

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

February 7, 2024

7:00 p.m.

CALL TO ORDER

Deputy Mayor Brian Wunder 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

Deputy Mayor Brian Wunder asked everyone to please stand for the Flag Salute and for a moment of silence in honor of Front-Line Workers, First Responders and Members of the Military.

ROLL CALL

The following officials were present:

Mr. Abe Abuchowski
Mr. Jay Wojcik
Ms. Beverly Koehler – Arrived at 8:30 p.m.
Mr. Brian Wunder
Mr. Tom McKee

Also present were:

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

PRESENTATION OF MINUTES

12/28/2023 Special Meeting Minutes
1/17/2024 Regular Session Meeting Minutes
1/17/2024 Executive Session Meeting Minutes

Mr. Wunder asked for a motion to approve Regular, Special and Executive Session Minutes.

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

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

Mr. Wunder asked for a motion to open Public Comment.

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

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

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

ORDINANCES FOR INTRODUCTION

NO. 03-2024 ORDINANCE ESTABLISHING OFFICER AND NEW EMPLOYEE POSITIONS WITHIN THE TOWNSHIP OF LEBANON AND AUTHORIZING AND SETTING THE SALARY RANGE FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LEBANON FOR CALENDAR YEAR 2024

Mr. Wunder advised Ordinance No. 03-2024 will be on the February 21, 2024, Agenda for Public Hearing and Adoption.

Mr. Wunder asked for a motion to introduce Ordinance No. 03-2024.

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

ORDINANCE FOR PUBLIC HEARING AND ADOPTION

NO. 01-2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) FOR CALENDAR YEAR 2024

Mr. Wunder asked for a motion to open Public Hearing for Ordinance No. 01-2024.

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

Seeing and hearing no one wishing to speak, Mr. Wunder asked for a motion to close Public Hearing.

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

Mr. Wunder asked for a motion to Adopt Ordinance No. 01-2024.

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

NO. 02-2024 ORDINANCE AMENDING CHAPTER 63 OF THE CODE OF THE TOWNSHIP OF LEBANON BY ESTABLISHING A NEW ARTICLE VIII THEREUNDER ENTITLED “PURCHASING AGENT” AND NEW §§63-38 TO 63-42 REGULATING THE PURCHASING AGENT POSITION

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 amend Chapter 63 of the Code of the Township of Lebanon entitled “Officers and Employees” by establishing a new Article VIII thereunder entitled “Purchasing Agent” and new §§63-38 to 63-42 therein for purposes of regulating the newly created Purchasing Agent position, as follows (additions are bolded and underlined):

SECTION 1. Chapter 63 **Officers and Employees**

Article VIII Purchasing Agent

§ 63-38 Position created.

There is hereby created the position of Purchasing Agent for the Township of Lebanon.

§ 63-39 Appointment.

The Purchasing Agent shall be appointed by way of resolution by the Township Committee of Lebanon Township.

§ 63-40 Qualifications.

The Purchasing Agent is required to possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs.

§ 63-41 Duties.

The Purchasing Agent shall have, on behalf of the Township Committee of the Township of Lebanon, the authority, responsibility and accountability for the purchasing activity pursuant to Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); to prepare public advertising for and to receive bids and requests for proposals for the provision or performance of goods, services and construction contracts; to award contracts pursuant to New Jersey law in accordance with the regulations, forms and procedures promulgated by state regulatory agencies; and conduct any activities as may be necessary or appropriate to the purchasing function of the Township of Lebanon.

§ 63-42 Bid Threshold.

The Purchasing Agent appointed by the Township Committee shall be permitted to award any contract, without public advertising for bids, the cost or price of any contract awarded

by the Township in the aggregate that does not exceed in a contract year the threshold amount established by the Governor pursuant to N.J.S.A. 40A:11-3 (c) and shall be permitted to award all contracts that are in the aggregate less than 15 percent of the bid threshold established herein, without soliciting competitive quotations pursuant to N.J.S.A. 40A:11-6.1 (c).

SECTION 2. 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 3. 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 4. EFFECTIVE DATE

This ordinance shall take effect immediately upon final passage and publication according to law.

Mr. Wunder asked for a motion to open Public Hearing for Ordinance No. 02-2024.

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

Seeing and hearing no one wishing to speak, Mr. Wunder asked for a motion to close Public Hearing.

