

**TOWNSHIP OF LEBANON  
COMMITTEE MEETING  
REGULAR MEETING MINUTES  
December 6, 2023  
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**

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:

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

Also present were:

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

**PRESENTATION OF MINUTES**

08/16/2023 Regular Session Meeting Minutes  
09/06/2023 Regular Session Meeting Minutes  
09/14/2023 Special Meeting Executive Session Minutes  
09/20/2023 Executive Session Meeting Minutes  
10/04/2023 Regular Session Meeting Minutes  
11/15/2023 Special Meeting Executive Session Minutes  
11/15/2023 Regular Session Meeting Minutes  
11/15/2023 Executive Session Meeting Minutes

Ms. Koehler asked for a motion to approve Regular, Special and Executive Session Minutes.

Motion to Approve: Mr. McKee

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

**PUBLIC COMMENT – Agenda Items Only**

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

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

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

**ORDINANCES FOR PUBLIC HEARING AND ADOPTION – DATE CHANGE**

**ORDINANCE NO. 09-2023                      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 §330-49K, ENTITLED “STORMWATER MANAGEMENT”**

Ms. Koehler advised Ordinance No. 09-2023 will be on the December 20, 2023 Agenda for Public Hearing and Adoption.

**ORDINANCES FOR PUBLIC HEARING AND ADOPTION**

**ORDINANCE NO. 10-2023                      ORDINANCE ESTABLISHING A NEW CHAPTER 327 WITHIN THE CODE OF THE TOWNSHIP OF LEBANON ENTITLED “STORMWATER QUALITY” AND FURTHER ESTABLISHING A NEW ARTICLE I THEREUNDER ENTITLED “ILLICIT CONNECTIONS TO STORM SEWER SYSTEMS” AND NEW §§ 327-1 TO 327-4 REGULATING ILLICIT CONNECTIONS TO THE SEPARATE STORM SEWER SYSTEM OPERATED BY THE TOWNSHIP OF LEBANON IN ACCORDANCE WITH MANDATES FROM NEW JERSEY’S DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**BE IT ORDAINED** by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that it does hereby establish a new Chapter 327 within the Code of the Township of Lebanon entitled “Storm Water Quality” and does further establish a new Article I thereunder entitled “Illicit Connections to Storm Sewer Systems” and new sections 327-1 to 327-4 therein for purposes of regulating illicit connections to the separate storm sewer system operated by the Township of Lebanon in accordance with mandates from the New Jersey Department of Environmental Protection, as follows:

**SECTION 1. Chapter 327 Stormwater Quality**

**Article I Illicit Connections to Storm Sewer Systems**

**§ 327-1 Purpose.**

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Lebanon, to protect public health, safety, and welfare, and to prescribe penalties for the failure to comply.

**§ 327-2 Definitions.**

For this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article 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. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

**DOMESTIC SEWAGE**

Waste and wastewater from humans or household operations.

**ILLICIT CONNECTION**

Any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Township of Lebanon, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

**INDUSTRIAL WASTE**

Non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).

**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 of the Township of Lebanon, and is designed and used for collecting and conveying stormwater.

**NJPDES PERMIT**

A permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.

**NON-CONTACT COOLING WATER**

Water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

**PERSON**

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

**PROCESS WASTEWATER**

Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

**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.

**§ 327-3 Prohibited conduct.**

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Lebanon any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

**§ 327-4 Violations and penalties and enforcement.**

Any person who violates the terms of this Ordinance 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.

Ms. Koehler asked for a motion to open Public Hearing for Ordinance No. 10-2023.

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

Seeing and hearing no one wishing to speak, Ms. Koehler asked for a motion to close Public Hearing for Ordinance No. 10-2023.

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

Ms. Koehler asked for a motion to adopt Ordinance No. 10-2023.

