

REORGANIZATION/BUSINESS MEETING

Lebanon Township Planning Board
Municipal Bldg 530 West Hill Road Glen Gardner, N.J.

January 17, 2023

The 954th Regular Meeting of the Lebanon Township Planning Board was called to order at 7:03 by Board Clerk Ms. Glashoff. Present were: Mr. Piasecki, Ms. Bleck, Mr. Weiler, Mr. Rich, Mr. Schmidt, Ms. Koehler, Mr. Abuchowski and Ms. Zatika. **Excused:** Mr. Falconeri, Mr. Skidmore, Attorney Gallina, Planner Kyle and Engineer Bayer.

In compliance with the "Open Public Meetings Act" notice is hereby given that the Lebanon Township Planning Board will hold their Reorganization/Business Meeting on January 17, 2023 at 7:00 p.m. In the event of inclement weather, the Board will hold their Reorganization/Business Meeting on Tuesday February 7, 2023 at 7:00 p.m. Notice of this meeting was published in the Hunterdon Review on December 21, 2022. Copies of the Agenda were emailed to the Hunterdon Review & Courier News, faxed to the Hunterdon County Democrat, Express Times, Star Ledger and posted on the Bulletin Board in the Municipal Building on January 10, 2023.

SWEAR IN:	Beverly Koehler, Mayor	Class I	1 Year Term
	Abe Abuchowski, Committeeman	Class III	1 Year Term
	Josh Rich	Class IV	4 year term
	Michael Falconeri	Class II	1 Year Term Unexpired Term
	E.J. Skidmore, Alternate I	Class IV	2 Year Term - 2024
	Karen Zatika, Alternate II	Class IV	2 Year Unexpired Term – 2023

In the absence of Attorney Gallina, Municipal Clerk Karen Sandorse swore in Mayor Koehler, Mr. Abuchowski, Mr. Rich and Ms. Zatika in her office prior to the January 17th meeting. Mr. Falconeri and Mr. Skidmore will be sworn in on or before the February 7, 2023 Meeting.

NOMINATIONS FOR CHAIRMAN:

Ms. Glashoff asked for nominations for Chairman. Motion by Ms. Bleck and seconded by Mr. Rich to nominate Mr. Piasecki as Chairman. Being no further nominations, motion by Mr. Rich and seconded by Mr. Abuchowski to close the nominations for Chairman. Unanimously approved. Congratulations to Mr. Piasecki.

NOMINATIONS FOR VICE CHAIRMAN:

At this time Chairman Piasecki took over the meeting and asked for nominations for Vice Chairman. Motion by Ms. Bleck and seconded by Ms. Koehler to nominate Mr. Weiler for Vice Chairman. Being no further nominations, motion by Mr. Abuchowski and seconded by Mr. Schmidt to close the nominations for Vice Chairman. Unanimously approved.

Lebanon Township Planning Board Reorganization/Business Meeting
January 17, 2023
Page 2

NOMINATIONS FOR SECRETARY:

Motion by Ms. Bleck and seconded by Ms. Koehler to nominate Mr. Schmidt for Secretary. Being no further nominations, motion by Ms. Bleck and seconded by Ms. Koehler close the nominations for Secretary. Unanimously approved.

NOMINATIONS FOR ASSISTANT SECRETARY:

Motion by Ms. Bleck and seconded by Mr. Schmidt to nominate Mr. Abuchowski for Assistant Secretary. Being no further nominations, motion by Ms. Bleck and seconded by Mr. Weiler to close the nominations for Assistant Secretary. Unanimously approved.

APPOINTMENTS FOR PROFESSIONALS: (Temporary extension of 3-months to review Professionals)

- a. John Gallina, Esq.*
- b. James Kyle, PP/Beth McManus, PP*
- c. Bayer/Risse Engrs. – Ted Bayer/Casey Woods, Engrs.*
- d. Gail W. Glashoff, Planning Board Clerk*
- e. Mark Blount, Esq. – Alternate Attorney*

The Board decided to carry the 3-month temporary extension for appointing the professionals to March 21, 2023. Motion by Ms. Bleck and seconded by Mr. Rich to approve the temporary extension for appointments of the Professionals to March 21, 2023. Unanimously approved.

