

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION NO. 139-2023

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

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by the Township Committee of the Township of Lebanon that Resolutions No. 123-2023 and No. 124-2023 be and are hereby rescinded.

Dated: December 6, 2023

ATTEST

Carolynn Budd, RMC
Township Clerk

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Lebanon Township Committee at a meeting held December 6, 2023.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION 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.

Dated: December 6, 2023

ATTEST

Carolynn Budd, RMC
Township Clerk

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Lebanon Township Committee at a meeting held December 6, 2023.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION 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.

Dated: December 6, 2023

ATTEST

Carolynn Budd, RMC
Township Clerk

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Lebanon Township Committee at a meeting held December 6, 2023.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION 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, 9th 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, 9th 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.

Dated: December 6, 2023

ATTEST:

Carolynn Budd, RMC
Township Clerk

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Lebanon Township Committee at a meeting held December 6, 2023.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION NO. 143-2023

**RESOLUTION AUTHORIZING THE HIRING AND APPOINTMENT OF MATTHEW
KELLY 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 Matthew Kelly be hired as a Police Officer, 5th 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, 5th 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.

Dated: December 6, 2023

ATTEST:

Carolynn Budd, RMC
Township Clerk

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Lebanon Township Committee at a meeting held December 6, 2023.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION NO. 144-2023

**RESOLUTION ACCEPTING THE RESIGNATION OF DAVID SULPY AS
FIRE OFFICIAL**

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.

Dated: December 6, 2023

ATTEST

Carolynn Budd, RMC
Township Clerk

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Lebanon Township Committee at a meeting held December 6, 2023.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION 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 is does hereby strongly opposes 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

Dated: December 6, 2023

ATTEST:

Carolynn Budd, RMC
Township Clerk

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Lebanon Township Committee at a meeting held December 6, 2023.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION 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:

Dated: December 6, 2023

Beverly Koehler
Mayor

David Sulpy
Chief, Lebanon Township
Volunteer Fire Department

ATTEST:

Carolynn Budd, RMC
Township Clerk

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Lebanon Township Committee at a meeting held December 6, 2023.

Carolynn Budd, RMC
Township Clerk

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

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.

Dated: December 6, 2023

ATTEST:

Carolynn Budd, RMC
Township Clerk

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Lebanon Township Committee at a meeting held December 6, 2023.

Carolynn Budd, RMC
Township Clerk