

Meeting audio can be found at lebanontownship.net.

Timestamp in blue.

Lebanon Township Committee
May 17, 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 stated that May is Law Enforcement Appreciation Month and thanked the members of the Police Department for keeping the residents safe. Mayor Koehler asked everyone to please stand for the Flag Salute and for a moment of silence in honor of Front-Line Workers, First Responders and Members of the Military.

ROLL CALL

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

Also Present - Attorney Mark Roselli, Clerk Karen Sandorse, and 17 members of the public.

PRESENTATION OF MINUTES

1:20

Minutes of the Regular and Executive Session Meetings of April 19, 2023

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

PUBLIC COMMENT – Agenda Items Only

1:55

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:02 p.m.

There were no comments from the public.

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:02 p.m.

RESOLUTIONS

2:23

Resolution No. 62-2023 – Delay of Estimated Tax Bills

Motion by Mr. Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 62-2023 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON, NEW JERSEY
RESOLUTION NO. 62-2023
A RESOLUTION AUTHORIZING ESTIMATED 2023 TAX BILLS

WHEREAS, the 2023 tax levy has not been certified at this time and said levy will not be certified in time for tax bills to be mailed in a timely manner; and

WHEREAS, there will be insufficient cash flow to support municipal operations in late July, August and September unless third quarter tax revenue is received on time; and

WHEREAS, the Tax Collector and Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon as follows:

1. The Tax Collector of the Township of Lebanon is authorized and directed to prepare and issue estimated tax bills for the third installment of 2023 taxes in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq.
2. The estimated tax levy to be used for the preparation of the estimated tax bills shall be \$24,262,673.19 which is 2% more than the tax levy of 2022. The estimated tax rate for 2023 is 2.608.
3. The Tax Collector shall take whatever action as permitted and required by Chapter 72 Public Laws 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3.

UNFINISHED BUSINESS

3:27

Red Mill Race Preserve Project Update/Authorize Visit by Township Engineer

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee authorized the Township Engineer to conduct a site visit at the Red Mill Race Preserve to see if it is feasible to have parking for 3-5 cars and if it is in the wetlands.

NEW BUSINESS

16:10

Buildings and Grounds - Identify Trees for Removal

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee authorized the DPW Manager and Mr. Wunder to identify trees in the Township that are in need of being removed.

Discussion - Amend EOSC Ordinance - Student Liaison-Non Voting Member

Attorney Roselli stated that as the EOSC is able to establish policy, his opinion is that a member should be of the election voting age of 18. Under the age of 18 can participate in the meeting as an Auxiliary Member. Attorney Roselli said that he was unable to find anything written regarding the matter. He has reached out to ANJEC for their thoughts but has not received a call back. Discussion held. Student Liaisons is another option to consider. The EOSC Ordinance will have to be amended to establish a new position.

Matter held to the next meeting.

NJLM – Energy Tax Receipt – Authorize Mayor to Sign

Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee authorized Mayor Koehler to sign the NJLM letter regarding Energy Tax Receipts and to send to the League.

Library - Estimate for Increased Insurance

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the increase of insurance coverage for the library from \$22,000. to \$289,156. at a cost of \$575.00 annually.

CWA Request Regarding Upcoming Holidays

Motion by Mr. Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the CWA Request to honor the federal holiday of Juneteenth, as a Township holiday, on Monday June 19, 2023, with a resolution to memorialize the action at the next meeting.

With regard to the July 3rd request to close the building the Committee took no action.

PRESENTATION OF VOUCHERS

54:12

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

Motion by Mr. Schmidt, seconded by Mr. McKee carried by unanimous favorable roll call vote, the Township Committee approved the May 17, 2023 bill list in the amount of \$103,728.06.

CORRESPONDENCE

56:28

- a. Stormwater Assistance Grant Approval
- b. Curator's Report

PUBLIC COMMENTS

57:28

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:57 p.m.

Comments were received on the employee's holidays, the possibilities of having internships, the tree cutting survey and funds allocated for such, information on the EOSC liaison position, EOSC policy making, tree cutting and endangered bats.

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:08 p.m.

EXECUTIVE SESSION

1:08:10

Resolution No. 63-2023

Action is not anticipated.

Motion by Mr. Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 63-2023 and convened in executive session at p.m.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 63-2023

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;

 X Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection; **Public Safety – Local Enforcement Agency - Fire Official**

 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; (The general nature of the litigation or contract negotiations is):

Employee Handbook/Personnel Policies
Employee Succession Planning
Blk 51 Lot 14.05

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: Personnel Matters - Pensions 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.

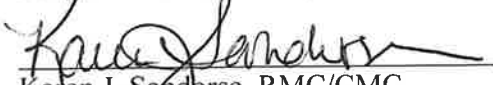
BE IT FURTHER RESOLVED that the Mayor and Committee, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee reconvened the public meeting at 9:57 p.m.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote to adjourn the meeting at 9:57 p.m.

Respectfully submitted,


Karen J. Sandorse, RMC/CMC
Municipal Clerk


Beverly Koehler, Mayor

Approved: June 21, 2023