Motion by Mr. Rich and seconded by Ms. Koehler to appoint Ms. Glashoff for Planning Board Clerk. Unanimously approved.

ADOPT RESOLUTIONS:

- a. Authorizing Agreement for Professional Services*

Chairman Piasecki said the Authorizing Agreement will be carried over to an upcoming meeting

- b. Annual Notice Schedule 2023*

Ms. Glashoff read to the Board the list of meetings to be scheduled for 2023 and stated that since both the Boards are on the meetings list together, once the Board of Adjustment approves their portion, she will make copies for everyone. Ms. Glashoff said once the Schedule is approved by the Zoning Board, it is put in the newspaper under legal notices. Motion by Ms. Koehler and seconded by Mr. Abuchowski to adopt the Annual Notice Schedule 2023. Unanimously approved.

Lebanon Township Planning Board Reorganization/Business Meeting
January 17, 2023
Page 3

ADOPT RESOLUTION FOR PROFESSIONALS ON PAY TO PLAY

Chairman Piasecki announced the Resolution on Pay to Play will be carried to an upcoming meeting.

ADOPT PROFESSIONAL CONTRACTS:

- a. John Gallina, Esq.*
- b. James Kyle, PP – Kyle McManus Associates, LLC*
- c. Bayer/Risse Engrs. Ted Bayer/Casey Woods, Engrs.*
- d. Mark Blount, Esq. (Alternate Attorney)*

Chairman Piasecki announced that the Professional Contracts will be carried over to an upcoming meeting pending review.

Mayor Koehler read from the MLUL regarding professional contracts. Per the MLUL, both boards appoint their own professionals. To the extent that a board wishes additional time to interview candidates, there is nothing in the MLUL or Local Public Contracts Law that would preclude it. The MLUL states that the Planning Board “may employ, or contract for and fix the compensation of legal counsel, other than the municipal attorney and experts, and other staff and services as it may deem necessary”. There is a similar provision for the Zoning Board of Adjustment. If the board is not considering an application at the reorganization meeting they can make the appointment at the following meetings. If counsel and engineer are required for the reorganization meeting because they will be conducting business and the board needs additional time to consider professionals, then you should suggest that the Chair of each board reach out to the professionals and advise them that they need additional time and confirm that in the interim, that a short term appointment be made if necessary with a specified rate.

It was recommended that a formal Resolution extending the contracts be done. Chairman Piasecki asked Ms. Glashoff to contact Attorney Gallina to have him prepare the Resolution extending the contracts for final approval at the next meeting on February 7th.

APPOINT APPLICATION REVIEW COMMITTEE:
(2022 – Chris, Rick & E.J.)

At the conclusion of a brief discussion, the following board members will be on the Application Review Committee: Mr. Weiler, Mr. Skidmore and Mr. Rich. Ms. Koehler will serve as an Alternate.

PRESENTATION OF MINUTES: August 16, 2022 Regular Meeting

Motion by Ms. Bleck and seconded by Mr. Abuchowski to approve the minutes as presented. Unanimously approved with Ms. Zatika abstaining.

Lebanon Township Planning Board Reorganization/Business Meeting
January 17, 2023
Page 4

August 30, 2022 *Special Meeting*

Motion Mr. Rich and seconded by Ms. Bleck to approve the minutes with a minor correction. Unanimously approved with Ms. Zatika abstaining.

November 29, 2022 *Special Meeting*

Motion by Ms. Koehler and seconded by Mr. Abuchowski to approve the minutes with minor corrections. Unanimously approved with Ms. Zatika abstaining.

December 6, 2022 *Regular Meeting*

Motion by Mr. Abuchowski and seconded by Mr. Rich to approve the minutes as presented. Unanimously approved with Ms. Zatika abstaining.

NEW BUSINESS:

Wayne Ingram
140 West Main street
High Bridge, N.J. 08829

Block #51 Lot #14.05
Heather Hill Road R 1.5 zone

PUBLIC HEARING

Amend Prior Planning Board Resolution – 1977

Ms. Glashoff read into the record the letter which she received from Attorney Selvaggi extending the time without further notice to February 7, 2023 for the Public Hearing of Wayne Ingram since Attorney Gallina was not available due to a death in the family.

