

Meeting audio can be found at lebanontownship.net.

[Timestamp in blue.](#)

**Lebanon Township Committee
June 15, 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, Servicemen and Women and people of Ukraine.

ROLL CALL

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

Absent-

Also Present - Attorney Matt Lyons, Business Administrator Karen Brown, (via telecom) Clerk Karen Sandorse, and 18 members of the public.

OATH OF OFFICE

1:00

Mayor Schmidt administered the Oath of Office to Police Officers 10th Class Cody Crowley, Douglas B. Nichuck and Logan T. Torres.

ADA ROTH

14:39

Mayor Schmidt stated that long time past employee Ms. Ada Roth passed away yesterday. Ada worked in the Bunnvale Library since 1991 and served as an election poll worker for many many years. Ada will be sadly missed in the Township.

PRESENTATION OF MINUTES

15:36

Minutes of the Regular Meeting of May 18, 2022
Minutes of the Special and Special Executive Session Meetings of June 1, 2022
Minutes of the Regular and Executive Session Meetings of June 1, 2022

Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the following minutes; Minutes of the Regular Meeting of May 18, 2022, Minutes of the Special and Special Executive Session Meetings of June 1, 2022, Minutes of the Regular and Executive Session Meetings of June 1, 2022

PUBLIC COMMENTS – for agenda items only.

17:36

Motion by Mr. Wilson seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 7:18 p.m.

There were no comments from the public.

Motion by Ms. Koehler, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 7:19 p.m.

PROCLAMATIONS – Eagle Scout Award

18:28

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee endorsed the below Proclamations.

**TO BRODY MCDOWELL
FOR RECEIVING THE EAGLE SCOUT AWARD**

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, Brody McDowell, Boy Scouts of America, Troop 92, attained the designation of “Eagle Scout”; and

WHEREAS, Brody McDowell is to be commended for his Eagle Scout Service Project which involved the renovation of the second floor classrooms at the Washington United Methodist Church in Washington NJ; and

WHEREAS, Brody McDowell will be honored and receive his award at an Eagle Court of Honor Recognition Ceremony on June 12, 2022; and

WHEREAS, the Lebanon Township Committee wishes to recognize this noteworthy achievement of Brody McDowell.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Lebanon hereby extend their congratulations to Eagle Scout, Brody McDowell for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.

**TO TRISTAN WEBER
FOR RECEIVING THE EAGLE SCOUT AWARD**

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, Tristan Weber, Boy Scouts of America, Troop 92, attained the designation of “Eagle Scout”; and

WHEREAS, Tristan Weber is to be commended for his Eagle Scout Service Project which involved completing the Firefighters’ Memorial in the Lebanon Township Memorial Park; and

WHEREAS, Tristan Weber will be honored and receive his award at an Eagle Court of Honor Recognition Ceremony on June 12, 2022; and

WHEREAS, the Lebanon Township Committee wishes to recognize this noteworthy achievement of Tristan Weber.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Lebanon hereby extend their congratulations to Eagle Scout, Tristan Weber for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.

RESOLUTIONS

20:06

Resolution No. 69-2022 - Renewing A Plenary Retail Distribution License – The Rock Corp.

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 69-2022 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 69-2022
RESOLUTION RENEWING A PLENARY
RETAIL DISTRIBUTION LICENSE

WHEREAS, the listed Plenary Retail Distribution Licensee has submitted an application to the State of New Jersey Division of ABC; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, the applicant has paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed License be granted a renewal for the 2022-2023 year:

1019-44-008-002 The Rock Corp. of Tewksbury t/a Bourbon Street Wine and Liquor
425 Route 513, Califon, NJ

Resolution No. 70-2022 - Renewing A Plenary Retail Consumption License – ATK. Tony’s Bistro

Motion by Mr. Laul, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee approved Resolution No. 70-2022 as written below. AYES: McKee, Laul, Koehler, Schmidt RECUSED: Wilson

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 70-2022
RESOLUTION RENEWING PLENARY
RETAIL CONSUMPTION LICENSES

WHEREAS, the below listed Plenary Retail Consumption Licensee has submitted application forms that have been completed in all respects; and

WHEREAS, the applicant has qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, the licensee has paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed License be granted a renewal for the 2022-2023 year:

1019-33-001-002 A T K Inc. t/a Tony’s Restaurant & Pub, Califon, NJ

Resolution No. 71-2022 - Renewing A Plenary Retail Consumption License – El Patron

Motion by Mr. Wilson, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 71-2022 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 71-2022
RESOLUTION RENEWING PLENARY
RETAIL CONSUMPTION LICENSES

WHEREAS, the below listed Plenary Retail Consumption Licensee has submitted application forms that have been completed in all respects; and

WHEREAS, the applicant has qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, the licensee has paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed License be granted a renewal for the 2022-2023 year:

