

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

June 5, 2024

7:00 p.m.

CALL TO ORDER

Mayor Beverly Koehler called the meeting to order at 7:15 p.m. and stated that in compliance with the “Open Public Meeting Act” this is a Regular Meeting of the Township Committee as published in the Hunterdon Review, the agenda has been posted at the Municipal Building and as a courtesy posted on the Township website. Official action will be taken at this meeting.

FLAG SALUTE AND MOMENT OF SILENCE

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

ROLL CALL

The following officials were present:

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

Also present were:

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

PRESENTATION OF MINUTES

5/15/2024 Special Meeting Executive Session Minutes
5/15/2024 Regular Session Meeting Minutes
5/15/2024 Executive Session Meeting Minutes

Ms. Koehler asked for a motion to approve the 5/15/2024 Special Meeting Executive Session, 5/15/2024 Regular Session Meeting Minutes and the 5/15/2024 Executive Session Meeting Minutes.

Motion to Approve: Mr. McKee
Second: Mr. Wunder

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

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

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

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

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

RESOLUTIONS

NO. 97-2024 RESOLUTION CERTIFYING RECEIPT AND REVIEW OF THE ANNUAL AUDIT REPORT FOR YEAR 2023

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date a fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Ms. Koehler asked for a motion to adopt Resolution No. 97-2024.

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

NO. 98-2024 RESOLUTION GRANTING A FIREWORKS PERMIT TO LEBANON TOWNSHIP FIRE DEPARTMENT

WHEREAS, the Lebanon Township Fire Department has applied for a permit for public display of fireworks to be held on June 22, 2024 at 9:00 p.m.; and

WHEREAS, the Lebanon Township Fire Official has reviewed the application, investigated the area where the display will take place and recommends that the permit be granted; and

WHEREAS, the necessary bond and surety has been posted.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that a fireworks permit be granted to the Lebanon Township Fire Department for the activity described in its application.

BE IT FURTHER RESOLVED that the Lebanon Township Fire Official file copies of this Resolution and any other pertinent documents with the appropriate New Jersey agencies.

BE IT FURTHER RESOLVED that the Interstate Fireworks, Inc. shall be required to provide a Certificate of Liability Insurance naming both the Township of Lebanon and the Lebanon Township Fire Department as Additional Insureds under the required General Liability Insurance coverage, together with a copy of the policy endorsement confirming Additional Insured coverage to both the Township of Lebanon and Lebanon Township Fire Department.

Ms. Koehler asked Ms. Budd to confirm all the requirements in the Resolution were met.

Ms. Koehler asked for a motion to adopt Resolution No. 98-2024.

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

NO. 99-2024 RESOLUTION AUTHORIZING REFUND OF PLANNING BOARD ESCROW FOR 183 MUSCONETCONG RIVER ROAD, BLOCK 60, LOT 4 (CONDITIONAL USE APPLICATION – VARIANCE)

WHEREAS, The Old Mill Pond Farm, LLC issued check number 1060, dated April 1, 2019, for a Planning Board Escrow for 183 Musconetcong River Road, Block 60, Lot 4 (Conditional Use Application – Variance) with the Township of Lebanon; and

WHEREAS, there remains a balance of \$1,002.40 in the escrow account; and

WHEREAS, the Planning Board adopted a resolution on February 18, 2020 at their regular meeting granting the application for Conditional Use/Site Plan with a Bulk Variance for the front yard setback for the integrated roadside stand and parking spaces.

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 \$1,002.40 to The Old Mill Pond Farm, LLC.

Ms. Koehler asked for a motion to adopt Resolution No. 99-2024.

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

NO. 100-2024 RESOLUTION AUTHORIZING REFUND OF HIGHLANDS EXCEPTION ESCROW FOR 325 OLD FARM ROAD, BLOCK 35, LOT 91.06

WHEREAS, John Yarnell issued check number 1060, dated March 21, 2021, for a Highlands Exception Escrow for 325 Old Farm Road, Block 35, Lot 91.06 with the Township of Lebanon; and

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

WHEREAS, the Township Planner prepared a final application review letter with approval of exemption on April 29, 2024.

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

Ms. Koehler asked Ms. Budd to correct the spelling of March in the first Whereas clause.

Ms. Koehler asked for a motion to adopt Resolution No. 100-2024.