ITEM FOR DISCUSSION:

a. Final 2022/2023 Budget

Ms. Glashoff went over the items which increased the finalizing of the 2022 portion of the budget. At the conclusion of the board's discussion, motion by Mr. Rich and seconded by Ms. Bleck to approve the final 2022/2023 Budget as presented. Unanimously approved.

b. Floodplain Ordinance – 2023

Chairman Piasecki said the board's discussion on the ordinance will be carried to the February 7, 2023 meeting.

Lebanon Township Planning Board Reorganization/Business Meeting
January 17, 2023
Page 5

PRESENTATION OF BILLS & REPORT:

a. John Gallina, Esq.	\$1,125.00
b. Bayer/Risse Engrs.	\$ 520.00
Total:	\$1,645.00

Motion by Mr. Schmidt and seconded by Mr. Abuchowski to approve the bills as presented. Unanimously approved.

CORRESPONDENCE: *Letter from Highlands Council to Mayor Koehler*

Motion by Ms. Zatika and seconded by Mr. Abuchowski to open the meeting to the public. Unanimously approved.

The following members of the public had questions and comments: Paul Lewis informed the board he had Bill Bohn on his phone calling in. Mr. Bohn had questions regarding having the professionals on a three-month extension. Mr. Lewis also had questions regarding the three-month extension of the professionals. Bob Mickle agreed with the comments made by Mr. Bohn & Mr. Lewis regarding the professionals. Mr. Mickle also expressed his concerns regarding the Floodplain Ordinance that the Township Committee will be having a public hearing on February 15th. Mr. Mickle asked if could OPRA the Ordinance and was informed yes. Also, questions and comments were made by Keith Galloway, Laurie Hoffman expressing concerns regarding the Floodplain Ordinance along with Paul Gamm, Mr. Sjogren, Mr. Iannace and Ms. Mulaney. There were also questions/comments and concerns made were regarding the Board Professionals. At the conclusion of Open to the Public, motion by Mr. Abuchowski and seconded by Ms. Zatika to close the public portion of the meeting. Unanimously approved.

CLOSED EXECUTIVE SESSION

Chairman Piasecki informed the public, once the board comes out of Executive Session, the public portion will be adjourned with no further business to discuss.

Chairman Piasecki announced that the Planning Board will go into Executive Session at this time with a motion by Mr. Abuchowski and seconded by Mr. Schmidt to close the public portion of the meeting. Unanimously approved.

Lebanon Township Planning Board Reorganization/Business Meeting
January 17, 2023
Page 6

WHEREAS, the Open Public Meetings Act also recognized exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Planning Board finds it necessary to conduct a Closed Executive Session to the Public as permitted by the N.J.S.A. 40:4-12; and

WHEREAS, the Planning Board will reconvene in public session at the conclusion of the Executive Session;

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Township of Lebanon, County of Hunterdon, State of New Jersey that they will conduct an Executive Session to discuss the following topic as permitted by N.J.S.A. 40:4-12;

X Matters falling within 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 or the public disclosure of such information at this time would have potentially negative impact on the municipality's position with respect 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.

The first item under Executive Session regarding Attorney-Client privilege is carried to the February 7, 2023 meeting date.

X Matters involving appointment and whereas the public disclosure of such information at this time would violate the appointment, therefore this information will be withheld until such time as the matter is concluded. **(Interview for Board Appointment and Discuss Professionals)**

Further discussion regarding the Professionals will take place at the February 7th meeting in Executive Session.

BE IT FURTHER RESOLVED, that the Planning Board hereby declares that their discussion of the subject identified above may be made public at a time when the Planning Board Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township of any other entity respect to said discussion.

BE IT FURTHER RESOLVED, that the Planning Board 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.

Lebanon Township Planning Board Reorganization & Business Meeting
January 17, 2023
Page 7

Motion to close the Executive Session and return to the public portion of the meeting made by Ms. Bleck and seconded by Mr. Weiler. Unanimously approved.

Being no further business to come before the board nor comments from the public, motion by Ms. Bleck and seconded by Ms. Zatika to adjourn the meeting at 10:10 pm. Unanimously approved.

CHAIRMAN CHRIS PIASECKI

GAIL W. GLASHOFF, PLANNING BOARD CLERK