

Meeting audio can be found at lebanontownship.net.

[Timestamp in blue.](#)

**Lebanon Township Committee
May 3, 2023**

Minutes of Regular Meeting

CALL TO ORDER

Mayor Beverly Koehler 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 Koehler asked everyone to please stand for the Flag Salute and after for a moment of silence in honor of the Military, First Responders and Front Line Workers.

ROLL CALL

Present - Mike Schmidt Thomas McKee Beverly Koehler
 Brian Wunder Abe Abuchowski

Absent-

Also Present - Attorney Mark Roselli, Greg Della Pia, CFO, Deputy Clerk Kimberly Jacobus, and 40 members of the public.

PRESENTATION OF MINUTES

1:33

Minutes of the Special and Special Executive Session Minutes of April 19, 2023

Motion by Mr. Wunder, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee approved the minutes of the Special Meeting and Special Executive meetings of April 19, 2023.

PUBLIC COMMENT – Agenda Items Only

2:35

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting.

Questions were asked and comments were made regarding the Memorial Policy, repealing the Administrator Ordinance, the Executive Session-Personnel, a succession plan because of retiring personnel, the need for a Business Administrator.

Motion by Mr. Abuchowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting.

2023 BUDGET –

17:00

Resolution No. 56a-2023 – Authorizing Budget to Be Read By Title Only

Motion by Mr. Abuchowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote the Township Committee adopted Resolution 56a-2023 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 56a-2023
AUTHORIZE BUDGET TO BE READ BY TITLE ONLY**

WHEREAS, N.J.S.A. 40A:4-8, as amended by Chapter 95, P.L. 2015 provides that the Budget may be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the Budget had been made available for public inspection and shall be made available to each person upon request.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon and State of New Jersey, that it does hereby declare that the aforementioned conditions have been met and therefore the budget shall be read by its title only.

PUBLIC HEARING

19:00

Motion by Mr. Wunder, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee Opened the Public Hearing for the presentation of the 2023 Budget.

Committeeman Schmidt stated that every 3 years the municipality goes through a budget review by the Division of Local Government Services. The State required a few changes to be made to the budget. The changes did not affect the tax rate for this year and it doesn't change what is being spent on any given line item. Committeeman Schmidt explained the changes.

The public had several questions regarding different line items in the budget.

Motion by Mr. Abuchowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the public hearing.

Resolution No. 56b-2023 – Amending Approved Budget

52:30

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee adopted the amended approved Municipal Budget for the year 2023.

2023 Budget Adoption

53:55

*Motion by Mr. Schmidt, seconded by Mr. Abuchowski and carried by favorable roll call vote, the Township Committee adopted the 2023 Budget. Ayes: Schmidt, McKee Abuchowski, Koehler
Nays: Wunder*

RESOLUTIONS

53:17

Resolution No. 57-2023 – Police Chief Request to Purchase LiveScan Tenprint/Palm & Printer

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee amended Resolution 57-2023 to read that the Chief Financial Officer certified the availability of \$25,000 under the American Recovery Plan instead of the Capital Budget.

Motion by Mr. Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee adopted as amended Resolution 57-2023 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 57-2023
RESOLUTION APROVING THE PURCHASE OF A
LIVESCAN TENPRINT/PALM & PRINTER
(Fingerprinting)

WHEREAS, the Township of Lebanon wishes to purchase a LiveScan Tenprint/Palm and Printer, through Idemia of Reston Va. a State Contract vendor, as requested by the Lebanon Township Police Department; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Idemia has been awarded Contract #T3083 through the State of New Jersey, effective through January 30, 2024; and

WHEREAS, the actual cost for the LiveScan Tenprint/Palm, is \$24,032.00 and Printer \$1421.00; and

WHEREAS, the Chief Financial Officer has certified the availability of \$25,000.00 under the American Recovery Plan funds and \$453.00 under the Police Department Operating Budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Lebanon, that the Police Chief is authorized to purchase a LiveScan Tenprint/Palm and Printer from Idemia to be used by the Lebanon Township Police Department.

Resolution No. 58-2023 - Police Chief Request to Purchase 2023 Police Interceptor Vehicle

Motion by Mr. Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee amend Resolution No. 58-2023 to read at the 6th WHEREAS clause; that the Chief Financial Officer certified the availability of \$50,000 under the American Recovery Plan instead of the General Capital Budget.