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

**ORDINANCE NO. 11-2023**

**ORDINANCE AMENDING CHAPTER 40 OF THE  
CODE OF THE TOWNSHIP OF LEBANON  
ENTITLED "HISTORIAN COMMITTEE"**

**BE IT ORDAINED** by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that Chapter 40 of the Code of the Township of Lebanon, entitled "Historian Committee" shall be amended as follows (additions are bolded and underlined; deletions have strikethrough):

**SECTION 1: PURPOSE**

The purpose of this Ordinance is to amend certain provisions of Chapter 40 of the Code of the Township of Lebanon, entitled "Historian Committee," specifically §40-5, "Powers" and §40-6, "Museum Trust Fund."

**SECTION 2: § 40-5. Powers.**

- A-D. *No change.*
- ~~E.~~ ~~Seek to assist and unify the efforts of private groups, institutions, and individuals with the Township of Lebanon in accordance with the purposes of this chapter. An example of such a private group would be the Squire's Point Historians of Lebanon Township, Inc., which is a nonprofit entity, independent from the Township of Lebanon, but which may have overlapping membership with the Historian Committee.~~
- FE. Maintain liaison and communication with public and private agencies and organizations of local, county, state and national scope whose programs and activities have an impact on the protection and preservation of the history and historical points of interest of the Township of Lebanon, or who can be of assistance to the purpose of the Historian Committee. Such activities include pursuing grants or other funding from such agencies or organizations, subject to approval of the Township Committee prior to any grant application.
- GF. Recommendations for the annual budget for the Township Museum and the activities of the Historian Committee.
- HG. Carry out other such duties as may be assigned from time to time by the Township Committee.

**SECTION 3: § 40-6. Museum Trust Fund.**

- A-B. *No change.*
- ~~C.~~ ~~Donations made to private groups, institutions, and individuals within the Township of Lebanon in accordance with the purposes of this chapter, an example of such a private group would be the Squire's Point Historians of Lebanon Township, Inc., and designated for a specific historical use or monies received from fund-raising events of the Squire's Point Historians of Lebanon Township, Inc., will not be put into the Reserve for Museum Donations Trust Fund.~~
- DC. The Township's CFO will provide the Historian Committee, upon request, with a quarterly accounting of the Reserve for Museum Trust Fund and monthly income and expense statements of the fund.

**SECTION 4: INCONSISTENT ORDINANCES**

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5: PARTIAL INVALIDITY**

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

**SECTION 6:** This ordinance shall take effect immediately upon final passage and publication according to law

Ms. Koehler asked for a motion to open Public Hearing for Ordinance No. 11-2023.

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

Seeing and hearing no one wishing to speak, Ms. Koehler asked for a motion to close Public Hearing for Ordinance No. 11-2023.

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

Ms. Koehler asked for a motion to adopt Ordinance No. 11-2023.

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

**ORDINANCE NO. 12-2023                      ORDINANCE AMENDING CHAPTER 69 OF THE  
CODE OF THE TOWNSHIP OF LEBANON  
ENTITLED "PARKS COMMITTEE"**

**BE IT ORDAINED** by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that Chapter 69 of the Code of the Township of Lebanon, entitled "Parks Committee" shall be amended as follows (additions are bolded and underlined; deletions have strikethrough):

**SECTION 1: PURPOSE**

The purpose of this Ordinance is to amend certain provisions of Chapter 69 of the Code of the Township of Lebanon, entitled "Parks Committee," specifically §69-6, "Maintenance fund."

**SECTION 2: § 69-9. Maintenance fund.**

- A-B. *No change.*
- ~~C. Donations made to the Friends of Memorial Park and designated for a specific Park use or monies received from fund raising events of the Friends of Memorial Park will not be put into this maintenance fund.~~
- DC. The Township CFO will provide the Parks Committee, upon request, with a quarterly accounting of the fund and monthly income and expense statements of the fund.

**SECTION 3: INCONSISTENT ORDINANCES**

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4: PARTIAL INVALIDITY**

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

**SECTION 5:** This ordinance shall take effect immediately upon final passage and publication according to law.

Ms. Koehler asked for a motion to open Public Hearing for Ordinance No. 12-2023.

