

Meeting audio can be found at lebanontownship.net.

**Lebanon Township Committee
February 16, 2022**

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 First Responders, Health Care Heroes and Servicemen and Women.

ROLL CALL

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

Absent-

Also Present - Attorney Matt Lyons and Clerk Karen Sandorse and 19 members of the public.

PRESENTATION OF MINUTES

Mayor Schmidt made a statement regarding the 2019 NAR Group Cannabis application and the Township Committee meeting minutes.

Discussion held.

Motion by Mayor Schmidt, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee authorized that the meeting minutes shall show time and place, members present, subjects considered, actions taken and the vote of each member.

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee amended the motion to include that all existing and future audio files of meetings will not be purged.

Minutes of the Regular Meeting of November 17, 2021- (3 sets)

Three versions of the minutes were in the Committee packets.

Motion by Mr. Laul, seconded by Mr. Wilson and carried by favorable roll call vote, the Township Committee approved the November 17, 2021 minutes as edited by Mayor Schmidt. AYES: Laul, Wilson, Schmidt NAYS: McKee, Koehler

Minutes of the Regular Meeting of December 15, 2021

Motion by Mayor Schmidt, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee amended the December 15, 2021 minutes to include in the motion made by Mr. Laul, relative to the November 17, 2021 minutes, “to relook at the November 17, 2021 minutes to bring them back into policy of being topics and points of discussion AYES: Laul, Wilson, Schmidt NAYS: McKee, Koehler

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the minutes of the December 15, 2021 minutes as amended.

Minutes of the Executive Session Meeting of December 15, 2021

Motion by Mr. Laul, seconded by Mr. McKee and carried by favorable roll call vote, the Township Committee approved minutes of the December 15, 2021 Executive Session meeting. AYES: McKee, Laul, Wilson, Koehler ABSTAIN: Schmidt

Minutes of the Special Meeting of December 28, 2021

Motion by Mr. Wilson, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved as Minutes of the Special Meeting of December 28, 2021.

Minutes of the Special Executive Session of December 28, 2021

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved as Special Executive Session minutes of December 28, 2021.

Minutes of the Re-Organization Meeting of January 5, 2022 – TABLED

Minutes of the Special Meeting and Special Executive Session of January 13, 2022

Motion by Mr. Laul, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee amended the minutes due to a typographical error. AYES: McKee, Laul, Wilson, Koehler ABSTAIN: Schmidt

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee approved the minutes of the Special Meetings of January 13, 2022 as amended.

Minutes of the Special Meeting and Special Executive Session of January 19, 2022

Motion by Mr. Laul, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee amended the minutes of the Special Meeting and Special Executive Session of January 19, 2022 to reflect that Mr. Wilson was absent due to illness. AYES: McKee, Laul, Koehler, Schmidt ABSTAIN: Wilson

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the minutes of the Special Meeting and Special Executive Session of January 19, 2022 as amended. AYES: McKee, Laul, Koehler, Schmidt ABSTAIN: Wilson

Minutes of the Regular Meeting and Executive Session of January 19, 2022

Motion by Mayor Schmidt, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee amended the minutes of the Regular and Executive Session minutes of January 19, 2022 to reflect that Mr. Wilson was absent due to illness. AYES: McKee, Laul, Koehler, Schmidt ABSTAIN: Wilson

Motion by Mr. Laul, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee approved the minutes of the Regular Meeting and Executive Session of January 19, 2022. AYES: McKee, Laul, Koehler, Schmidt ABSTAIN: Wilson

Minutes of Special Meeting and Special Executive Session of February 3, 2022

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the minutes of Special Meeting and Special Executive Session of February 3, 2022.

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 at 7:37.

Ms. Kathryn Koch of the EOSC made comments on the Well Test event.

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

ORDINANCES

Ordinance No. 2022-03-2022– Public Hearing

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2022-03 was opened.

There were no comments from the public.

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2022-03 was closed.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2022-03 as written below.

TOWNSHIP OF LEBANON - COUNTY OF HUNTERDON
ORDINANCE NO. 2022-03
AN ORDINANCE AUTHORIZING THE 2022 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 2022 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	60,000.00
Tax Collector	28,000.00	55,000.00
Chief Financial Officer	2,000.00	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	60,000.00
Certified Public Works Manager	55,000.00	115,000.00
Ass't Road Supervisor	40,000.00	85,000.00
Chief Mechanic	29,000.00	75,000.00
Road Employee	27,000.00	75,000.00

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	13.00	16.00
Library Clerk	19.00	26.00
Assistant Library Clerk	13.00	18.00
Museum Curator	13.00	21.00
Associate Museum Curator	13.00	18.00
Special Police Class II & Matrons	20.00	30.00
Dog Wardens	13.00	15.00
Mechanic Helper – over base pay	2.00	4.00
Fire Official	24.00	30.00
Perc Test Witness	100.00	125.00
Per-Diem Substitutes	13.00	15.00
Road Department – Temp Laborer	15.30	20.00
Special Traffic Guards	25.00	40.00
SLEO Class III	32.00	35.00
Office Assistants	15.30	20.00
Accounts Payable	20.00	26.00

Section D. The rate for mileage shall be the current federal limit.
 This ordinance shall take effect upon final passage and publication as provided by law.