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

Mr. Wunder asked for a motion to Adopt Ordinance No. 02-2024.

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

RESOLUTIONS

NO. 18-2024 RESOLUTION APPOINTING CAROLYNN BUDD AS QUALIFIED PURCHASING AGENT FOR CALENDAR YEAR 2024

WHEREAS, in accordance with N.J.A.C. 5:34-5.4, procedures for increasing the bid threshold, a contracting unit with a purchasing agent who possessed a Qualified Purchasing Agent (QPA) Certificate pursuant to N.J.S.A. 40A:11-9 desiring to take advantage of the supplemental authority of N.J.S.A. 40A:11-3 and 40A:11-4.3 or N.J.S.A. 18A:18-3 and 18A:18A-4.3 shall have its governing body pass a Resolution authorizing the amount of the higher bid threshold for the contracting unit, the amount of which shall not exceed the statutory maximum bid threshold; and

WHEREAS, the Mayor and Committee of the Township of Lebanon wish to appoint a Qualified Purchasing Agent pursuant to N.J.S.A. 40A:11-9 et. Seq. to take advantage of the supplemental authority provided pursuant to statutory law, Local Finance Notice 2020-14R and N.J.A.C. 5:35-5.2 to increase the bid threshold to \$44,000.00; and

WHEREAS,Carolynn Budd posses the Qualified Purchasing Agent Certification as issued by the Director of Local Government Services in accordance with N.J.A.C. 5:34-5 et. Seq.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, Hunterdon County, New Jersey, that Carolynn Budd be appointed as Qualified Purchasing Agent for the Township of Lebanon pursuant to state law; and

BE IT FURTHER RESOLVED that pursuant with N.J.A.C. 5:34-5.2 the Township Clerk is hereby directed to forward a copy of the Resolution to the Director of the Division of Local Government Services.

Mr. Wunder asked for a motion to approve Resolution No. 18-2024.

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

NO. 30-2024 RESOLUTION AWARDDING THE SALE OF SURPLUS PROPERTY

WHEREAS, on January 16, 2024, four (4) sealed bids were received for the sale of certain items deemed to be surplus property; and

WHEREAS, the Supervisor of the Township Department of Public Works and Township Committee have reviewed the bids; and

WHEREAS, the Township Committee desires to award the highest bidder for each surplus item.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey authorizes the award of the following items to the highest bidder.

Vehicle/Equipment Description	VIN or Serial #	Jersey One Auto Sales, Inc	Brian's Tractor Repair
2017 Ford Expedition	1FMJU1GT9HEA26962	\$ 1,055.00	---
2005 Ford Crown Victoria	2FAHP71W35X175593	\$ 515.00	---
Case C-70 with Boom Mower	C070RS4JJE1014929	---	\$ 5,100.00
Toro Z-Master Diesel Mower	290000132	---	\$ 1,100.00

Mr. Wunder asked for a motion to approve Resolution No. 30-2024.

Motion to Approve: Mr. Abuchowski
 Second: Mr. Wojcik

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

NO. 31-2024 RESOLUTION AUTHORIZING REFUND OF HIGHLANDS EXCEPTION ESCROW FOR 299 ROCKY RUN ROAD, BLOCK 10, LOT 20.01

WHEREAS, Ms. Gail Vajda issued check number 133, dated March 28, 2018, for a Highlands Exception Escrow for 299 Rocky Run Road, Block 10, Lot 20.01 with the Township of Lebanon; and

WHEREAS, there remains a balance of \$518.00 in the escrow account; and

WHEREAS, the Township Planner prepared a final application review letter with approval of exemption on April 10, 2018.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey authorizes the Township Finance Office to refund the amount of \$518.00 to Ms. Gail Vajda.

Mr. Wunder asked for a motion to approve Resolution No. 31-2024.

Motion to Approve: Mr. McKee

Second: Mr. Abuchowski

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

NO. 32-2024 RESOLUTION AUTHORIZING REFUND OF HIGHLANDS EXCEPTION ESCROW FOR 1 SYDNEY LANE, BLOCK 54, LOT 18.01

WHEREAS, Ms. Carol Mucerino issued check number 3087, dated February 27, 2018, for a Highlands Exception Escrow for 1 Sydney Lane, Block 54, Lot 18.01 with the Township of Lebanon; and

WHEREAS, there remains a balance of \$518.00 in the escrow account; and

WHEREAS, the Township Planner prepared a final application review letter with approval of exemption on March 13, 2018.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey authorizes the Township Finance Office to refund the amount of \$518.00 to Ms. Carol Mucerino.