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

Seeing and hearing no one wishing to speak, Ms. Koehler asked for a motion to close Public Hearing for Ordinance No. 12-2023.

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

Ms. Koehler asked for a motion to adopt Ordinance No. 12-2023.

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

**RESOLUTIONS**

**NO. 139-2023**

**RESOLUTION RESCINDING RESOLUTION NO. 123-2023 AND RESOLUTION NO. 124-2023 – SLEO**

**WHEREAS**, the Township Committee of Lebanon Township previously adopted Resolution No. 123-2023, Authorizing and Approving a Shared Services Agreement between the Township of Lebanon and North Hunterdon Voorhees Regional High School District Board of Education For Special Law Enforcement Officers and Resolution No.124-2023, Authorizing and Approving Shared Services Agreement between Township of Lebanon and Lebanon Township School District for Special Law Enforcement Officer at the October 18, 2023, Township Committee Meeting; and

**WHEREAS**, subsequent to adopting Resolution No. 123-2023 and Resolution No.124-2023, the Township Committee was advised by the respective School Districts that the administrative overhead cost percentage was high and the respective School Districts requested a review and reduction of the percentage; and

**WHEREAS**, the Township therefore revised the administrative overhead cost percentage from 14.5% to 4% under the Shared Services Agreement for each Special Law Enforcement

Officer and was therefore required to amend the respective Shared Services Agreement for each School District; and

**WHEREAS**, by Resolution No. 140-2023, as revised, Authorizing and Approving a Shared Services Agreement between the Township of Lebanon and North Hunterdon Voorhees Regional High School District Board of Education for Special Law Enforcement Officers and Resolution No. 141-2023, as revised, Authorizing and Approving Shared Services Agreement between Township of Lebanon and Lebanon Township School District for Special Law Enforcement Officer, the Township Committee approves revised Shared Services Agreements for each School District; and

**WHEREAS**, Resolution No. 123-2023 and No. 124-2023 and the corresponding Shared Services Agreements approved thereunder, are not required and therefore the Township Committee desires to rescind said resolutions.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon that Resolutions No. 123-2023 and No. 124-2023 be and are hereby rescinded.

Ms. Koehler provided details on the Resolution.

Ms. Koehler asked for a motion to approve.

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

**NO. 140-2023**

**RESOLUTION AUTHORIZING AND APPROVING  
SHARED SERVICES AGREEMENT BETWEEN  
TOWNSHIP OF LEBANON AND NORTH  
HUNTERDON-VOORHEES REGIONAL HIGH  
SCHOOL DISTRICT BOARD OF EDUCATION FOR  
SPECIAL LAW ENFORCEMENT OFFICERS**

**WHEREAS**, the Township of Lebanon (Provider) desires to enter a Shared Services Agreement with the North Hunterdon-Voorhees Regional High School District Board of Education (hereinafter "School District") (Recipient) for purposes of providing the School District with Class II or Class III Special Law Enforcement Officers (hereinafter "SLEOs") to perform law enforcement duties at Voorhees High School; and

**WHEREAS**, the Township of Lebanon has agreed to assign SLEOs to Voorhees High School for purposes of performing law enforcement duties at Voorhees High School for an amount not to exceed \$76,663.00 for each SLEO, for a term expiring June 30, 2024, unless extended for an additional one-year term upon formal action by both parties; and

**WHEREAS**, the Shared Services Agreement shall set forth the insurance requirements and indemnification clauses as agreed upon by the parties, as well as identifying the Township of Lebanon as the primary employer of the SLEOs; and

**WHEREAS**, the Township of Lebanon is authorized to enter into this Shared Services Agreement with the School District pursuant to the provisions of Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq; and

**WHEREAS**, the Township of Lebanon has the capabilities to efficiently and economically provide the services required by the School District; and



**WHEREAS**, both parties recognize the benefits of this program to the residents of the Township and students and staff of the School District; and

**WHEREAS**, it is in the best interests of the Township and School District to establish this program and to execute the Shared Services Agreement for same; and