RESOLUTIONS

Resolution No. 35-2022 – 2022 Salaries

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 35-2022 as attached.

Resolution No. 36-2022 - Award of a Non-Fair and Open Contract – Township Engineer

Motion by Mr. McKee, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 36-2022 as written below.

TOWNSHIP OF LEBANON
 COUNTY OF HUNTERDON
 STATE OF NEW JERSEY

RESOLUTION NO. 36-2022

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR LEBANON TOWNSHIP

WHEREAS, the Lebanon Township Committee has a need to acquire professional services as outlined below as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Lebanon Township CFO has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year and may be extended as approved by the Lebanon Township Committee; and

WHEREAS, the following agencies have completed and submitted a Business Entity Disclosure Certification which certified that they have not made any reportable contributions to a political or candidate committee in the Township of Lebanon in the previous one year, and that the contract will prohibit the agency from making any reportable contribution through the term of the contract; and

WHEREAS, sufficient funds are available in the 2022 Temporary Budget and will be made available in the 2022 Municipal Budget for the Township of Lebanon as required in – N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Lebanon Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, as follows:

The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract with the following person and firm for the year 2022:

1. Theodore Bayer of Bayer-Risse Engineering is hereby appointed Lebanon Township Engineer for the year 2022.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Resolution No. 37-2022 – Professional Services – Real Estate Appraisal Services

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 37-2022 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 37- 2022**

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR THE
TOWNSHIP OF LEBANON FOR APPRAISAL SERVICES**

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 are hereby authorized and directed to execute the agreements; and

WHEREAS, sufficient funds are available in the 2022 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 16th day of February as follows:

1. Victor D. DiSanto, MAI is hereby appointed as Tax Appeals and Commercial Property Valuation Appraiser for the 2022 year.
2. The Mayor and the Municipal Clerk are hereby authorized and directed to execute the contract with Victor DiSanto and his firm Sterling DiSanto & Associates, LLC, for the year 2022.

UNFINISHED BUSINESS

Memorial Policy

Ms. Koehler submitted a Memorial Policy for the Committee's consideration. Discussion held. Ms. Koehler will revise the policy based on the Committee's comments.

Newsletter

Mr. Laul provided a proposed advertisement for the newsletter editor position. Discussion held.

Motion by Mr. Wilson, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the advertisement for a newsletter editor position to be placed in the Hunterdon Review and on the website, to include, proposal from applicant will include quarterly pricing for a 16 page newsletter with per page pricing for additional pages over 16.

Motion by Mr. Wilson, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee canceled the March newsletter and will return any advertising revenue for the March newsletter annualized prorated.

BUSINESS ADMINISTRATOR

Tabled to Executive Session

NEW BUSINESS

Police Chief Request to Purchase Memorial and Department Patches

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of 500 Memorial and Police Department Patches from B and R Uniform at a cost of \$1350.00.

Police Chief Request to Purchase HP Color Laserjet Printer

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of a HP Color Laserjet Printer from Allied Document Solutions at a cost of \$1049.75.

Approve NJ State Firemen's Association Application for Membership - Carsten R. Janes

Motion by Mr. McKee, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee approved the NJ State Firemen's Association Application for Membership for Fire Department Member, Carsten R. Janes.

Kathryn Koch – Well Test Program

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the scheduling of the Well Test Program to be held on May 14, 2022, with the drop off of samples being on May 16, 2022, with access to the building for the facilities.

EOSC – Request to Seek Proposal for a Certified Forester

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee authorized the EOSC to solicit resumes and sample plans from 4 State Foresters in order to develop a Municipal Forest Stewardship Plan.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the February 16, 2022 bill list in the amount of \$108,111.36.

CORRESPONDENCE

- a. Police Department Annual Report
- b. Animal Control Officer Report

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 8:29 p.m.

No comments from the public.

Motion by Mr. Wilson, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:29 p.m.

EXECUTIVE SESSION

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 38-2022 and convened in executive session at 8:30 p.m. Action may be taken.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 38-2022

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;

 X Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; **PBA Negotiations** (The general nature of the litigation or contract negotiations is):

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: **Township Business Administrator Position** 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.

_____ 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.

Meeting reconvened. 9:40 p.m.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote to adjourn the meeting 9:41p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: March 29, 2022

Mike Schmidt, Mayor