

**TOWNSHIP OF LEBANON  
COMMITTEE MEETING  
REGULAR MEETING MINUTES**

**April 3, 2024  
7:00 p.m.**

**CALL TO ORDER**

Mayor Beverly Koehler called the meeting to order at 7:08 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 as a courtesy posted on the Township website. Official action will be taken at this meeting.

**FLAG SALUTE AND MOMENT OF SILENCE**

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**

The following officials were present:

Mr. Abe Abuchowski  
Mr. Jay Wojcik  
Ms. Beverly Koehler  
Mr. Brian Wunder  
Mr. Tom McKee

Also present were:

Mr. Mark Roselli, Esq., Township Attorney  
Mr. Bryce Good, PE, Township Engineer  
Ms.Carolynn Budd, Township Clerk  
16 Members of the Public

**PRESENTATION OF MINUTES**

3/20/2024 Regular Session Meeting Minutes  
3/20/2024 Executive Session Meeting Minutes  
3/21/2024 Budget Work Session Meeting Minutes

Ms. Koehler asked for a motion to approve the 3/20/2024 Regular Session Meeting Minutes.

Motion to Approve: Mr. Abuchowski  
Second: Mr. Wojcik  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. McKee, Ms. Koehler

Abstain: Mr. Wunder

Ms. Koehler asked for a motion to approve the 3/20/2024 Executive Session Meeting Minutes.

Motion to Approve: Mr. Wojcik  
Second: Mr. Abuchowski  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. McKee, Ms. Koehler  
Abstain: Mr. Wunder

Ms. Koehler asked for a motion to approve the 3/21/2024 Budget Work Session Meeting Minutes.

Motion to Approve: Mr. Abuchowski  
Second: Mr. Wojcik  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

**PUBLIC COMMENT – Agenda Items Only (limited to three minutes per speaker)**

Ms. Koehler asked for a motion to open Public Comment.

Motion to Open: Mr. Abuchowski  
Second: Mr. Wojcik  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

Public Comment: Administrative office closure.

Seeing and hearing no one else wishing to speak, Ms. Koehler asked for a motion to close Public Comment for agenda items only.

Motion to Close: Mr. Wunder  
Second: Mr. Wojcik  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

**ORDINANCE FOR INTRODUCTION**

**NO. 06-2024 ORDINANCE AMENDING CHAPTER 327 OF THE CODE OF THE TOWNSHIP OF LEBANON ENTITLED “STORMWATER QUALITY” TO INCLUDE NEW ARTICLES II-VIII AND NEW §§327-5 TO 327-30 PURSUANT TO THE REQUIREMENTS OF THE TOWNSHIP OF LEBANON’S 2024 NJDEP MS4 PERMIT**

**WHEREAS**, the Township of Lebanon is required by the State of New Jersey Department of Environmental Protection (NJDEP) to administer certain stormwater management requirements within the Township; and

**WHEREAS**, the State of New Jersey pursuant to N.J.A.C. 7:14A. on November 1, 2023 issued a New Jersey Pollutant Discharge Elimination System (NJPDES) Permit to the Township of Lebanon as an operator of a Municipal Separate Storm Sewer System (MS4) within the State; and

**WHEREAS**, said NJPDES Permit is a renewal of the Township’s previous NJPDES permit with said new permit having an effective date of November 1, 2023; and

**WHEREAS**, the Township of Lebanon under said new permit is required to adopt certain ordinances to protect water resources within the Township.

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that Chapter 327 within the Code of the Township of Lebanon entitled “Stormwater Quality” is hereby amended to include new Articles II-VIII and new §§327-5 to 327-30 for purposes of regulating Pet Waste, Wildlife Feeding, Litter Control, Improper Disposal of Waste, Yard Waste Collection, Private Storm Drain Inlet Retrofitting and Privately Owned Salt Storage, in accordance with mandates from the New Jersey Department of Environmental Protection, as follows:

**SECTION 1. Chapter 327 Stormwater Quality**

**1. Article II Pet Waste**

**2. §327-5 Purpose.**

To establish requirements for the proper disposal of pet solid waste in the Township of Lebanon, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**3. §327-6 Definitions.**

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**IMMEDIATE**

Means that the pet solid waste is removed at once, without delay.