**WHEREAS**, the agreement shall become effective upon adoption of the appropriate resolution by each governmental unit and execution of the agreement, pursuant to N.J.S.A. 40A:65-5 (c); and

**WHEREAS**, it is the desire of the Township of Lebanon and School District to enter into this agreement for the purposes set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon, County of Hunterdon and State of New Jersey that the Shared Services Agreement between the Township of Lebanon and the North Hunterdon-Voorhees Regional High School District Board of Education for the provision of Class II or Class III Special Law Enforcement Officers to perform law enforcement duties at Voorhees High School is hereby approved and the Mayor and Clerk are hereby authorized to execute said agreement on behalf of the Township of Lebanon.

**BE IT FURTHER RESOLVED** that the agreement shall take effect upon adoption of an appropriate resolution by both parties and execution of said agreement by the parties in accordance with N.J.S.A 40A:65-5(c).

**BE IT FURTHER RESOLVED** that a copy of this resolution and agreement shall be filed with the Division of Local Government Services in accordance with N.J.S.A. 40A:65-4 b.

Ms. Koehler provided details on the Resolution.

Ms. Koehler asked for a motion to approve.

Motion to Approve: Mr. McKee

Second: Mr. Wunder

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

**NO. 141-2023**

**RESOLUTION AUTHORIZING AND APPROVING  
SHARED SERVICES AGREEMENT BETWEEN  
TOWNSHIP OF LEBANON AND LEBANON  
TOWNSHIP SCHOOL DISTRICT BOARD OF  
EDUCATION FOR SPECIAL LAW ENFORCEMENT  
OFFICERS**

**WHEREAS**, the Township of Lebanon (Provider) desires to enter a Shared Services Agreement with the Lebanon Township School District Board of Education (hereinafter “School District”) (Recipient) for purposes of providing the School District with Class II or Class III Special Law Enforcement Officers (hereinafter “SLEOs”) to perform law enforcement duties at Woodglen and Valley View Schools; and

**WHEREAS**, the Township of Lebanon has agreed to assign SLEOs to Woodglen and Valley View Schools for purposes of performing law enforcement duties at Woodglen and Valley View schools for an amount not to exceed \$76,163.00 for each SLEO, for a term expiring June 30, 2024, unless extended for an additional one-year term upon formal action by both parties; and

**WHEREAS**, the Shared Services Agreement shall set forth the insurance requirements and indemnification clauses as agreed upon by the parties, as well as identifying the Township of Lebanon as the primary employer of the SLEOs; and

**WHEREAS**, the Township of Lebanon is authorized to enter into this Shared Services Agreement with the School District pursuant to the provisions of Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq; and

**WHEREAS**, the Township of Lebanon has the capabilities to efficiently and economically provide the services required by the School District; and

**WHEREAS**, both parties recognize the benefits of this program to the residents of the Township and students and staff of the School District; and

**WHEREAS**, it is in the best interests of the Township and School District to establish this program and to execute the Shared Services Agreement for same; and

**WHEREAS**, the agreement shall become effective upon adoption of the appropriate resolution by each governmental unit and execution of the agreement, pursuant to N.J.S.A. 40A:65-5 (c); and

**WHEREAS**, it is the desire of the Township of Lebanon and School District to enter into this agreement for the purposes set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon, County of Hunterdon and State of New Jersey that the Shared Services Agreement between the Township of Lebanon and the Lebanon Township School District Board of Education for the provision of Class II or Class III Special Law Enforcement Officers to perform law enforcement duties at Woodglen and Valley View Schools is hereby approved and the Mayor and Clerk are hereby authorized to execute said agreement on behalf of the Township of Lebanon.

**BE IT FURTHER RESOLVED** that the agreement shall take effect upon adoption of an appropriate resolution by both parties and execution of said agreement by the parties in accordance with N.J.S.A 40A:65-5(c).