Motion to Adopt: Mr. Wunder
Second: Mr. McKee

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

NO. 101-2024 RESOLUTION AUTHORIZING ESTIMATES 2024 TAX BILLS

WHEREAS, the 2024 tax levy has not been certified at this time and said levy will not be certified in time for tax bills to be mailed in a timely manner; and

WHEREAS, there will be insufficient cash flow to support municipal operations in late July, August and September unless third quarter tax revenue is received on time; and

WHEREAS, the Tax Collector and Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon as follows:

1. The Tax Collector of the Township of Lebanon is authorized and directed to prepare, and issue estimated tax bills for the third installment of 2024 taxes in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq.
2. The estimated tax levy to be used for the preparation of the estimated tax bills shall be \$25,516,877.46 which is 2% more than the tax levy of 2023. The estimated tax rate for 2024 is 2.740.
3. The Tax Collector shall take whatever action as permitted and required by Chapter 72 Public Laws 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3.

Ms. Koehler asked for a motion to adopt Resolution No. 101-2024.

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

NO. 102-2024 RESOLUTION AWARDING A CONTRACT TO CIVICPLUS FOR MASS NOTIFICATION SYSTEM SERVICES FOR THE TOWNSHIP OF LEBANON

WHEREAS, the Township of Lebanon has a need for Mass Notification System Services; and

WHEREAS, N.J.S.A. 40A:11-6.1 authorizes the solicitation of at least two competitive quotations, if practicable, in certain instances where the contract for services is less than the bid threshold, but 15% or more of that amount; and

WHEREAS, the Township is permitted in that instance to award a contract to the vendor whose response is most advantageous, price and other factors considered; and

WHEREAS, the Township solicited for and received three (3) quotations for the required work; and

WHEREAS, the Township Committee reviewed the quotes and desires to award a contract to CivisPlus, having an address at 302 South 4th Street, Suite 500, Manhattan, KS 66502 for Mass Notification System Services for the Township of Lebanon for an initial term of one year, July 1, 2024 to June 30, 2025, in the amount of \$3,500.00, pursuant to its written proposal dated March 27, 2024, with an option to extend for one additional year, at a cost of \$3,500.00, subject to annual

uplift charge of 5%, a copy of which is on file in the Office of the Municipal Clerk, as its quote was most advantageous, price and other factors having been considered.

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 award a contract to CivicPlus, having an address at 302 South 4th Street, Suite 500, Manhattan, KS 66502 for Mass Notification System Services for the Township of Lebanon for an initial one (1) year term from July 1, 2024 to June 30, 2025, in the amount of \$3,500.00, with an option to extend for one (1) additional year, at a cost of \$3,500.00, subject to an annual uplift charge of 5%, pursuant to its written proposal dated March 27, 2024, a copy of which is on file in the Office of the Municipal Clerk.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to execute such contract documents that are required and prepared by the Township Attorney on behalf of the Township for the purpose stated herein and the Chief Financial Officer is hereby authorized to issue said purchase order on behalf of the Township

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

Ms. Koehler asked for a motion to adopt Resolution No. 102-2024.

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

NO. 103-2024 RESOLUTION AUTHORIZING ACCEPTANCE OF A GIFT FROM THE FAMILY OF RALPH LOMERSON

WHEREAS, Pursuant to N.J.S.A. 40A:5-29, municipalities may receive bequests, legacies, and gifts; and

WHEREAS, the Township of Lebanon has received a gift of an original H. Donald Ross painting of the Municipal Building from the Family of Ralph Lomerson, who was a longtime resident; and

WHEREAS, the Township of Lebanon wishes to accept the gift and express gratitude for this generous gift.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, that the Township Committee does hereby accept a gift of an original H. Donald Ross painting of the Municipal Building from the Family of Ralph Lomerson, a longtime resident.

Ms. Koehler read the letter from the Lomerson Family and spoke about the work of Mr. H. Donald Ross.

Ms. Koehler asked for a motion to adopt Resolution No. 103-2024.