**OWNER/KEEPER**

Any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

**PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**PET**

A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

**PET SOLID WASTE**

Waste matter expelled from the bowels of the pet; excrement.

**PROPER DISPOSAL**

Placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

**4. §327-7 Requirement for Disposal.**

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

**5. §327-8 Exemptions.**

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

**6. Article III Wildlife Feeding**

**7. §327-9 Purpose.**

To prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Township of Lebanon, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**8. §327-10 Definitions.**

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**FEED**

To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

**PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**WILDLIFE**

All animals that are neither human nor domesticated.

**9. §327-11 Prohibited Conduct.**

No person shall feed, in any public park or on any other property owned or operated by the Township of Lebanon, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

**10. Article IV Litter Control. Refer to Chapter 252 "Littering" of the Township Code.**

**11.**

**12. Article V Improper Disposal of Waste**

**13.**

**14. §327-12 Purpose.**

To prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Lebanon, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**15. §327-13 Definitions.**

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

## **MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.

## **PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

## **STORMWATER**

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities or is conveyed by snow removal equipment.

### **16. §327-14 Prohibited Conduct.**

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Lebanon is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

### **17. §327-15 Exceptions to Prohibition.**

- A. Water line flushing and discharges from potable water sources
- B. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- C. Air conditioning condensate (excluding contact and non-contact cooling water)
- D. Irrigation water (including landscape and lawn watering runoff)
- E. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- F. Residential car washing water, and residential swimming pool discharges
- G. Sidewalk, driveway and street wash water
- H. Flows from firefighting activities
- I. Flows from rinsing of the following equipment with clean water:
  - (1) Beach maintenance equipment immediately following their use for their intended purposes; and
  - (2) Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded. Rinsing of equipment as noted in this situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

### **18. ARTICLE VI Yard Waste Collection Program.**

#### **19.**

### **20. §327-16 Purpose.**

To establish a yard waste collection and disposal program in the Township of Lebanon, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**21. §327-17 Definitions.**

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**CONTAINERIZED**

Means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

**PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**STREET**

Means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

**YARD WASTE**

Means leaves and grass clippings.

**22. §327-18 Yard Waste Collection.**

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

**23. Article VII Private Storm Drain Inlet Retrofitting.**

**§327-19 Purpose.**

To require the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Lebanon so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**24. §327-20 Definitions.**

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Lebanon or other public body, and is designed and used for collecting and conveying stormwater.

**PERSON**

Any individual, corporation, company, partnership, firm, association, or political

subdivision of this State subject to municipal jurisdiction.

### **STORM DRAIN INLET**

An opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

### **WATERS OF THE STATE**

Means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

#### **25. §327-21 Prohibited Conduct.**

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- A. Already meets the design standard below to control passage of solid and floatable materials; or
- B. Is retrofitted or replaced to meet the standard in §327-22 below prior to the completion of the project.

#### **26. §327-22 Design Standard.**

Storm drain inlets identified in §327-21 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see §327-22.C. below.

- A. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
  - (1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
  - (2) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.
- B. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches or be no greater than two (2.0) inches across the smallest dimension.
- C. This standard does not apply:
  - (1) Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
  - (2) Where flows are conveyed through any device (e.g., end of pipe netting facility,

manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- (a) A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
  - (b) A bar screen having a bar spacing of 0.5 inches.
- (3) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1”) spacing between the bars; or
- (4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

**Article VIII Privately Owned Salt Storage.**

**§327-23 Purpose.**

To prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Township of Lebanon to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

**§327-24 Definitions.**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

**DE-ICING MATERIALS**

Means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

**IMPERVIOUS SURFACE**

Means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

**STORM DRAIN INLET**

Means the point of entry into the storm sewer system.

**PERMANENT STRUCTURE**

Means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;



4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

**PERSON**

Means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**RESIDENT**

Means a person who resides on a residential property where de-icing material is stored.