Mr. Wunder asked for a motion to approve Resolution No. 32-2024.

Motion to Approve: Mr. Abuchowski

Second: Mr. Wojcik

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

NO. 33-2024 RESOLUTION AUTHORIZING REFUND OF HIGHLANDS EXCEPTION ESCROW FOR 280 ROCKY RUN ROAD, BLOCK 30, LOT 44

WHEREAS, Mr. Douglas Bloom issued check number 737, dated February 27, 2020, for a Highlands Exception Escrow for 280 Rocky Run Road, Block 30, Lot 44 with the Township of Lebanon; and

WHEREAS, there remains a balance of \$425.00 in the escrow account; and
WHEREAS, the Township Engineer issued a conditional exemption
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 \$425.00 to Mr. Douglas Bloom.

Mr. Wunder asked for a motion to approve Resolution No. 33-2024.

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

NO. 34-2024 RESOLUTION AUTHORIZING REFUND OF BOARD OF ADJUSTMENT ESCROW FOR 139 BUFFALO HOLLOW ROAD, BLOCK 11, LOT 8.02

WHEREAS, Ms. Nanette Kuehn issued check number 1281, dated January 14, 2021, for a Board of Adjustment Escrow for 139 Buffalo Hollow Road, Block 11, Lot 8.02 with the Township of Lebanon; and

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

WHEREAS, the Township Board of Adjustment Attorney prepared a Resolution on April 6, 2021 closing the application.

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 Ms. Nanette Kuehn.

Mr. Wunder asked for a motion to approve Resolution No. 34-2024.

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

NO. 35-2024 RESOLUTION AUTHORIZING AND APPROVING SHARED SERVICES AGREEMENT BETWEEN TOWNSHIP OF LEBANON AND LEBANON TOWNSHIP BOARD EDUCATION FOR VARIOUS SERVICES

WHEREAS, the Township of Lebanon (hereinafter "Township") (Provider) desires to enter a Shared Services Agreement with the Lebanon Township School Board of Education (hereinafter "Board") (Recipient) for purposes of providing the Board with various services including mowing, snow removal, miscellaneous pothole repair, grading and equipment hauling as well as loaning equipment to the Board; and

WHEREAS, in exchange for the Township's continued performance of the services, the Board agrees to pay \$23,560.00 on an annual basis for a one-year period effective from January 1, 2024, and ending December 31, 2024; and

WHEREAS, the Shared Services Agreement shall set forth the insurance requirements and indemnification clauses as agreed upon by the parties; and

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

WHEREAS, the Township has the capabilities to efficiently and economically provide the services required by the Board; and

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

WHEREAS, it is in the best interests of the Township and Board 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 and Board 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 Board of Education for providing various services including mowing, snow removal, miscellaneous pothole repair, grading and equipment hauling as well as loaning equipment to the Board, at an annual rate of \$23,560.00, be and is hereby approved.

BE IT FURTHER RESOLVED that 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.

Mr. Wunder asked for a motion to approve Resolution No. 35-2024.

Motion to Approve: Mr. Abuchowski

Second: Mr. Wojcik

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

NO. 36-2024 RESOLUTION AUTHORIZING CONTINUED EMPLOYMENT OF CATHLEEN MALOY AND MARY LOUISE CODOYANNIS AS PER DIEM EMPLOYEES FOR BUNNVALE LIBRARY

WHEREAS, N.J.S.A. Title 40 and 40A provides for the appointment of certain officers, appointees and employees to Township positions to carry out lawful duties and responsibilities of the Township; and

WHEREAS, the Township of Lebanon has a need for per diem employees at the Bunnvale Library; and

WHEREAS, the Township Salary Ordinance provides for the rate of compensation, salary and wages for certain officers, appointees and employees of the Township; and

WHEREAS, Ms. Cathleen Maloy and Ms. Mary Louise Codoyannis were initially hired as a per diem employees for the Bunnvale Library on March 20, 2019; and

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

WHEREAS, the Township Committee desires to continue the employment of Ms. Cathleen Maloy and Ms. Mary Louise Codoyannis as per diem employees for the Bunnvale Library 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 continued employment of Ms. Cathleen Maloy and Ms. Mary Louise Codoyannis as per diem employees for the Bunnvale Library at an hourly rate of \$15.30, not to exceed 20 hours per week.

