2.00	4.00
Fire Official	24.00	26.00
Perc Test Witness	100.00	125.00
Special Traffic Guards	25.00	38.00
Clerical Employee	11.00	15.00
Accounts Payable	20.00	23.00

Section D. The rate for mileage shall be the current federal limit.

*All other terms and conditions of the employment of the Certified Public Works Manager and Municipal Clerk shall be governed by the contracts approved by the Township committee on December 18, 2019, and executed by the Municipal Clerk on December 18, 2019, and the Certified Public Works Manager on December 20, 2019, for the duration of the contracts. (See copies of the above mentioned contracts attached hereto as Exhibit A for the Certified Public Works Manager and Exhibit B for the Municipal Clerk.) The terms and conditions of the employment of the Certified Public Works Manager and Municipal Clerk set forth in the after mentioned employment contracts shall supersede any provisions of Chapter 72 of the Lebanon Township Code.

This ordinance shall take effect upon final passage and publication as provided by law.

RESOLUTIONS

Resolution No. 26-2020 – Salaries

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 26-2020 as written below.

TOWNSHIP OF LEBANON
 COUNTY OF HUNTERDON
 STATE OF NEW JERSEY
 RESOLUTION NO. 26-2020

RESOLVED, BY THE Township of Lebanon, County of Hunterdon, State of New Jersey fixing the Compensation and Salaries of certain officers and employees of the Township.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon that this Resolution be known as the 2020 Salary Resolution and the annual salaries of the following officers and employees be set forth hereafter:

SECTION A:	2020 Salary
Mayor	5,000.00

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02/05/2020

Page 6 of 12

Committee	4,000.00
Open Space Coordinator	5,000.00
Tax Assessor - Brandmaier	28,559.84
Deputy Clerk Jacobus	53,407.68
Township Clerk - Sandorse	102,050.00
Tax Collector -	50,224.88
Chief Financial Officer - Della Pia	31,473.45
Planning Board/Bd of Adj Secretary - Glashoff	57,310.08
Police Office Manager - Goracy	50,335.68
	18,701.76
Zoning Officer - Flemming	
Road Supervisor - Gabriel	107,100.00
Asst. Road Supervisor - Rivers	69,786.96
Chief Mechanic - Kiley	68,476.08
Road Employee - Rivers	69,786.96
Road Employee - Beam	60,074.40
Road Employee - Candler	53,948.88
Road Employee - Gabriel III	38,875.20
Road Employee - Apgar	46,086.24
Chief of Police - Rautenberg	134,030.33
Sergeant - Gurneak	118,313.06
1st Class - Cronce	108,830.74
1st Class - Lane	107,441.89
1st Class - Thomsen	107,099.85
1st Class - Unkert	108,830.74
6th Class - DaSilva	62,173.81
6th Class - Plimpton	62,173.81
9th Class - Larowe	56,324.64
Office of Emergency Management - Maurizio	5,465.44
Dog Census -	4,747.26
Recycling Coordinator - Fascinelli	5,465.52

SECTION B: The hourly wage of the following employees of the Township of Lebanon shall be set forth hereafter:

Special Police II - Goracy	24.45
SLEO - Clyne, Hale, Moyle, Perna	30.00
Clerk - Gourlay, Mwangi, Wentz	14.00
Library Clerk - Drumm	21.28
Museum Curator - Sampaio	19.25
Library Clerk - Levida	14.25
2nd Clerk - Roth	16.55
Clerk - Codoyannis, Dunleavy, Maloy	12.55
Animal Control Officer	13.07
Fire Official - Apgar	25.19
Perc Test Witness -	100.00
Special Traffic Guards	42.58
Accounts Payable - Fascinelli	21.86
Road Department - Laborer	15.00

SECTION C: The rate for mileage shall be the current federal limit.

Resolution No. 27-2020 – Professional Service Appointments

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 27-2020 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 27-2020
PROFESSIONAL SERVICE APPOINTMENTS

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 and Chief Financial Officer are hereby authorized and directed to execute the agreements; and

WHEREAS sufficient funds are available in the 2020 Temporary Budget and will be made available in the 2020 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 5th day of February 2020 as follows:

Pamela Mathews, PE of Van Cleef Engineering is hereby appointed as Tax Map Maintenance Engineer for the 2020 year.

OLD BUSINESS

Tax Collector Position Update – Tabled to Executive Session

Rabid Raccoon

Mayor Schmidt stated that the Hunterdon County Health Department notified the Township that there was another rabid raccoon encounter with a dog. The attack took place at the corner of Little Brook Road and Sliker Road. Mayor Schmidt noted the importance of rabies vaccinations for pets and that residents should seek medial attention promptly if they or their pets come in contact with a raccoon.

Buildings and Grounds

Mr. Wunder stated that he and the Mayor looked into problems with the file room downstairs and discovered that the humidifier is not working properly and that a floor vent had been covered over by a filing cabinet. They are trying to rectify the issues to gain better work conditions.

ADMINISTRATOR UPDATE

Mr. Barberio informed that Committee that the Policy and Procedures Manual is almost done. He will be sending the Manual to the Township Attorney at the end of next week for his review and once complete it will be provided to the Township Committee for review and discussion.

