

Meeting audio can be found at lebanontownship.net.

**Lebanon Township Committee
June 2, 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 the First Responders, Health Care Heroes and Servicemen and Women.

ROLL CALL

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

Absent-

Also Present - Attorney Matt Lyons, Administrator James Barberio, Clerk Karen Sandorse and 8 members of the public.

PRESENTATION OF MINUTES

Minutes of the May 5, 2021 Regular Meeting
Minutes of the May 21, 2021 Special and Executive Session

Motion by Ms. Koehler, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular Meeting of the May 5, 2021 and the Special and Executive Session meetings of May 21, 2021.

PUBLIC COMMENTS – for agenda items only.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 7:02 p.m.

Mr. Ron Milkowski asked how many hours are on the DPW Loader and what the need is to replace it.

Motion by Ms. Koehler, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting.

OATHS OF OFFICE – POLICE OFFICERS

Mayor Schmidt provided the Oath of Office to Police Officer’s Timothy Savage and Christopher Bourque.

RESOLUTIONS

Resolution No. 55-2021 - Municipal Alliance Fiscal Grant Cycle July 2020-June 2025

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 55-2021 as written below.

Township of Lebanon
County of Hunterdon
State of New Jersey
Resolution No. 55-2021
Governor’s Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2020 - June 2025
FORM 1B

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Lebanon, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and, WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and, WHEREAS, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Hunterdon;

NOW, THEREFORE, BE IT RESOLVED by the Township of Lebanon, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Voorhees Municipal Alliance grant for fiscal year 2022 in the amount of:

DEDR	\$ <u>7,306.00</u>
Cash Match	\$ <u>1,826.50</u>

In-Kind	\$ <u>5,479.50</u>
---------	--------------------

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. The Township Council further acknowledges that the Hunterdon County Educational Services Commission shall act as Fiscal Agent to all Hunterdon County Municipal Alliance Consortiums to provide a streamlined process for the reimbursement of expenditures.

Resolution No. 56-2021 - Plenary Retail Consumption License Renewal – ATK Inc./Tony’s Bistro

Motion by Mr. Abuchowski, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 56-2021 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 56-2021
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 2021-2022 year:

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

Resolution No. 57-2021 – Plenary Retail Consumption License Renewal – Rock Corp.

Motion by Ms. Koehler, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 57-2021 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 57-2021
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 2021-2022 year:

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

OLD BUSINESS

DPW Mechanic Position

Tabled to Executive.

DPW Manager's Request to Purchase a 2021 John Deere 544P Loader

Mr. Barberio stated that prior to the Committee authorizing the purchase of the Loader the Township will need finalization from the DEP relative to the \$54,000. Modernization Program Grant application. Mr. McKee stated his concerns with the timeframe and the need to order the Loader in 2021 to avoid an increase in cost. Mr. Barberio stated that he submitted the Grant application today and was informed that the process should not take too long.

Cannabis Legislation

Ms. Koehler asked when the Committee can expect an update from the Cannabis subcommittee. Mayor Schmidt stated that there should be a preview of the situation at the June 16th meeting. The subcommittee will receive guidance and the ordinance introduction will be at the July 7, 2021 meeting.

NEW BUSINESS

Tristan Weber – Eagle Scout Project – Firefighter's Memorial

Tristan Weber stated that he is a Life Scout with Troop 92 and is a Junior at Voorhees High School. Tristan stated that for his Eagle Scout Project he would like to create a Memorial in honor of the Lebanon Township Fire Department. The Memorial will be located in the Park along the Veteran Heroes Walk and behind the 911 Memorial. The commemorative stone located at the Fire Department, will be moved to the Park location and two additional stones will be placed. Tristan provided a full description of the project plan. Tristan stated that his first meeting will be held in mid-June with the anticipation of the project being complete by mid to late August. Tristan noted that he spoke with Park Committee and they are in favor of the project and the location.

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Tristan's request to move forward with the Firemen's Memorial Project in the Park, to be finished by the end of the 2021 year, with the assistance of volunteers.

PRESENTATION OF VOUCHERS

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

Motion by Mr. Abuchowski, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the June 2, 2021 bill list in the amount of \$54,539.77.

CORRESPONDENCE

Tax Collector's Report for the Months of March 2021 and April 2021
Curator's Report

PUBLIC COMMENTS

Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:30 p.m.

Mr. Ron Milkowski made comments on Tristan's Eagle Scout Award project.

Motion by Mr. Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 7:32 p.m.

EXECUTIVE SESSION

Motion by Mr. Abuchowski, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 58-2021 and convened in executive session at 7:33 p.m. Action may be taken.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 58-2021

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; **Mask Mandates**

_____ 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): American Tower 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: **Affordable Housing**

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 Mechanic Position**

_____ 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 Committee reconvened the public meeting at 9:03 p.m.

Mr. Barberio read the following Mask Mandate statement - *The Township Employees and the general public are no longer required to wear masks in indoor public spaces, such as the administrative offices and other Township buildings, regardless of their ability to obtain six feet of distance from other individuals or groups; however, in accordance with the CDC recommendations, individuals who are not fully vaccinated should continue to wear masks in indoor public spaces.*

Motion by Mr. Abuchowski, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Mask Mandate as stated by Mr. Barberio.

Motion by Mr. Laul, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee authorized the posting of an employment notice for the DPW Mechanic/Laborer, as prepared by the Business Administrator, subject to final revision by the sub-committee so as to include a full listing of benefits included with the position.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Abuchowski, seconded by Mr. Laul, and carried by unanimous favorable roll call vote to adjourn the meeting at 9:04 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: June 16, 2021

Mike Schmidt, Mayor