BE IT FURTHER RESOLVED the duration of employment for Ms. Cathleen Maloy and Ms. Mary Louise Codoyannis shall be 90 days from adoption of this Resolution, subject to the Township Committee further extending the term of employment.

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

Mr. Wunder asked for a motion to approve Resolution No. 36-2024.

Motion to Approve: Mr. Wojcik

Second: Mr. Abuchowski

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

NO. 37-2024 RESOLUTION AUTHORIZING REFUND TO CALIFON DENTAL FOR PRE-PAID NEWSLETTER ADVERTISING FUNDS

WHEREAS, Califon Dental issued check number 1059, received October 11, 2023, pre-paying for a quarter page advertisement in the Lebanon Township Newsletter; and

WHEREAS, effective January 2024, the Township will no longer be placing third-party advertisements in the Township Newsletter; and

WHEREAS, Califon Dental paid for a quarter page advertisement in the Spring, Summer, Fall and Winter 2024 edition of the Newsletter at a rate of \$70.00 per edition; and

WHEREAS, there is a balance of \$280.00 due to Califon Dental.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that it does hereby authorize the Township Finance Office to refund the amount of \$280.00 to Califon Dental for prepayment of advertisement in the Lebanon Township Newsletter for 2024.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Accounts Payable Clerk and CFO.

Mr. Wunder asked for a motion to approve Resolution No. 37-2024.

Motion to Approve: Mr. Abuchowski

Second: Mr. Wojcik

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

NO. 38-2024 RESOLUTION AUTHORIZING REFUND TO MINGLEWOOD KENNELS FOR PRE-PAID NEWSLETTER ADVERTISING FUNDS

WHEREAS, Minglewood Kennels issued check number 2589, received July 25, 2023, pre-paying for a business card advertisement in the Lebanon Township Newsletter; and

WHEREAS, effective January 2024, the Township will no longer be placing third-party advertisements in the Township Newsletter; and

WHEREAS, Minglewood Kennels paid for a business card advertisement in the Spring, Summer and Fall 2024 edition of the Newsletter at a rate of \$40.00 per edition; and

WHEREAS, there is a balance of \$120.00 due to Minglewood Kennels.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that it does hereby authorize the Township Finance Office to refund the amount of \$120.00 to Minglewood Kennels for prepayment of advertisement in the Lebanon Township Newsletter for 2024.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Accounts Payable Clerk and CFO.

Mr. Wunder asked for a motion to approve Resolution No. 38-2024.

Motion to Approve: Mr. Abuchowski

Second: Mr. Wojcik

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

NO. 39-2024 RESOLUTION REJECTING HISTORIC PRESERVATION GRANT FOR THE MUSEUM AT NEW HAMPTON

WHEREAS, on March 15, 2023, the Township Committee of Lebanon Township adopted Resolution No. 43-2023, Authorizing an Application for Hunterdon County Historic Preservation Grant Funds; and

WHEREAS, the Grant Application to Hunterdon County Historic Preservation requested a grant amount of \$11,390.00 to replace rotting soffits and fascia board surrounding the eaves of the Museum; and

WHEREAS, on December 5, 2023, the Board of County Commissioners of the County of Hunterdon adopted Resolution No. 2023-1053 Approving a Historic Preservation Grant to Lebanon Township for the Restoration of the Lebanon Township Museum, in an amount not to exceed \$6,500.00, upon the recommendation of the Parks and Open Space Advisory Committee, and requesting the Township to execute a Historic Preservation Grant Agreement; and

WHEREAS, the Historic Preservation Grant Agreement included a condition that would significantly restrict the Township's ownership of the Museum by requiring the Township to first obtain approval of the Hunterdon County Board of County Commissioner and under such circumstances as the Board of County Commissioners may establish, in the event that Township determined to sell, lease, exchange, transfer or donate the lands for the grant monies were allocated for use; and

WHEREAS, presently there are no similar restrictions imposed on the Museum property and the Township of Lebanon Committee has determined not to accept the grant with this condition, especially considering the total amount of the grant amount.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that it does hereby reject the grant award of \$6,500.00 from the County of Hunterdon for repair and restoration of the soffits and fascia boards on the Township Museum.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Clerk of the Board of County Commissioners for the County of Hunterdon.