**BE IT FURTHER RESOLVED** that a copy of this resolution and agreement shall be filed with the Division of Local Government Services in accordance with N.J.S.A. 40A:65-4 b.

Ms. Koehler provided details on the Resolution.

Ms. Koehler asked for a motion to approve.

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

**NO. 142-2023**

**RESOLUTION AUTHORIZING THE HIRING AND APPOINTMENT OF NICOLAS SACHS AS POLICE OFFICER IN THE POLICE DEPARTMENT EFFECTIVE DECEMBER 11, 2023**

**WHEREAS**, the Township of Lebanon Police Department has a need to hire a Police Officer; and

**WHEREAS**, after considering all interested and qualified candidates, Chief Jason Cronce has recommended that Nicolas Sachs be hired as a Police Officer, 9<sup>th</sup> Class, in the Police

Department with an effective starting date of December 11, 2023, and an annual salary of \$50,814.92; and

**WHEREAS**, the Township's Chief Financial Officer has certified the availability of funds for this hire; and

**WHEREAS**, the Township Committee desires to authorize the hiring of Nicolas Sachs based on the terms set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon that it does hereby authorize the hiring of Nicolas Sachs as a Police Officer, 9<sup>th</sup> Class, for the Police Department, commencing December 11, 2023, at an annual salary of \$50,814.92.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be provided to the Township's Chief Financial Officer.

Chief Jason Cronce provided background information on Mr. Nicholas Sachs.

Ms. Koehler asked for a motion to approve.

Motion to Approve: Mr. Abuchowski

Second: Mr. McKee

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

Following the adoption of Resolution No. 142-2023 Ms. Koehler performed the Oath of Office for Mr. Nicholas Sachs.

**NO.143-2023**

**RESOLUTION AUTHORIZING THE HIRING AND APPOINTMENT OF MATTHEW KELLY AS A POLICE OFFICER IN THE POLICE DEPARTMENT EFFECTIVE DECEMBER 11, 2023**

**WHEREAS**, the Township of Lebanon Police Department has a need to hire a Police Officer; and

**WHEREAS**, after considering all interested and qualified candidates, Chief Jason Cronce has recommended that Matthew Kelly be hired as a Police Officer, 5<sup>th</sup> Class, in the Police Department with an effective starting date of December 11, 2023, and an annual salary of \$76,533.09; and

**WHEREAS**, the Township's Chief Financial Officer has certified the availability of funds for this hire; and

**WHEREAS**, the Township Committee desires to authorize the hiring of Matthew Kelly based on the terms set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon that it does hereby authorize the hiring of Matthew Kelly as a Police Officer, 5<sup>th</sup> Class, for the Police Department, commencing December 11, 2023, at an annual salary of \$76,533.09.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be provided to the Township's Chief Financial Officer.

Chief Jason Cronce provided background information on Mr. Matthew Kelly.

Ms. Koehler asked for a motion to approve.

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

Following the adoption of Resolution No. 143-2023 Ms. Koehler performed the Oath of Office for Mr. Matthew Kelly.

**NO. 144-2023 RESOLUTION ACCEPTING THE RESIGNATION OF DAVID SULPY AS FIRE OFFICIAL EFFECTIVE DECEMBER 15, 2023**

**WHEREAS**, David Sulpy was employed as Fire Official for the Township of Lebanon; and

**WHEREAS**, by written notice dated November 18, 2023, David Sulpy notified the Township Committee that he would be resigning from his position as Fire Official and employee for the Township of Lebanon, with his last day of employment being December 15, 2023; and

**WHEREAS**, the Township Committee desires to accept the resignation of David Sulpy as Fire Official and employee for the Township of Lebanon, effective December 15, 2023 by way of adoption of this resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon that it does hereby accept the resignation of David Sulpy as Fire Official and employee for the Township of Lebanon, effective December 15, 2023.

Ms. Koehler asked for a motion to approve.