Motion by Mr. Abuchowski, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee adopted as amended Resolution No. 58-2023 as amended.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 58-2023
RESOLUTION APROVING THE PURCHASE OF A
2023 POLICE INTERCEPTOR UTILITY AWD VEHICLE
WITH OUTFITTING

WHEREAS, the Township of Lebanon wishes to purchase a 2023 Police Interceptor Utility AWD vehicle, through Koch 33, as requested by the Lebanon Township Police Department; and WHEREAS, the QPA William Hance has authorized the purchase without additional quotes as attempts were made through Morris County Co-Op, Sourcewell, Houston Galveston Co-op and Somerset County Co-op, all of which did not have Interceptors in stock, and WHEREAS, the Interceptor will be outfitted by East Coast Emergency Lighting, a State Contract Vendor, #17-FLEET-00761; and WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and WHEREAS, the actual cost for the 2023 Police Interceptor Utility AWD, is \$38,230.00 and \$12,477.01 for the outfitting; and WHEREAS, the Chief Financial Officer has certified the availability of \$50,000. under the American Recovery Plan funds and \$707.01 under the Police Department Operating Budget for the purchase.
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Lebanon, that the Police Chief is authorized to purchase a 2023 Police Interceptor Utility AWD from Koch 33 with outfitting through East Coast Emergency Lighting to be used by the Lebanon Township Police Department.

Resolution No. 59-2023 – Redemption of Tax Sale Certificate
Block 41 Lot 3.02, 373 Vernoy Road, Califon

Motion by Mr. Abuchowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 59-2023 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 59-2023
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #22-5 on 12/15/2022 to G-Tech Capital, LLC

WHEREAS the amount of \$10,209.74 has been collected from Wayne Lisa for Block 41 Lot 3.02, 373 Vernoy Road, Califon, for the redemption of Tax Sale Certificate #22-5,

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 \$10,209.74 for the redemption and a check in the amount of \$10,000.00 for the premium, payable to: G-Tech Capital, LLC

Resolution No. 60-2023 - Redemption of Tax Sale Certificate **57:46**
Block 17 Lot 32 Q0072, 15 Stevenson Lane

Motion by Mr. Wunder, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 60-2023 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 60-2023
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #22-2 on 12/15/2022 to Thomas Goldberg,

WHEREAS the amount of \$162.42 has been collected from Jennifer & Joshua Taylor for Block 17 Lot 32 Q0072, 15 Stevenson Lane, Califon, for the redemption of Tax Sale Certificate #22-2,

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 \$162.42 payable to: Thomas Goldberg

UNFINISHED BUSINESS **59:06**

Memorial Policy

Mayor Koehler presented the revised Memorial Policy for the Committee's consideration for adoption. Mayor Koehler went on to read the policy for the audience.

Motion by Mayor Koehler, seconded by Mr. Wunder and carried by a favorable roll call vote the Township Committee adopted the Memorial Policy. AYES: McKee, Wunder, Abuchowski, Koehler NAYES: Schmidt

Attorney Roselli stated that the adoption of the policy should be memorialized by resolution at the next meeting.

NEW BUSINESS

Repeal Ordinance No. 2019-06 Creating the Office of Administrator **1:12:30**

Discussion was held on the need for an Administrator.

Motion by Mr. Wunder, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote the Township Committee approved to proceed with creating an ordinance to repeal Ordinance No. 2019-06.

Attorney Roselli will prepare an ordinance to repeal Ordinance No. 2019-06.

Historian's Request to Spend \$1000 from Trust to Restore Painting **1:27:40**

The Historians received a donation of 4 paintings that had been in a township home for many years and are in poor shape. The painter was Donald Ross who is a local legend in Lebanon Township. To restore the paintings, the cost will be \$250 for each painting to be restored.

Motion by Mr. Abuchowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved spending \$1,000 from the Trust Account to restore the 4 paintings.

PRESENTATION OF VOUCHERS **1:30:02**

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

Motion by Mr. Abuchowski, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved the May 3, 2023 bill list in the amount of \$1,493,359.29.

CORRESPONDENCE

- a. LTEOSC March 2023 Meeting Minutes
- b. Historians March 2023 Meeting Minutes

PUBLIC COMMENTS **1:33:35**

Motion by Mr. Abuchowski, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 8:33 p.m.

Residents asked questions and made comments regarding the Planning Boards discussion on Airbnb's, the gap in the sidewalk at the library, compensation for work done, the condition of Sun Mountain Road, when is Little Brook Road going to be paved, questions concerning the church property on Little Brook and how fast cars drive on certain roads.

Motion by Mr. Wunder, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:59 p.m.

EXECUTIVE SESSION

Motion by Mr. Abuchowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 61-2023 and convened in executive session at 8:59 p.m. No action is anticipated when the public meeting is reconvened.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 61-2023**

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;

_____ 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: _____ 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.

Motion by Mr. Abuchowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee reconvened the public meeting at 9:42 p.m.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Abuchowski seconded by Mr. McKee and carried by unanimous favorable roll call vote to adjourn the meeting at 9:43 p.m.

Respectfully submitted,

Kimberly S. Jacobus
Deputy Clerk

Beverly Koehler, Mayor

Approved: July 5, 2023