Mr. Wunder provided an explanation of Resolution No. 39-2024.

Mr. Wunder asked for a motion to approve Resolution No. 39-2024.

Motion to Approve: Mr. Abuchowski

Second: Mr. Wojcik

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

NO. 40-2024 RESOLUTION AUTHORIZING CONTRIBUTION OF \$500.00 TO RARITAN HEADWATER FROM THE CLEAN COMMUNITIES GRANT FUND

WHEREAS, on December 20, 2023, the Township of Lebanon received a written request from Raritan Headwater for contribution in the amount of \$1,000.00 from the Township's Clean Communities Grant fund; and

WHEREAS, pursuant to the Clean Communities Program Guidelines contributions to volunteer groups are limited to \$500.00 per volunteer group; and

WHEREAS, in keeping with the Clean Communities Program Guidelines and in response to Raritan Headwater's request, the Township of Lebanon desires to contribute \$500.00 to the Raritan Headwaters from the Township's Clean Communities Grant Fund.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that it does hereby authorize the contribution of \$500.00 to Raritan Headwaters from the Township's Clean Communities Grant Fund.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Clean Communities Coordinator and Chief Financial Officer.

Mr. Wunder asked for a motion to approve Resolution No. 40-2024.

Motion to Approve: Mr. Abuchowski

Second: Mr. Wojcik

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

NO. 41-2024 RESOLUTION APPROVING HUNTERDON COUNTY MUNICIPAL LAW ENFORCEMENT AND EMERGENCY SHARED SERVICES MUTUAL AID AGREEMENT

WHEREAS, the Hunterdon County Prosecutor’s Office has requested certain municipalities and their law enforcement agencies to execute the Hunterdon County Municipal Law Enforcement and Emergency Shared Services Agreement (hereinafter the “Agreement”) to safeguard life and property within Hunterdon County during an emergency by authorizing and facilitating mutual aid; and

WHEREAS, the Agreement is also intended to set forth the respective responsibilities of the parties executing the Agreement during a Mutual Aid Incident, as defined in the Agreement; and

WHEREAS, by executing the Agreement, the Township of Lebanon and its law enforcement agency pledge their intent to aid other municipalities and their law enforcement agencies within in the County of Hunterdon that are also parties to the Agreement during such an emergency; and

WHEREAS, the Township Committee, upon recommendation of the Police Chief, desire to approve the Agreement and authorize the Mayor, Clerk and Police Chief, to execute the Agreement, as it serves the interests of Lebanon Township and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon and State of New Jersey that it does hereby approve the Hunterdon County Municipal Law Enforcement and Emergency Shared Services Agreement.

BE IT FURTHER RESOLVED that the Mayor, Clerk and Police Chief are hereby authorized to execute said agreement on behalf of the Township of Lebanon.

Mr. Wunder asked for a motion to approve Resolution No. 41-2024.

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

NO. 42-2024 RESOLUTION AWARDING A CONTRACT TO CRYAN OUT LOUD MARKETING FOR PREPARATION OF THE TOWNSHIP NEWSLETTER

Mr. Wunder explained additional information is needed regarding this Resolution and asked for a Motion to Table Resolution No. 42-2024.

Motion to Table: Mr. Abuchowski
Second: Mr. Wojcik
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee

UNFINISHED BUSINESS

1. Municipal Doors Update. Mr. Abuchowski advised that he met with Opdyke to review the status of the doors. The door manufacturer, Anderson, is no longer making custom size doors so an option Opdyke recommended was using standard size doors which would be slightly smaller. Mr. Abuchowski to obtain new quotes from Opdyke and possibly one other vendor. Mr. Mark Roselli, Esq. advised at least two (2) quotes are required.

2. EOSC Mailer Postage. Mr. McKee advised the EOSC provided updated pricing for printing and mailing postcards. Ms. Sharon Petzinger, EOSC Chair reviewed the pricing options with the Committee as well as the content that will be on the mailer. The mailer will have information relating to the Draft Municipal Forest Stewardship Master Plan Goals. After review of the mailer costs Mr. McKee suggested a motion to approve a not to exceed mailer cost of \$1,300.00. Mr. Wunder asked for a motion to set a not to exceed amount of \$1,300.00 for the printing and mailing of the EOSC postcard.