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

**NO. 145-2023 RESOLUTION OPPOSING NEW JERSEY HIGHLANDS COUNCIL DRAFT BEST MANAGEMENT PRACTICES FOR FORESTRY IN THE NEW JERSEY HIGHLANDS REGION**

**WHEREAS**, over 950,000 acres of forest land are owned by private landowners and 280,000 acres of forest land are owned by local counties and municipalities in New Jersey; and

**WHEREAS**, Lebanon Township has a population of approximately 6,200 and is comprised of 20,275 acres, divided into 3,061 separate parcels of land, with over 11,400 acres, or 56% of the Township, is forested within 75% of the land parcels within the Township; and

**WHEREAS**, all forestry activities conducted on public or private lands in accordance with an approved woodland management plan or forest management plan (Forest Plan) are exempt under the Highlands Preservation and Planning Act (Highlands Act; N.J.S.A. 13:20-28) and Highlands Region Preservation and Planning Act Rules (N.J.A.C. 7:38-2.3); and

**WHEREAS**, all forestry activities conducted on public or private lands in accordance with an approved Forest Plan are exempt from the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-4); and

**WHEREAS**, all forestry activities conducted on public or private lands in accordance with an approved Forest Plan and the New Jersey Forestry and Wetlands Best Management Practices Manual (BMP Manual), are exempt via Permit-by-rule 26 from the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13-7.26); and

**WHEREAS**, the New Jersey Farmland Assessment Act of 1964 (Farmland Assessment Act; N.J.S.A. 54:4 et. seq.) permits woodland owners to manage forests actively devoted to an agricultural or horticultural use under an approved Forest Plan to be assessed at their productivity value provided the resulting wood products are sold to meet a minimum income requirement; and

**WHEREAS**, the New Jersey Forest Stewardship Program (Forest Stewardship Program; N.J.S.A. 13:1L-31) permits woodland owners to actively manage their forests under an approved forest stewardship plan to receive farmland assessment without an income requirement; and

**WHEREAS**, the New Jersey State Forest Action Plan identifies the Farmland Assessment Act and Forest Stewardship Program as important for promoting sustainable forest management, preventing conversion of forest to development, and conserving forests for water quality, wildlife habitat, and recreational opportunities; and

**WHEREAS**, the Highlands Act (N.J.S.A. 13:20-1 et. seq.) was created to protect the water and natural resources in the Highlands Region from major development; and

**WHEREAS**, the Highlands Region includes over 400,000 acres of forest land encompassing 88 municipalities in seven counties in the northwestern part of the state; and

**WHEREAS**, in Lebanon Township, there are 116 landowners having over 2,600 forested acres approved or awaiting approval for farmland assessment; 107 landowners have approved woodland management plans, 19 landowners have approved forest stewardship plan; and 2 landowners have both an approved woodland management plan and forest stewardship plan; 7 landowners own 10 parcels totaling almost 60 acres of land in adjacent municipalities that are also enrolled in farmland assessment with approved woodland management plans; and an additional 222 parcels, comprising approximately 6,000 forested acres in Lebanon Township meet the minimum acreage requirements for farmland assessment under an approved forest plan; and

**WHEREAS**, the BMP Manual, created by the New Jersey Forest Service, is a practical, science-based, comprehensive guide outlining the best methods for implementing forest management in New Jersey and has been implemented with approved Plans since 1995 to protect, maintain, and preserve water quality; and

**WHEREAS**, the Report of the Sustainable Forestry Technical Advisory Committee to the Highlands Water Protection and Planning Council (Report) found that the BMP Manual, when implemented, is successful at protecting water quality, and sustainable forest management can increase water yield and biodiversity; and

**WHEREAS**, the Report also found that additional regulations above and beyond the current BMP Manual are unnecessary and would neither be supported by science nor have a legal basis according to the Act (N.J.S.A. 13:20-28); and

**WHEREAS**, the New Jersey Highlands Council staff, under the new Executive Director, created new draft Best Management Practices for Forestry in the New Jersey Highlands Region (Highlands BMPs) that are above and beyond the current BMP Manual; and

