

Meeting audio can be found at lebanontownship.net.

**Lebanon Township Committee
October 20, 2021**

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 our First Responders and Servicemen and Women.

ROLL CALL

Present - Mike Schmidt Thomas McKee Abe Abuchowski
 Beverly Koehler Marc Laul

Absent-

Also Present - Attorney Matt Lyons, Administrator James Barberio, Clerk Karen Sandorse and 4 members of the public.

PRESENTATION OF MINUTES - To be submitted at the 11/03/2021 meeting.

- a. Minutes of the September 15, 2021 Regular Meeting
- b. Minutes of the October 6, 2021 Regular and Executive Session Meetings

PUBLIC COMMENTS – for agenda items only.

Motion by Ms. Koehler, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:01p.m.

There were no comments from the public.

Motion by Ms. Koehler, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 7:01 p.m.

RESOLUTIONS

**Resolution No. 82-2021 - Resolution Renewing Plenary Retail Consumption Licenses
Ono Rosa Inc. 282 Route 513**

Motion by Ms. Koehler, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 82-2021 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 82-2021
RESOLUTION RENEWING PLENARY
RETAIL CONSUMPTION LICENSES

WHEREAS, each of the listed Plenary Retail Consumption Licensees have submitted application forms that have been completed in all respects; and

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

WHEREAS, each have 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 Licenses be granted a renewal for the 2021-2022 year:

1019-33-002-005 ONOROSA INC. 282 Route 513

UNFINISHED BUSINESS

Sign Ordinance

The Committee decided that it would be wise to receive input from the Planning Board on the ordinance prior to the introduction. The ordinance should be finalized by the Committee prior to the Board's December 4, 2021 meeting.

A new draft ordinance has been provided to the Committee. Mr. Abuchowski said that he spoke with the Police Chief, the Engineer and the Zoning Officer and the line of site has not been an issue in the past. There have been no incidents or motor vehicle accidents recalled. Mr. Abuchowski said that a line of site does not have a clear definition as it is based on the speed limit and the typography of the road. Mr. Abuchowski advised that it is best to be silent on the line of site as additional ordinances may need to be adopted.

Mayor Schmidt said that he would like to walk the Library corner to establish a reasonable distance for the signs to be placed. The ordinance will be finalized at next meeting to be sent to the Planning Board.

NEW BUSINESS

Police Chief's Request to Purchase – 2022 Police Interceptor Utility All Wheel Drive Base Vehicle

Motion by Mr. Abuchowski, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of a 2022 Police Utility All Wheel Drive Base Vehicle from Winner Ford, State Contract # 20-Fleet-01189, in the amount of \$31,141.00.

Police Vehicle Equipment and Detailing

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of equipment for the 2022 Police Vehicle from General Sales Administration T/A Major Police Supply, State Contract # 17 FLEET-00760, in the amount of \$13,842.47.

Fire Chief's Request to Purchase Equipment

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of a Fast Rescue Board in the amount of \$2285.00 from Fast Rescue Solutions.

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of Rite Pak Fast Attack Hose at \$2464.20 and Blitz Fire Inlet and Outlet Stack Tips and Storage Bucket in the amount of \$2642.00 from NJ Fire Equipment.

Boy Scout's Request for Winter Park Camping

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote the Township Committee approved the Boy Scout's request to hold a camp out in the park on either January 22, or January 29 contingent upon the receipt of a Certificate of Insurance, naming the Township additionally insured, no later than December 15, 2021.

Cannabis

Mayor Schmidt said that Attorney Lyons was notified that the NAR Group has been approved by the State for a medical cannabis license. They will be on the agenda for the next meeting. Mayor Schmidt is not sure what they are seeking but believes that they will need confirmation on the local zoning laws.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Koehler, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee approved the October 20, 2021 bill list in the amount of \$2,796,657.09.

CORRESPONDENCE

- a. Animal Control Officer's Report for the Month of September 2021
- b. ANJEC Natural Resources Champion Award for 2021
- c. Recycling Coordinator – 2021 Free Town Wide Paper Shredding Event

PUBLIC COMMENTS

Motion by Ms. Koehler, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:39 p.m.

Charlie Fortenbacker stated that Fall Fest was a great success. He informed the Committee of an injury received by one of the volunteers and questioned an invoice received from the Fire Department for the aid provided.

Motion by Mr. Laul, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 7:45 p.m.

EXECUTIVE SESSION

Action is not anticipated

Motion by Mr. Abuchowski, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 83-2021 and convened in executive session at 7:45 p.m. No action will be taken.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 83-2021**

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 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.); The general nature of the matter is:

 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. **DPW Laborer**

_____ 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.

The Public Meeting reconvened 9:00 p.m.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote to adjourn the meeting at 9:00 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: November 3, 2021

Mike Schmidt, Mayor