

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

**June 19, 2024
7:00 p.m.**

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 as a courtesy posted on the Township website. Official action will be taken at this meeting.

FLAG SALUTE AND MOMENT OF SILENCE

Ms. Koehler noted today is Juneteenth and provided some history on the day. Ms. 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. Jay Wojcik
Ms. Beverly Koehler
Mr. Brian Wunder
Mr. Tom McKee

Also present were:

Mr. Mark Roselli, Esq., Township Attorney
Ms.Carolynn Budd, Township Clerk
Members of the Public

PRESENTATION OF MINUTES

5/15/2024 Regular Session Meeting Minutes – Amended
6/5/2024 Regular Session Meeting Minutes
6/5/2024 Executive Session Meeting Minutes

Ms. Koehler asked for a motion to approve the 5/15/2024 Regular Session Meeting Minutes as amended.

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

Ms. Koehler asked for a motion to approve the 6/5/2024 Regular Session Meeting Minutes.

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

Ms. Koehler asked for a motion to approve the 6/5/2024 Executive Session Meeting Minutes.

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

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

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

EAGLE SCOUT PROCLAMATIONS

Ms. Koehler read the Proclamations for Mr. Eric Muhr. Ms. Koehler asked for a motion to endorse the Proclamation.

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

Ms. Koehler read the Proclamation for Mr. James Clawson. Ms. Koehler asked for a motion to endorse the Proclamation.

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

RESOLUTIONS

NO. 106-2024 RESOLUTION AUTHORIZING SUBMISSION OF A GRANT PROPOSAL TO THE HUNTERDON COUNTY MUNICIPAL INFRASTRUCTURE GRANT PROGRAM

WHEREAS, the Township of Lebanon desires to apply for and obtain a grant from Hunterdon County in the amount of \$100,000.00 for the removal of hazardous trees on Township owned property and the acquisition of public safety equipment to be used within the Township; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey does hereby authorize the application for such a grant; and

BE IT FURTHER RESOLVED that the Mayor and Committee recognize and accept that Hunterdon County may offer a lesser amount and therefore, upon receipt of the grant agreement from Hunterdon County, does further authorize the execution of any such grant agreement and also, upon receipt of the fully executed agreement from Hunterdon County, does further authorize the expenditure of funds pursuant to the terms in the agreement between the Township of Lebanon and Hunterdon County Municipal Infrastructure Grant; and

BE IT FURTHER RESOLVED that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

Ms. Koehler advised what items are being requested through the grant. Ms. Koehler asked for a motion to adopt Resolution No. 106-2024.

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

NO. 107-2024 RESOLUTION APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE 2024-2025 LICENSING TERM

WHEREAS, the holders of liquor licenses in the Township of Lebanon have filed renewal applications with the Division of Alcoholic Beverage Control and with the Township Clerk for the 2024-2025 licensing term; and

WHEREAS, the Township Clerk has confirmed that all license renewal applications have been completed in all respects, that the New Jersey Division of Taxation has issued Tax Clearance Certificates as required for each of the licensees, and that all applicable fees have been paid and satisfied; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, that they are satisfied that all requirements have been met and hereby approve the renewal of each of the following liquor licenses for the 2024-2025 licensing term:

PLENARY RETAIL CONSUMPTION LICENSES

- 1019-33-007-003 Asdal Holdings LLC (ABC Pocket)
- 1019-33-003-006 El Patron Mexican Restaurant LLC
- 1019-33-005-003 New Hampton Inn Inc.

- 1019-33-001-002 ATK Inc. (Tony’s Bistro)

PLENARY RETAIL DISTRIBUTION LICENSE

- 1019-44-008-002 The Rock Corporation of Tewksbury (Bourbon Street Wine and Liquor)

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to file a certified copy of this Resolution with the Director of the Division of Alcoholic Beverage Control and is further authorized to issue an annual liquor license on the form and certificate approved by the Alcoholic Beverage Control Commission in the State of New Jersey for each of the herein approved licenses for the 2024-2025 licensing term.

Ms. Koehler stated each license that was being renewed. Ms. Koehler asked for a motion to adopt Resolution No. 107-2024.

Motion to Adopt: Mr. Wojcik
 Second: Mr. McKee
 Abstain: Mr. Wunder, for ATK, Inc. (Tony’s Bistro)
 Ayes: Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

NO. 108-2024 RESOLUTION AUTHORIZING REFUND OF BOARD OF ADJUSTMENT ESCROW FOR 4 SUMMIT DRIVE, BLOCK 17, LOT 26 (BULK VARIANCE)

WHEREAS, Mr. John W. Gasper issued check number 5322, dated August 13, 2021, for a Board of Adjustment Escrow for 4 Summit Drive, Block 17, Lot 26 with the Township of Lebanon; and

WHEREAS, there remains a balance of \$295.00 in the escrow account; and

WHEREAS, the Board of Adjustment adopted a Resolution at their October 4, 2021, regular meeting granting a bulk variance relief for the existing above ground swimming pool, pool pump, deck and 2 sheds.