**§327-25 Deicing Material Storage Requirements.**

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15<sup>th</sup> and April 15<sup>th</sup>:
  - (1) Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
  - (2) Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
  - (3) Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
  - (4) Loose materials shall be covered as follows:
    - (a) The cover shall be waterproof, impermeable, and flexible;
    - (b) The cover shall extend to the base of the pile(s);
    - (c) The cover shall be free from holes or tears;
    - (d) The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
    - (e) Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.  
Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used.
  - (5) Containers must be sealed when not in use; and
  - (6) The site shall be free of all de-icing materials between April 16<sup>th</sup> and October 14<sup>th</sup>.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15-April 15.
- C. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.  
Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

**§327-26 Exemptions.**

- A. Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-

icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

- B. If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section 327-29 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.
- C. This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

**§ 327-27 Violations and penalties and enforcement.**

Any person who violates the terms of this Chapter 327 shall pay a fine of not less than \$1,500.00 but no more than \$7,500.00 plus court costs. This article shall be enforced by the Township 's Zoning Officer, the Township 's Sewer Administrator, or other Township personnel as may be assigned by resolution of the Township of Lebanon Committee.

**SECTION 2. Repealer.**

All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

**SECTION 3. Severability.**

If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

**SECTION 4. Effective Date.**

This Ordinance shall take effect after passage and publication in the manner provided by law.

Mr. Bryce Good, P.E. of Finelli Consulting Engineers, Township Engineer, provided details on the Ordinance and answered questions from the Committee. Mr. Good advised the Ordinance requirements can not be less lenient that what is stated by NJDEP but the Township can make the requirements more strict.

Ms. Koehler asked for a motion to introduce Ordinance No. 06-2024.

Motion to Approve: Mr. Abuchowski  
Second: Mr. Wojcik  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

**NO. 07-2024 ORDINANCE AMENDING CHAPTER 252 "LITTERING" OF THE TOWNSHIP CODE**

**BE IT ORDAINED** by the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey, that Chapter 252 of the Township Code entitled "Littering" be and is hereby amended as follows (additions are bolded and underlined; deletions have strikethrough):

**SECTION 1. Chapter 252 Littering**

**§ 252-1 Littering Prohibited.** *No Changes*

**§ 252-2 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**LITTER**

Any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap, or detachable tab of any bottle, jar, or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

## LITTER RECEPTACLE

A container suitable for the depositing of litter.

## PERSON

**Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.**

### § 252-3 ~~Illegal dumping.~~ **Prohibited acts and regulated activities.**

- A.** It shall be unlawful for any person to **throw, discard, or dump, drop or otherwise place** along any street or road, on or off any right-of-way, **or upon public property, any litter of any nature, including without limitation, any** household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture, or on private property, except by written consent of the owner of said property, in any place not specifically designated for the purpose of solid waste storage or disposal, **including a litter receptacle.**
- B.** **Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this Chapter.**

§252-4 to §252-13 *No Changes*

## **SECTION 2. Repealer.**

All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

## **SECTION 3. Severability.**

If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

## **SECTION 4. Effective Date.**

This Ordinance shall take effect after passage and publication in the manner provided by law.

Mr. Mark Roselli advised there is currently a Township Ordinance in place for littering, this is just a change to definitions.

Ms. Koehler asked for a motion to introduce Ordinance No. 07-2024.

Motion to Approve: Mr. Abuchowski  
Second: Mr. Wojcik  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

**ORDINANCE FOR PUBLIC HEARING AND ADOPTION**

**NO. 04-2024 ORDINANCE AMENDING THE CODE OF LEBANON TOWNSHIP BY REPEALING ARTICLE XXIII, §330-49A to §330-49M ENTITLED “STORMWATER MANAGEMENT” AND ADOPTING A NEW STORMWATER MANAGEMENT ORDINANCE DESIGNATED AS ARTICLE XXIII, §330-49A to §330-49M, ENTITLED “STORMWATER MANAGEMENT”**

Ms. Koehler advised the public Hearing previously scheduled for Wednesday, April 17, 2024, has been rescheduled to Wednesday, May 15, 2024.