Mr. Barberio said that he will be attending the Fund Commissioner Meeting for Statewide Insurance, tomorrow.

Mr. Barberio stated that resident complaints that he is working on will hopefully be taken care of by the end of next week.

NEW BUSINESS

Police Chief's Request to Purchase a 2020 Ford F150 4x4 Crew Cab

Chief Rautenberg informed the Committee that for years the Police Department has been discussing the need for a pickup truck as they are a multifunctioning Department. The new truck will still function as a police vehicle, with a cage in the back and a seat but they will also have the benefit of a bed. The bed will enable the Officers to assist the Road Department by having cones onboard for road closures plus it will provide the Officers with the ability to pick up downed bikes or debris on the side of the roadway, if necessary.

The purchase of the truck is a carryover from the 2019 purchase approval. The vehicle will be purchased through State Contract, from Winner Ford, at a cost of \$43591.00. The cost will be paid out of 2019 Capital Budget.

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of a 2020 Ford F150 4x4 Crew Cab, through State Contract #88728 from Winner Ford, at a cost of \$43591.00. The cost will be paid out of 2019 Capital Budget.

Police Chief's Request to Begin Hiring Process

Chief Rautenberg stated that with the retirement of Chief Gale the Department is now down to nine officers. He would like to advertise to fill the full-time position. Chief Rautenberg will be using websites to advertise as opposed to the newspaper. With approval, the notices will be posted on websites this Friday.

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the Police Chief's request to place employment ads for a full-time officer.

Attorney Lyons and Mr. Barberio will review the employment application.

Musconetcong Watershed Association - Grant Letter of Support

Ms. Nancy Lawler and Mr. Erik Henriksen were present.

Mr. Henriksen stated that the Musconetcong Watershed Association has been conducting testing in the lower end of the River from Hampton to Bloomsbury. Grant opportunities have now arisen for testing to be conducted from Hampton to Hackettstown. Ms. Lawler informed the Committee that Musconetcong Watershed Association is seeking a letter of support from the Township for a grant proposal that they will be submitting to the NJDEP. They are applying for funding to expand the current Watershed Protection Plan to include the area between Hampton and Hackettstown, which will include Lebanon Township. Ms. Lawler said that they will be collecting information from the

Township to see what challenges the Township has with insuring water quality. Water sampling is also a part of the Plan and will be free of charge for the Township.

Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the draft letter of support for the Musconetcong Watershed Association.

New Jersey Water Supply Authority – Grant Letter of Support

The New Jersey Water Supply Authority is applying for a NJDEP Grant for the preservation and restoration of the Spruce Run Reservoir and its tributaries. The NJWSA is requesting support from the Township by providing \$400 of in-kind labor services over the three-year project.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee endorsed the New Jersey Water Supply's Grant Application to the NJDEP and approved the \$400 of in-kind services.

Township Appreciation Event

Mr. Laul offered to organize the Township Event this year. Mr. Laul will check to see what dates are available for the park pavilion during the month of June.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Koehler, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee approved the February 5, 2020 bill list in the amount \$959,021.48 ABSTAIN: Mr. McKee abstained from the approval of his payment for the right of way easement and approved the rest of the bill list.

CORRESPONDENCE

- a. Meals on Wheels of Hunterdon, Inc. – 18th Annual March for Meals
- b. Senator Michael J. Doherty – Environmental Protection Recycling Enhancement Act Grant Award
- c. Lebanon Township EOSC November 4, 2020 Meeting Minutes

PUBLIC COMMENTS

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 7:47 p.m.

Ms. Laurie Hoffman commended Ms. Koehler on her proclamation presentation. Ms. Hoffman asked about GIS Mapping and inquired on the status of the “library pond”.

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 7:49 p.m.

EXECUTIVE SESSION - Resolution No. 28-2020

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 28-2020 and convened in executive session at 7:50 p.m. It is anticipated that action will be taken.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 28-2020**

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 Local 1040**

_____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:

_____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.);

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: **Tax Collector Interview** _____ 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.;

_____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.

Public Meeting reconvened at 8:56 p.m.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution 29-2020 as written below.

TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 29-2020
RESOLUTION APPOINTING
A CERTIFIED TAX COLLECTOR

WHEREAS, the Township Committee of the Township of Lebanon received numerous applications for the advertised position described as Certified Tax Collector; and

WHEREAS, the Township Committee believes that Kris Boxwell, CTC, is the most qualified individual to serve as the Certified Tax Collector for the Township of Lebanon.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon and State of New Jersey, that Kris Boxwell, CTC, is appointed Certified Tax Collector, effective February 10, 2020, to fulfill the remaining term of Mary Hyland per N.J.S.A. 40A:9-145.1. The term expires on December 31, 2020.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon and State of New Jersey, that the Tax Collector annual salary will be \$28,000 pro rated from the effective date above through December 31, 2020.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Laul seconded by Mr. Wunder and carried by unanimous favorable roll call vote to adjourn the meeting at 8:59 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: February 19, 2020

Mike Schmidt, Mayor