Motion Not to Exceed \$1,300.00: Mr. Abuchowski
Second: Mr. Wojcik
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee

3. Picnic Budget. The Committee reviewed last year's budget provided by Ms. Koehler. After review the Committee set the budget at an amount not to exceed \$3,000.00. Mr. Wunder asked for a motion to approve the picnic budget, not to exceed \$3,000.00.

Motion Not to Exceed \$3,000.00: Mr. McKee
Second: Mr. Abuchowski
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee

NEW BUSINESS

1. Fire Department Carnival Dates. Mr. Kyle Pirozzoli, Lebanon Township Fire Chief advised the dates of the carnival will be June 19, 2024 – June 22, 2024. There will be fireworks but no bands this year. Mr. Wunder asked for a motion to approve the Fire Department Carnival dates.

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

2. Police Department Request to Advertise for a Police Officer. Mr. Wunder explained the Police Department has a pending resignation and would like to advertise once the resignation is finalized. Mr. Mark Roselli, Esq. advised a Resolution will need to be done accepting the Police Officers resignation. Mr. Wunder asked for a motion to approve the Police Departments advertising request.

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

3. EOSC Seeking Approval of Draft Municipal Forest Stewardship Master Plan Draft Goals. Ms. Petzinger advised the Township Planning Board approved the draft goals at the February 6, 2024 Planning Board Meeting. Ms. Petzinger explained how the EOSC came

up with the goals and then explained the Master Plan and the process it goes through for approval. After review Mr. Wunder asked for a motion to endorse Forest Stewardship Master Plan Draft and Goals.

Motion to Endorse: Mr. McKee

Second: Mr. Wojcik

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

4. Emerald Ash Borer Resolution Requesting State Funding. The Committee discussed a Resolution and Ordinance that were passed in Mendham Township, Morris County regarding the Emerald Ash Borer and use of Open Space Funds to remove trees on Township owned property. The Committee requested additional time to review and discuss if this is something Lebanon Township would like to do.
5. Green Acres Project Agreement. Mr. McKee and Ms. Petzinger discussed with the Committee additional grant funds that have been awarded and how the funds need to be spent. The Green Acres Agreement awarding Lebanon Township an additional \$350,000.00 must be executed and returned to the State by February 29, 2024. A Resolution to accept the grant and allow execution of the agreement will be on the February 21, 2024 Committee Meeting Agenda.

PRESENTATION OF VOUCHERS

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

Mr. Wunder asked for a motion to approve vouchers.

Motion to Approve: Mr. McKee

Second: Mr. Abuchowski

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

The Township Committee approved the February 7, 2024 bill list in the amount of \$3,649,553.34.

CORRESPONDENCE

1. 12/4/2023 EOSC Meeting Minutes
2. 2023 EOSC Annual Report
3. 12/14/2023 Historian's Meeting Minutes

Correspondence were provided to the Committee.

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

Mr. Wunder asked for a motion to open Public Comment.

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

Public Comment: Anthony Road Concerns and Plowing on Winding Brook Road.

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

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

EXECUTIVE SESSION

NO. 43-2024 RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A.* 10:4-6 *et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Committee find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A.* 40:4-12; and

WHEREAS, the Mayor and Committee will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A.* 40:4-12:

A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon: _____);

A matter where the release of information would impair a right to receive funds from the federal government;

A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

A collective bargaining agreement, or the terms and conditions thereof.

A matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

Investigations of violations or possible violations of the law, _____;

Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is):. The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; the employee(s) and/or general nature of discussion is: Planning Board and Board of Adjustment Clerk/General Administrative Assistant position. 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.

Mr. Wunder asked for a motion to open Executive Session.

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

Mayor and Committee entered Executive Session at 8:22 p.m.

Mayor and Committee closed Executive Session at 9:30 p.m.

Mr. Wunder asked for a motion to reconvene into Regular Session.

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

ADJOURNMENT

Having no further business to conduct, Mr. Wunder asked for a motion to adjourn the meeting.

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

Meeting adjourned at 9:30 p.m.

Respectfully Submitted:

Carolynn Budd, RMC
Township Clerk

Beverly Koehler, Mayor

Date Approved: _____