

Meeting audio can be found at lebanontownship.net.

**Lebanon Township Committee
October 21, 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 the Health Care Heroes, Servicemen and Women and First Responders

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 (via telecom)

PUBLIC COMMENTS – for agenda items only.

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.

Ms. Laurie Hoffman stated her concerns with the volunteers having to provide emails in response to an OPRA request when the Township has no procedures in place. Attorney Lyons stated that the Township is not forming new procedures they are applying the law to requests as they are received. Attorney Lyons provided a detailed response to Ms. Hoffman’s inquiry.

Mr. Gene Slowinski provided the Township Committee with his thoughts on an OPRA request that pertains to his wife, Kathryn Koch. Mr. Slowinski stated that they would like the Township to provide them with representation from a Civil Rights attorney. They believe that Attorney Lyons is conflicted because he cannot represent the person submitting the OPRA and the person responding to the OPRA. Mr. Slowinski requested to meet with the Mayor and the requestor in an attempt to settle the matter.

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.

RESOLUTIONS

Resolution No. 71-2020 - COVID Municipal Grant Program

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 71-2020 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 71-2020
COVID MUNICIPAL GRANT PROGRAM

WHEREAS, Hunterdon County has approved a COVID Municipal Grant Program to assist Hunterdon County's 26 municipalities with pandemic emergency response costs, and
WHEREAS, approved grants will be distributed on a per capita basis for each municipality with each jurisdiction being eligible for \$1,000, but up to a \$5,000 maximum, and
NOW, THEREFORE, BE IT RESOLVED, Township of Lebanon requests \$2635.20 to cover expenses related to the response to the COVID-19 pandemic, and has attached an itemized breakdown of costs incurred with a total sum. This resolution authorizes the application for, and acceptance of, funds issued under the Hunterdon County COVID Municipal Grant Program.

Resolution No. 72-2020 - Redemption of Tax Sale Certificate - Kratz

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 72-2020 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 72-2020
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201804 on September 21st 2018 to US Bank Cust for Tower DB VI and,

WHEREAS the amount of \$10,928.88 has been collected from Ruth Kratz, homeowner for Block 61 Lot 45, 188 Musconetcong River Road, Washington, for the redemption of Tax Sale Certificate #201804,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign a check in the amount of \$10,928.88 to US Bank Cust for DB VI for the redemption amount and an additional check for \$100.00 for the premium monies collected at tax sale.

Resolution No. 73-2020 - Return Overpayment of 2020 Taxes – Farrell

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No.73-2020 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 73-2020

RETURN OVERPAYMENT 2020 TAXES

WHEREAS there exists an overpayment of \$1,510.29 for third quarter 2020 taxes due to the granting of a 100% Disabled Veteran Tax Exemption for Block 11, Lot 22, 175 Buffalo Hollow Road, assessed to: Philip F. & Regina M. Farrell and,

WHEREAS this amount has been requested for refund by Philip F. Farrell,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign this refund check in the amount of \$1,510.29 to:

Philip F. Farrell
175 Buffalo Hollow Road
Glen Gardner, NJ 08826

Resolution No. 75-2020 - Return Overpayment of 2020 Taxes – Siedenburg

Motion by Mr. Wunder, seconded by Mr. McKee and carried by favorable roll call vote, the Township Committee approved Resolution No. 75-2020 as written below. AYES: Koehler, Wunder, McKee, Schmidt ABSTAIN: Laul

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 75-2020

RETURN OVERPAYMENT 2020 TAXES

WHEREAS there exists an overpayment of \$1576.98 for 2020 taxes due to an overbill for Block 44, Lot 14, Q0124, 11 Sky Top Road, assessed to: Douglas E. Siedenburg and,

WHEREAS this amount has been requested for refund by Douglas Siedenburg,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign this refund check in the amount of \$1576.98 to:

Douglas Siedenburg
18 Sky Top Road
Port Murray, NJ 07865

Resolution No. 74-2020, No. 76-2020 and No. 77 -2020 - Return Overpayment of 2020 Taxes

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 74-2020, No. 76-2020 and No. 77-2020 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 74-2020

RETURN OVERPAYMENT 2020 TAXES

WHEREAS there exists an overpayment of \$196.32 for 2020 taxes due to an overbill for Block 18, Lot 47.01, Q0243, 159 Mt Grove Road, assessed to: Julianne & Adam Targan and,

WHEREAS this amount has been requested for refund by Julianne Targan,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign this refund check in the amount of \$196.32 to:

Julianne Targan
5478 Blue Mountain Road
Port Angeles, WA 98362

Resolution No. 76-2020 - Return Overpayment of 2020 Taxes - Riding Meadows, Inc.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 76-2020

RETURN OVERPAYMENT 2020 TAXES

WHEREAS there exists an overpayment of \$1701.38 for 2020 taxes due to an overbill for Block 51, Lot 7, Ascot Drive (Washington Twp), assessed to: Riding Meadows Inc. and,

WHEREAS this amount has been requested for refund by the Tax Collector

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign this refund check in the amount of \$1701.38 to:

Riding Meadows Inc.
273 Forest Avenue
Glen Ridge, NJ 07028

Resolution No. 77-2020 - Return Overpayment of 2020 Taxes - Ridgewood YMCA

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 77-2020

RETURN OVERPAYMENT 2020 TAXES

WHEREAS there exists an overpayment of \$157.56 for 2020 taxes due to an overbill for Block 53, Lot 4, assessed to: The Ridgewood YMCA and,

WHEREAS this amount has been requested for refund by the Tax Collector

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign this refund check in the amount of \$157.56 to:

The Ridgewood YMCA
112 Oak Street
Ridgewood, NJ 07450

Resolution No. 78-2020 - Awarding a Contract for Rock Salt

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 78-2020 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 78-2020
RESOLUTION AWARDING A CONTRACT FOR
ROCK SALT

WHEREAS, the Board of Chosen Freeholders awarded a master contract to Morton Salt (Rock Salt) on September 15, 2020 to provide rock salt for the County and members of the Cooperative Pricing System for Ice Control Materials Bid No. 2020-12 for the 2020/2021 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, 2020 to September 18, 2021.