**WHEREAS**, at the expense of the landowner, the Highlands BMPs will require separate plans for deer and invasive species control in addition to soil testing and obtaining a Letter of Interpretation to confirm wetland boundaries on properties; and

**WHEREAS**, at the expense of the landowner, the Highlands BMPs will require active deer management for all properties with Forest Plans, including the installation of deer exclusion fences in areas with >50 deer per square mile; and

**WHEREAS**, at the expense of the landowner, the Highlands BMPs will limit the removal of all wood products to when the ground is frozen; and

**WHEREAS**, regardless of forestry exemptions, the Highlands BMPs will add restrictions to forestry activities in core forests in the Highlands Region and require approval from the Highlands Council staff on the creation of forest canopy gaps greater than one half (1/2) acre; and

**WHEREAS**, regardless of forestry exemptions, the Highlands BMPs will add restrictions to forestry activities in the Highlands Region within 300 feet of all wetlands and open waters, 984 feet of all vernal pools, and within all Natural Heritage Priority Sites; and

**WHEREAS**, regardless of forestry exemptions, the Highlands BMPs will add restrictions to forestry activities to prohibit the disturbance of primary forest soils except in the incidences of the removal of hazard trees; and

**WHEREAS**, there is no supporting scientific justification offered for any added restrictions to forestry activities in the Highlands Region; and

**WHEREAS**, the Highlands BMPs are unclear as to whether all the restrictions are limited to only forested land; and

**WHEREAS**, Lebanon Township is entirely within the Highlands Region and had its Plan Conformance approved in 2011 for both the Preservation and Planning Areas, that includes an exemption certification authorized by the Highlands Council to determine certain exemptions that would necessarily exempt the proposed requirements in the Highlands BMPs and the requirements being added by the Highlands BMPs will necessarily conflict with the Lebanon Township's authorization to determine Highlands Acts exemptions, including Exemption #7; and

**WHEREAS**, the Highlands BMPs will cause forest landowners in the Highlands Region, including those in Lebanon Township, financial harm by preventing them from meeting the requirements of the Farmland Assessment Act and/or Forest Stewardship Program; and

**WHEREAS**, regardless of forestry exemptions, the added restrictions in the Highlands BMPs will result in an uncompensated taking of almost 600,000 acres within 331,000 parcels, 355,000 acres and 108,000 parcels of which are forested, including over 2,600 parcels and 11,600 acres in Lebanon Township. 8,000 acres and 2,100 parcels of which are forested; and

**WHEREAS**, the Highlands BMPs constitute an unfunded mandate that exceed the minimum criteria for forest stewardship plans by requiring such additional items, including surveys/inventory plans and deer fencing, all at the expense of the property owner; and

**WHEREAS**, the Highlands BMPs will cause property owners who are currently enrolled or awaiting to be approved to be enrolled in farmland assessment with approved forest plans, severe financial hardship by prohibiting forestry activities necessary for meeting the requirements of the New Jersey Farmland Assessment Act and/or Forest Stewardship Program and by mandating the additional requirements at the time and expense of the landowner.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that for the reasons set forth herein above and in the interest of protecting the Township of Lebanon's residents, businesses, and the rights of landowners to manage their properties for their own values in accordance with the legal exemptions currently afforded to them in the Highlands Act and elsewhere, that it does hereby strongly oppose the New Jersey Highlands Council Draft Best Management Practices for Forestry in the New Jersey Highlands Region and urges the Highlands Council to against furthering the development of and/or finalizing the New Jersey Highlands Council Draft Best Management Practices for Forestry in the New Jersey Highlands Region.

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be forwarded to the following:

- Governor Phil Murphy
- Commissioner of the NJ Department of Environmental Protection
- New Jersey Highlands Council
- New Jersey Forestry Association
- State Senator Bob Smith
- State Assembly Speaker Craig Coughlin
- State Senator Doug Steinhardt
- State Assemblyman John DiMaio and State Assemblyman Erik Peterson
- Hunterdon County Board of Commissioners of the Municipality
- New Jersey League of Municipalities

Ms. Sharon Petzinger, EOSC Chair, provided information regarding the proposed changes to the Highlands Best Management Plan.