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 \$295.00 to Mr. John W. Gasper.

Ms. Koehler asked for a motion to adopt Resolution No. 108-2024.

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

NO. 109-2024 RESOLUTION AUTHORIZING REFUND OF PLANNING BOARD ESCROW FOR 327 CAMP BERNIE ROAD, BLOCK 56, LOT 9 (PROPOSED PAVILION)

WHEREAS, Young Men’s Christian Association issued check number 33230, dated June 6, 2018 for a Planning Board Escrow for 327 Camp Bernie Road, Block 56, Lot 9 (Proposed Pavilion) with the Township of Lebanon; and

WHEREAS, there remains a balance of \$464.50 in the escrow account; and

WHEREAS, the Planning Board adopted a Resolution at their September 18, 2018 regular meeting granting conditional use and site plan approval for the proposed 40’x60’ pavilion.

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 \$464.50 to Young Men’s Christian Association.

Ms. Koehler asked for a motion to adopt Resolution No. 109-2024.

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

UNFINISHED BUSINESS

1. Fire Department Capital Request – Fire Engine/Pumper Truck. Mr. McKee advised he received new information regarding the fire truck purchase, which was provided to the Committee and Township Attorney, Mr. Mark Roselli, Esq. Mr. McKee reminded the Committee the current pricing is only good till 7/31, after this date there is an increase. Mr. Roselli to review the information. Discussion to be moved to the 7/17 meeting.
2. Tax Collector – Standard Operating Procedures (SOP) in a Resident Friendly Format for Posting to Website. Ms. Koehler read the list of questions Ms. Ann Marie Silvia, Tax Collector pulled together. Ms. Budd to work with Ms. Silvia to complete the SOP and present to the Committee for approval and posting on the Township website, etc.
3. Municipal Door Quote. The Committee was provided 3 quotes. The last quote obtained was by a vendor who met with Mr. Abuchowski, due to his absent from the meeting, Ms. Koehler asked to table the conversation until Mr. Abuchowski is available to review the quote with the Committee.

NEW BUSINESS

1. Police Department Request to Purchase Six Ruger AR-556-LE7, 5.56 Caliper Rifles, \$4,601.70. Mr. Wunder advised the need for rifles. Ms. Koehler asked for a motion to approve the purchase of six Ruger Rifles.

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

2. Police Department Flooring Quote, Use of ARPA Funds. Ms. Budd reviewed the quotes received for flooring at the Municipal Building and Police Department. The quote for the Municipal Building is \$54,533.10 and the Police Department is \$29,499.06, totaling \$84,032.16. Ms. Budd requested “ARPA” grant funds be used for the purchase. The

Committee agreed. Mr. Roselli advised two Resolutions to award the projects need to be done. Resolutions for award to be placed on the 7/17 Agenda.

3. Resignation of Michael Falconeri Resignation, Park Committee Member. Ms. Koehler read Mr. Falconeri's resignation letter. Ms. Koehler asked for a motion to accept Mr. Falconeri's resignation with regrets.

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

4. Bear and Coyote Discussion. Mr. Wunder lead a discussion regarding the increased bear presence within the Township. Mr. Wunder requested composing a letter to NJ Fish and Wildlife asking for their assistance. Mr. Wunder to work with Ms. Budd on the letter.
5. Trees on County Roads Discussion. Mr. Wunder expressed concern regarding hazardous trees overhanging County roads. Mr. Wunder suggested composing a letter to the County asking for their help addressing the trees. Mr. Wunder to work with Ms. Budd on the letter.
6. New Staff Training – Panic Button. Ms. Koehler advised she spoke with Mr. Warren Gabriel, DPW Supervisor regarding new employees knowing the location of the panic buttons. Ms. Koehler asked Ms. Budd to follow up regarding response time once a button is pushed.

PRESENTATION OF VOUCHERS

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

Ms. Koehler asked for a motion to approve vouchers and the bill list.

Motion to Approve: Mr. Wunder
Second: Mr. McKee
Abstain: Mr. Wojcik (from payment to himself, page 4)
Ayes: Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler

The Township Committee approved the June 19, 2024, bill list in the amount of \$ 1, 568,198.31.

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

Public Comment: Recreation webpage update, trees, bears and coyotes.

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

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

CORRESPONDENCE

May 2024 Department Head Report.

EXECUTIVE SESSION

NO. 110-2024 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) NAR Group,

LLC. 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: job responsibilities, salary request and volunteer process. 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 and adopt Resolution No. 110-2024.

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

Mayor and Committee entered Executive Session at 7:48 p.m.

Mayor and Committee closed Executive Session at 9:40 p.m.

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

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

Meeting adjourned at 9:40 p.m.

Respectfully Submitted:

Carolynn Budd, RMC
Township Clerk

Beverly Koehler, Mayor

Date Approved