COMPANY	ITEM	PRICE
Morton Salt	Rock Salt	\$ 48.51 per ton

OLD BUSINESS

Liaison to The Anti-Racism Coalition of North Hunterdon

Mayor Schmidt stated that at the last meeting the Committee discussed an invitation received from The Anti-Racism Coalition of North Hunterdon. The Committee members were invited to attend one of their meetings. Due to struggles with OPMA restrictions, a majority of the Township Committee cannot attend a private group meeting collectively. Mayor Schmidt nominated Ms. Koehler as Liaison to The Anti-Racism Coalition of North Hunterdon.

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee endorsed the Mayor's appointment of Ms. Koehler as Liaison to The Anti-Racism Coalition of North Hunterdon.

ADMINISTRATOR'S UPDATE

Mr. Barberio stated that the CWA has signed the 2014-2023 Contract. The Committee will now need to sign for it to be finalized. Mr. Barberio suggested that it would be nice if all members of the Committee were to sign the Contract on behalf of the Township.

Glen Gardner Meeting – Quarry Matter

Ms. Koehler stated that at the Planning Board meeting, last night, Chairman MacQueen appointed Mr. EJ Skidmore to participate alongside the Quarry subcommittee. The next Glen Gardner Zoom meeting will be held on November 10, 2020.

NEW BUSINESS

Best Practices - Tabled

Donation Offer For 107 Mount Lebanon Road

Mayor Schmidt stated that the Township received an offer, of a donation of land, at 107 Mount Lebanon Road. It is a 6.5-acre unimproved wooded lot located near the Point Mountain Reserve and the Turkey Top Preserve. The property is down the road from the grange. The LTEOSC unanimously recommends that the Township accept the donation. The New Jersey Water Supply Authority also recommends the acceptance of the donation as the property highly ranks on their scale of water quality. NJWSA has offered to contribute 50% of the soft costs for acquiring the land, if necessary.

Mr. Adam Duckworth, LTEOSC Chairman, Ms. Nancy Lawler and Ms. Sharon Petzinger, members of EOSC stated their support for the Township to accept the donation. Mr. Duckworth noted that the importance of preserving the property is for its ecological value. The property could potentially offer another hunting location in the Township and bird watching opportunities. Ms. Nancy Lawler said that there has been a lot of discussion on this area of the Township. It is very sensitive as it is the apex of the Spruce Run Watershed, which is why NJWSA has interest in it. This section of the Township is known by environmentalists to produce an abundance of clean water.

Ms. Sharon Petzinger stated that she conducted research on the property, remotely, and overall, it is classified as a mid to high priority ecosystem to be protected. It is also a high ground recharge area.

The Committee discussed the location of the property, if it is buildable, and the benefits of accepting the donation. Mayor Schmidt said that the owner of the property, Mr. Ted Gary Mitchell, is offering the donation in memory of his father and grandparents.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee accepted the donation of land at 107 Mount Lebanon Road. AYES: Koehler, Laul, McKee, Schmidt NAYS: Wunder

Police Chief's Request to Purchase Radar Units

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of 4 Radar Units through State Contract Vendor MPH Industries (#17-FLEET-00755) at \$7996.00. \$6000.00 of the cost will come out of the D.U.I. Grant funds. The remaining cost will come out of the Police Operating Budget.

OPRA Procedures

Mayor Schmidt stated that he placed this matter on the agenda because procedures are being changed in the Township relative to OPRA requests. The Township has received an OPRA request that involves the Township Committee, employees and volunteer committees and boards. To the best of

the Township's knowledge, this is the first time this sort of request has been received. Concerns have been raised by the volunteers as they were not made aware that they fall under OPRA regulations. Due to the uniqueness of the request the Township was not aware either. The Township Attorney researched the matter and determined that there is no precedent set on the subject.

Questions were raised on the process that the Clerk will follow when retrieving emails from the Township Committee's accounts. Also mentioned, was the need for the volunteers to be provided with Township email accounts and the necessity for them to be informed of the OPRA regulations. Mayor Schmidt suggested posting all OPRA requests on the website and possibly informing individuals when OPRA requests are received relating to them.

The Committee members held a lengthy discussion with the Township Attorney and Clerk.

The Township Administrator suggested that the Township hire an IT Specialist to assist in the process of expanding the Township's email accounts among other IT needs.

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 October 21, 2020 bill list in the amount of \$ 2,682,678.60.

CORRESPONDENCE

- a. Tax Collector's Report for the Month of September 2020
- b. Curator's Report
- c. Animal Control Report for September 2020

PUBLIC COMMENTS

Motion by Mr. Wunder, seconded by Ms. Koehler carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 8:53 p.m.

Ms. Kathryn Koch commented on the OPRA request and asked Ms. Koehler what it is that she is searching for.

Ms. Laramie Silber asked what the criteria was in the taxpayers receiving refunds for overpayment of taxes this evening.

Ms. Sharon Petzinger provided her knowledge of OPRA requests.

Ms. Joyce Leftly said that she is confused on what the OPRA is about and hopes that the requestor will accept Mr. Slowinski's proposal.

Motion by Mr. Wunder, seconded by Mayor Schmidt and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 9:03 p.m.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. McKee seconded by Mr. Laul and carried by unanimous favorable roll call vote to adjourn the meeting at 9:04 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: November 18, 2020

Mike Schmidt, Mayor