

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

**Lebanon Township Committee  
June 3, 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 First Responders, EMS and Health Care Workers who are dealing with the COVID-19 situation.

**ROLL CALL**

Present -	Mike Schmidt	Thomas McKee	Brian Wunder
	Marc Laul	Beverly Koehler	

Absent-

Also Present - Administrator James Barberio. Attorney Tara St. Angelo and Clerk Karen Sandorse (via teleconference)

**PRESENTATION OF MINUTES**

**Minutes of the Regular Meeting of May 20, 2020**

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular Meeting of May 20, 2020 as amended.*

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

*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.*

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**

**Ordinance 2020-05 – Capital Improvement Fund**

*Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2020-05 was opened.*

There were no comments from the public.

*Motion by Mr. McKee, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2020-05 was closed.*

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2020-05 as written below.*

STATE OF NEW JERSEY  
COUNTY OF HUNTERDON  
TOWNSHIP OF LEBANON  
ORDINANCE NO. 2020-05

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 \$675,000 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 two pickup trucks for the use of the Department of Public Works - Streets and Roads; (D) major upgrading of an ambulance and acquisition of the following for the use of the Fire Department: (i) a command vehicle; (ii) fire hose; and (iii) turnout gear; and (E) acquisition of the following for the use of the Police Department: (i) body cameras; and (ii) an SUV. Said improvements and acquisitions shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$675,000 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 \$675,000 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**

No Resolutions.

## **OLD BUSINESS**

### **COVID-19 Update**

Mayor Schmidt stated that on Wednesdays at 5 p.m. he participates in a COVID-19 update conference call with the Governor's office. The call includes officials from Warren, Sussex and Hunterdon counties. The Governor has released regulations for bars and restaurants to obtain Alcoholic Beverage permits for outdoor dining. The details will be released overnight tonight and will have a June 15, 2020 start date. Mayor Schmidt said that permitting will primarily be handled through the State. Though at times, municipalities may need to provide approval for the restaurants to use sidewalks or part of a roadway.

Mayor Schmidt stated that mid to late next week the Governor will be updating the indoor gathering rules. This will take effect a day or two after the announcement is made. The Planning Board and Board of Adjustment meetings will then be able to take place. The number of people permitted in a room will be based on a percentage of the fire capacity for the room.

Mayor Schmidt said that New Jersey is looking to borrow 5 billion dollars from the Federal Reserve, through a 30-year Bond Note. In order to obtain the Note the State will need to secure it through certain taxes. There is talk that there may be a special property tax assessment for such or it could be attached to sales tax.

Mayor Schmidt stated that as of Monday the Department of Public Works is back on regular staffing. The DPW Supervisor said that all is going well. Guidance is in place for disinfecting and social distancing.

## **ADMINISTRATOR UPDATE**

Mr. Barberio stated that in the past few weeks there have been reopening meetings held. The meetings included the Mayor, Ms. Koehler, the DPW Manager, the Police Chief and the Clerk. Part of the discussions involved strategies for the Township to consider for the reopening. Mr. Barberio said that he contacted the County to inquire on the procedures to follow in the reopening of the Township Offices. Mr. Barberio provided the Committee with the Lebanon Township COVID-19 Reopening Plan-Protective Measures. The Plan has information that he collected from other sources. Mr. Barberio noted that the Township Attorney has reviewed the Plan and finds it to be acceptable.

with a few changes. Mr. Barberio made the changes and is now asking for the Committee's approval. The Plan is necessary for the Municipal Office employees to return to work June 8<sup>th</sup>. It is anticipated that the building will reopen to the public on July 8<sup>th</sup>. The reopening does not apply to the Library or Museum at this time. Mr. Barberio said that the plan is subject to change as things move forward.

Mr. Barberio informed the Committee that he will also be working with the Township Attorney on a policy relating to Sick Leave due to COVID-19.

*Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the Administrator's COVID-19 Reopening Plan-Protective Measures Policy and Procedures.*

Mr. Barberio stated that he spoke with the Police Chief regarding the Department's Policy and Procedures. Mr. Barberio informed the Chief that he and the Sub Committee are reviewing the document. They will then both meet with the Township Attorney for final review.

Mr. Barberio spoke with the DPW Manager and was informed that all went smooth with the reopening of the Department. Mr. Gabriel will be ordering protective supplies for the DPW employees. Mr. Barberio is waiting for an email response so he can purchase cloth masks and disinfectant. He is hoping to open an account with the vendor as it offers many items needed to protect from the virus.

Mr. Barberio stated that he spoke with the QPA regarding the need to obtain quotes for the purchase of the Ionizers. The QPA said that the Township does not need to obtain quotes as the total cost is below the quote threshold. In addition, he said that there is no need to obtain quotes because it is a COVID-19 related purchase.

### **High School Banner**

Ms. Koehler stated that a donor will be covering the cost of the Voorhees High School 2020 Graduating Class banner. There will be no cost to the Township for the banner.

### **NEW BUSINESS**

#### **Electronics Recycling**

Recycling Coordinator JoAnn Fascenelli is available to hold the Electronic Recycling event on Saturday, November 14, 2020. Ms. Fascenelli recommended using Advanced Recycling for the event as the Township used this vendor previously. The cost is for the event is \$1750 with a \$20 charge for items containing freon.

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the proposal of Advanced Recycling, for \$1750, with a \$20 charge for items containing freon, for the Electronic Recycling Event to be held on November 14, 2020.*

### **Well Test Program**

Mayor Schmidt said that each year Raritan Headwaters partners with Lebanon Township to hold a Well Test Program for the residents. Due to the pandemic the program has been redesigned. A van will be set up in the Memorial Park for kits to be picked up and dropped off the same day. Raritan Headwaters has provided various dates to hold the event. Mayor Schmidt proposed allowing the EOSC to choose the date with Raritan Headwaters.

*Motion by Mr. Laul seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee authorized the EOSC to pick the date for the Well Test Event to be held in the Park.*

### **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 June 3, 2020 bill list in the amount \$ 922,624.41.*

### **CORRESPONDENCE**

#### **a. Curator's Report**

Mr. McKee stated that there will be an educational video on the website in the next few days. There was a unique discovery made at the Museum.

### **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 7:28 p.m.*

There were no comments from the public.

*Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:29 p.m.*

### **EXECUTIVE SESSION**

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 42-2020 as written below. Action is not anticipated.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

RESOLUTION NO. 42-2020  
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: \_\_\_\_\_);

\_\_\_\_\_ 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; Real Estate Acquisitions

\_\_\_\_\_ 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.);

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 CWA Local 1040 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.

No action taken.

#### ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Wunder seconded by Ms. Koehler, and carried by unanimous favorable roll call vote to adjourn the meeting at 8:45 p.m.

Respectfully submitted,

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

Approved: June 17, 2020

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