**RESOLUTIONS**

**NO. 63-2024 RESOLUTION AUTHORIZING THE CLOSURE OF THE ADMINISTRATIVE OFFICE FROM 12:00 P.M. – 1:00 P.M. EFFECTIVE APRIL 29, 2024**

**WHEREAS**, the Township Committee of the Township of Lebanon desires to close the Administrative Offices of the Municipal Building for a designated and uninterrupted lunch hour instead of staggered staff lunch breaks at early or late intervals. The Township Committee has determined that the scheduled closing will improve the efficiency of operations and level of service by ensuring that all full-time staff are present to serve the public in all functional areas when the office is open; and

**WHEREAS**, the Administrative Office Building will be closed from 12:00 p.m. to 1:00 p.m. during normal business days; and

**WHEREAS**, notice of the closure will be posted on the Township website and posted at the Administrative Office Building, effective April 29, 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon that it does hereby authorize the closure of the Administrative Office Building for lunch from 12:00 p.m. – 1:00 p.m. during normal business days, effective April 29, 2024.

Ms. Koehler provided details on the need for a standard lunch break for staff.

Ms. Koehler asked for a motion to approve Resolution No. 63-2024.

Motion to Approve: Mr. Wunder  
Second: Mr. Abuchowski  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

**NO. 64-2024 RESOLUTION AUTHORIZING REFUND OF HIGHLANDS EXCEPTION ESCROW FOR 49 FORGE HILL ROAD, BLOCK 66, LOT 2.07**

**WHEREAS**, Ms. Merri-Beth Hull issued check number 474, dated August 10, 2017, for a Highlands Exception Escrow for 49 Forge Hill Road, Block 66, Lot 2.07 with the Township of Lebanon; and

**WHEREAS**, there remains a balance of \$329.50 in the escrow account; and

**WHEREAS**, the Township Planner prepared a final application review letter with approval of the exemption on September 15, 2017.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey authorizes the Township Finance Office to refund the amount of \$329.50 to Ms. Merri-Beth Hull.

Ms. Koehler asked for a motion to approve Resolution No. 64-2024.

Motion to Approve: Mr. Wojcik

Second: Mr. Abuchowski

Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

**NO. 65-2024 RESOLUTION AUTHORIZING REFUND OF HIGHLANDS EXCEPTION ESCROW FOR 330 TURKEY TOP ROAD, BLOCK 53, LOT 4**

**WHEREAS**, Mr. Edward Piasecki issued check number 790, dated March 31, 2021, for a Highlands Exception Escrow for 330 Turkey Top Road, Block 53, Lot 4 with the Township of Lebanon; and

**WHEREAS**, there remains a balance of \$620.00 in the escrow account; and

**WHEREAS**, the Township Planner prepared a final application review letter with approval of the exemption on April 5, 2021.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey authorizes the Township Finance Office to refund the amount of \$620.00 to Mr. Edward Piasecki.

Ms. Koehler asked for a motion to approve Resolution No. 65-2024.

Motion to Approve: Mr. Abuchowski

Second: Mr. Wojcik

Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

**NO. 66-2024 RESOLUTION AUTHORIZING REFUND OF HIGHLANDS EXCEPTION ESCROW FOR 412 TRIMMER ROAD, BLOCK 44, LOT 20**

**WHEREAS**, Mr. Adam F. Ambielli (Trimmer Road Company) issued check number 8957, dated August 7, 2018, for a Highlands Exception Escrow for 412 Trimmer Road, Block 44, Lot 20 with the Township of Lebanon; and

**WHEREAS**, there remains a balance of \$460.00 in the escrow account; and

**WHEREAS**, the Township Planner prepared a final application review letter with approval of the exemption on December 20, 2018.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey authorizes the Township Finance Office to refund the amount of \$460.00 to Mr. Adam F. Ambielli (Trimmer Road Company).

Ms. Koehler asked for a motion to approve Resolution No. 66-2024.