1019-33-003-005 El Patron Mexican Restaurant LLC

Resolution No. 72-2022 - Return Overpayment of Taxes

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 72-2022 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 72-2022
RETURN OVERPAYMENT OF TAXES

WHEREAS there exists an overpayment of \$823.68 for 2nd quarter taxes, due to the granting of a 100% Disabled Veteran Deduction which deemed this parcel TAX EXEMPT for Block 50, Lot 1, 36 Anthony Road, Glen Gardner, assessed to Fabian Cintron and,

WHEREAS this amount has been requested for refund by the Tax Collector on behalf of Fabian Cintron who submitted the overpayment,

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 \$823.68 to:

Fabian Cintron
36 Anthony Road
Glen Gardner, NJ 08826

UNFINISHED BUSINESS

23:28

Appoint DPW Laborer

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee appointed Tyler John Kilduff to the DPW per the terms of CWA contract, which provides a 6-month probation period, during which time Tyler is to obtain his CDL with airbrake endorsement. Wage rate is specified in CWA contract.

Township Newsletter

Ms. Koehler provided the Committee with a cost and service comparison of two vendors for the newsletter editor position. The Committee held a discussion and decided to have the subcommittee meet to review and discuss each of the vendor's who applied.

Motion by Mr. Wilson, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee tabled the matter until the subcommittee has time to review the second vendor's proposal

Mayor Schmidt requested that the subcommittee consider having/hiring a part time office employee to handle the newsletter editor duties as well as other workloads as recommended by the previous newsletter editor.

NEW BUSINESS

41:28

Police Chief Request to Purchase Uniform Badges

Motion by Mr. Laul, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee approved the Police Chief's request to purchase 12 uniform badges from B&R Uniform in the amount of \$1,772.85.

Fire Department Request to Purchase Holmatro Extrication Tools, Pump and Hoses

Motion by Mr. McKee, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Fire Department's request to purchase extrication tools, pump and hoses, from Holmatro CORE/Battery Rescue Systems (State Contract #17-FLEET-00820) in the amount of \$65,860.70. The purchase was approved in the Capital Ordinance and funds have been certified by the CFO.

Fire Department Request to Purchase a Stretcher and Battery Charger

Motion by Mr. McKee, seconded by Mr. Wilson and carried by favorable roll call vote, the Township Committee approved the Fire Department's request to purchase a stretcher and battery charger from Stryker at a cost of \$24,418.94 as authorized by the Qualified Purchasing Agent. The purchase was approved in the Capital Ordinance and funds have been certified by the CFO.

AYES: McKee, Wilson, Koehler, Schmidt Recused: Laul

Retirement - Police Office Manager

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee accepted the resignation of Kathy Goracy effective June 30, 2022 with regrets and wishing her happiness in her retirement.

Approve Posting for Police Office Manager Position

The Police Chief proposed a salary of \$45,000.00 for a new Police Office Manager.

Mr. Laul made a motion to post the Police Office Manager position, with the Police Chief and Business Administrator to determine the duties, at a salary of \$45,000.00. Discussion held. With no second, Motion died.

Mr. Wilson made a motion to post the Police Office Manager position at an annual salary of \$37,500.00. Discussion held. Motion withdrawn.

The Police Chief is to attend the next meeting to discuss the salary.

Juneteenth Independence Day Holiday

Mayor Schmidt stated that the, Juneteenth Independence Day Federal Holiday (June 19th) will be observed on Monday, June 20, 2022. Mayor Schmidt noted that the Township observes all other Federal holidays and asked if the Township should observe Juneteenth also and close the Township buildings on June 20, 2022. Held to closed session.

PRESENTATION OF VOUCHERS

1:01:37

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

Discussion was held on the RK Environmental Invoice. The invoice will need further review prior to approval for payment.

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the June 15, 2022 bill list in the amount of 17974.72.

CORRESPONDENCE

1:07:34

- a. Curator's Report
- b. Upcoming Museum Events

PUBLIC COMMENTS

1:10:13

Motion by Mr. 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 8:11 p.m.

Mr. Brian Wunder asked about the past administrator's liaison, the Juneteenth Holiday and the newsletter.

Mr. Charlie Fortenbacker thanked Warren Gabriel, the DPW and the road crew that worked on roads.

Mr. Darryl Schmidt asked when the other half of Newport Road will be paved.

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 8:14 p.m.

EXECUTIVE SESSION –

1:13:45

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 73-2022 and convened in executive session at 8:15 p.m.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 73-2022

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 ; Juneteenth Holiday

_____ 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; (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: **PBA Contract Negotiations Juneteenth Holiday** 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 at 9:22 p.m.

Motion by Mr. Wilson, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee authorized that Lebanon Township will recognize Juneteenth Independence Day Holiday on June 20, 2022 by closing the facilities, keeping with the Federal Holiday, the State of New Jersey and all 50 States which have recognized the day. Future observances will be subject to collective bargaining negotiations.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote to adjourn the meeting 9:23 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: July 6, 2022

Mike Schmidt, Mayor