Ms. Koehler asked for a motion to approve.

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

**NO. 146-2023**

**RESOLUTION PROVIDING AUTHORIZATION FOR  
AMERICAN RESCUE PLAN FIREFIGHTER GRANT  
SUBMISSION**

**WHEREAS**, the Township of Lebanon desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$20,275.07 for purposes of completing the outfitting of the Lebanon Township Fire Department's swift water rescue technicians with proper water rescue protective equipment; and

**WHEREAS**, the Township of Lebanon will match this grant with a 5.5% match of the total project cost of \$21,455.10, that being \$1,180.03.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that the Township of Lebanon does hereby authorize the preparation and submission of such a grant.

**BE IT FURTHER RESOLVED** that the Township of Lebanon does hereby recognize and accept that the Department of Community Affairs may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Lebanon and the New Jersey Department of Community Affairs.

**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 asked for a motion to approve.

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

### **UNFINISHED BUSINESS**

1. 2023 Best Practices Inventory. Mr. Greg Dell Pia advised the Mayor and Committee that out of 67 questions, 48 were scored and the Township had a positive 37 score.
2. Municipal Building Handrail Quotes. Mayor and Committee discussed the three quotes received. After review, Ridge Builders quote was chosen, Mr. Wunder to follow up on this matter.

Ms. Koehler asked for a motion to accept the quote from Ridge Builders.

Motion to accept: Mr. Abuchowski  
Mr. Wunder  
Mr. McKee, Ms. Koehler, Mr. Wunder, Mr. Abuchowski

### **NEW BUSINESS**

1. Ms. Koehler announced the resignation of Committeeman Mike Schmidt effective December 6, 2023.
2. 2024 JCP&L Distribution Maintenance Tree Trimming – Authorization for Mayor's Signature

Ms. Koehler asked for a motion to authorize signature.

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

3. Ad/Request for proposal – Newsletter. Ms. Koehler advised because of a recent resignation there is a need to find a new Editor.

Ms. Koehler asked for a motion to run an ad for Newsletter Editor.

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

4. Surplus Sale Items Request, bids due 1/3/2024. Mr. Mark Roselli, Esq. advised Mayor and Committee there is a Resolution needed for this request. Resolution to be placed on the December 20, 2023 Agenda.



**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. Abuchowski  
Second: Mr. Wunder  
Ayes: Mr. McKee, Ms. Koehler, Mr. Wunder, Mr. Abuchowski

The Township Committee approved the December 6, 2023 bill list in the amount of \$1,214,683.41.

**CORRESPONDENCE**

- 1. Historian’s Meeting Minutes from 10/12/2023.

Correspondence were provided to Mayor and Committee.

**PUBLIC COMMENT**

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

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

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

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

**EXECUTIVE SESSION**

**RESOLUTION NO.147-2023      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 CWA.

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): Professional Service Agreements. 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: Fire Official position, DCRP, JPM update. 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. Wunder  
Ayes: Mr. McKee, Ms. Koehler, Mr. Wunder, Mr. Abuchowski

Mayor and Committee entered Executive Session at 7:57 p.m.

Mayor and Committee closed Executive Session at 9:04 p.m.

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

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

### **RETURN TO REGULAR SESSION**

Ms. Koehler asked for a motion to set interview appointments with Planning and Engineer Professionals for 2024 Township Services on Thursday, December 14, 2023.

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

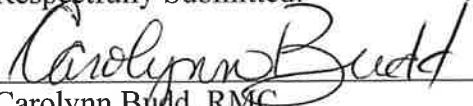
### **ADJOURNMENT**


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

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

Meeting adjourned at 9:05 p.m.

Respectfully Submitted:

  
Carolynn Budd, RMC  
Township Clerk

  
Beverly Koehler, Mayor

Date Approved: 12/20/2023