Motion to Approve: Mr. Wojcik  
Second: Mr. Abuchowski  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. McKee, Ms. Koehler  
Recuse: Mr. Wunder

### **UNFINISHED BUSINESS**

1. Employee Manual and Volunteer Manual. Ms. Koehler advised the Employee Manual has been reviewed by Mr. Roselli and would like any Committee comments before 4/17. The template used to complete the manual was from the Statewide Insurance Fund “SIF” and is very comprehensive. After reviewing there is no need for a separate Volunteer Manual. Ms. Koehler advised the Employee Manual will be on the 4/17 Committee Meeting Agenda for approval.
2. Municipal Doors – Installation Contractor Update. Mr. Abuchowski advised he found a door manufacturer but has not been able to find a contractor to take measurements and install the doors.
3. Status Update – Draft Ordinance Re: Dead/Dying Trees in Township ROW. Mr. Roselli advised there is no wording in the Township code relating to unsafe trees. Mr. Roselli can provide an Ordinance for such with the Committees authorization. Ms. Koehler asked the Committee for consensus to authorize Mr. Roselli to draft an ordinance for unsafe (dead/dying) trees. Mr. Roselli to provide a draft for the 4/17 Committee Meeting.
4. Master Plan – Building and Grounds Sub-Committee Status Update. Mr. Wunder advised he and Mr. McKee are meeting next week to discuss further.

### **NEW BUSINESS**

1. Musconetcong River Road NJDOT Update. Mr. Good explained the steps that must be followed through NJDOT to complete the grant. Mr. Good provided the Committee a copy of NJDOT’s flow chart as well as an example of approved plans. Mr. Wunder to meet with Mr. Warren Gabriel, DPW Supervisor, to discuss how to proceed with project plans for Musconetcong River Road.
2. Policy Discussion – Status Reports from Department Heads. Mr. Wunder is requesting a monthly report from department heads that will be provided to the Committee. Ms.Carolynn Budd to work on a template for each department and review with Mr. Wunder.

3. Municipal Office Cleaner Quotes. Ms. Budd provided details on the current cleaner's service and reviewed quotes received to replace current service provider. Ms. Budd to prepare a Resolution to award a contract for the 4/17 Committee Meeting.
4. IT Service Quotes. Ms. Budd provided details on the current IT providers service and advised the current contract ends on 6/30/2024. Ms. Budd reviewed the quotes received for service from 7/1/2024 – 6/30/2025. Ms. Budd to prepare a Resolution to award a contract for the 4/17 Committee Meeting.

**PRESENTATION OF VOUCHERS**

Committee Members provided a description of vouchers exceeding \$1,000.00.

Ms. Koehler asked for a motion to approve vouchers.

Motion to Approve: Mr. Wojcik  
 Second: Mr. Abuchowski  
 Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

The Township Committee approved the April 3, 2024, bill list in the amount of \$1,213,180.43.

**CORRESPONDENCE**

1. EOSC Meeting Minutes – 1/9/2024
2. EOSC Meeting Minutes – 2/5/2024

Correspondence were provided to the Committee.

**PUBLIC COMMENT (limited to three minutes per speaker)**

Ms. Koehler asked for a motion to open Public Comment.

Motion to Open: Mr. Wojcik  
 Second: Mr. Abuchowski  
 Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

Public Comment: NAR, Hickory Run Road paving, municipal doors, administrative office lunch closure, budget, tree ordinance.

Seeing and hearing no one else wishing to speak, Ms. Koehler asked for a motion to close Public Comment.

Motion to Close: Mr. Abuchowski  
 Second: Mr. Wunder

Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

**EXECUTIVE SESSION**

**NO. 67-2024 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.

A matter involving the purchase, 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.);



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: Salaries, Organizational Structure. 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.

Ms. Koehler asked for a motion to open Executive Session.

Motion of Open: Mr. Abuchowski  
Second: Mr. Wojcik  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

Mayor and Committee entered Executive Session at 8:43 p.m.

Mayor and Committee closed Executive Session at 9:44 p.m.

Ms. Koehler asked for a motion to reconvene into Regular Session.

Motion to Reconvene: Mr. Wunder  
Second: Mr. McKee  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

## **ADJOURNMENT**

Having no further business to conduct, Ms. Koehler asked for a motion to adjourn the meeting.

Motion to Adjourn: Mr. Abuchowski  
Second: Mr. Wunder  
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

Meeting adjourned at 9:44 p.m.

Respectfully Submitted:

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Carolynn Budd, RMC  
Township Clerk

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Beverly Koehler, Mayor

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Date Approved