Motion to Adopt: Mr. Wunder
Second: Mr. Wojcik

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

UNFINISHED BUSINESS

1. American Rescue Plan Act “ARPA” Funds – Proposed Uses: Roads, Municipal Building Flooring, Stormwater Upgrades (Basins, Labels, Piping, Etc.), Municipal Building Generator Repairs, Station 3 Fire Alarm System Installation. The Committee reviewed the proposed uses for the remaining grant funds. Mr. Wunder questioned if there will be money left over to use for the upgrades to the Municipal Building, including the women’s locker room. Mr. McKee stated based on the numbers provided there would be some funds left but there is also capital funds available. Ms. Koehler advised the grant funds must be encumbered by 12/31/2024 and asked for a motion to approve the proposed spending of the funds dated 6/8/2024.

Motion to Approve as Draft: Mr. Wunder

Second: Mr. McKee

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

NEW BUSINESS

1. Fire Department Capital Request – Fire Engine/Pumper Truck. Mr. Warren Gabriel Jr., Deputy Fire Chief spoke regarding the age of the current truck and NFPA age guidelines. Warren reviewed the specifications for the proposed new truck. Mr. McKee spoke regarding timing of the purchased and advised the current quote is valid through 7/31/2024, after that time the price of the truck increases. After discussion the Committee agreed to continue the truck purchase at the 6/19 meeting.
2. Fire Department Request for Remainder of 2024 Donation. Mr. McKee reminded the Committee the Township put \$130,000.00 in the budget for the Fire Department. The current request of \$94,000.00 is the second payment. Mr. McKee recommended to the Committee that the second payment amount be reduced to \$60,000.00. Mr. Abuchowski asked why, and Mr. McKee stated he would like to spend some time reviewing the Fire Department’s overall budget. Ms. Koehler asked for a motion to adopt Resolution No. 104-2024, amending the amount from \$94,000.00 to \$60,000.00.

Motion to Adopted as Amended: Mr. McKee

Second: Mr. Wunder

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

NO. 104-2024 RESOLUTION AUTHORIZING DONATION TO LEBANON TOWNSHIP VOLUNTEER FIRE DEPARTMENT

WHEREAS, N.J.S.A. 40A:14-34 permits a governing body of a municipality to raise and appropriate funds to be granted to volunteer fire companies located within the municipality; and

WHEREAS, to ensure the readiness and reliability of the Lebanon Township Volunteer Fire Department, the Township Committee appropriated \$130,000.00 in the Township's 2024 annual budget; and

WHEREAS, the Lebanon Township Volunteer Fire Department has received \$36,000.00 of the appropriated \$130,000.00; and

WHEREAS, the Lebanon Township Volunteer Fire Department has requested that the Township Committee authorize the release of the remainder of funds in the amount of \$94,000.00 to assist in the Department's continued operation; and

WHEREAS, the Township Committee desires to formally authorize the release of the remainder of funds in the amount of \$94,000.00 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 authorize the payment of \$94,000.00 to the Lebanon Township Volunteer Fire Department, pursuant to N.J.S.A. 40A:14-34, for the purposes stated herein above.

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

3. Police Department Request to Purchase Two Point Blank Body Armor, \$3,023.12.

Motion to Approve: Mr. Wunder

Second: Mr. Wojcik

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

4. Historian Committee Request to Spend up to \$300.00 from the Historians Trust Account for an Outdoor Event Tent. Mr. McKee explained the request, this would be used for outside events promoting historic based events.

Motion to Approve: Mr. Wunder

Second: Mr. Abuchowski

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

5. Park Committee Requests –Painting of Main Entrance Sign. Ms. Joann Letters, Park Committee Member, spoke regarding the request to paint the sign. Painting will be preformed by a Contractor who is donating their time and the paint will be supplied for by the Friends of Memorial Park.

Motion to Approve: Mr. Wojcik

Second: Mr. Wunder

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

6. Friends of Memorial Park Requests – Fall Fest, Tree of Gratitude and Replacement of Broken Display Board. Ms. Joann Letters, Friends of Memorial Park Committee Member spoke regarding the Fall Fest, tree of gratitude and display board. Ms. Letters provided the Committee options for the tree of gratitude which would be placed on a wall near the

concession stand. A leaf will be placed on the tree for any member of the Park Committee who serve more than 2 years. Ms. Letters explained the display board currently at the park is broken and provided a photo of what the new display board would look like. Mr. Roselli and Ms. Koehler discussed creating a Resolution to memorialize the requests. After review Ms. Koehler asked for a motion to approve the requests.

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

7. Ms. Koehler advised the Committee the first Wednesday of 2025 is New Year's Day. Ms. Koehler stated the other days the Re-Organization could happen are Thursday 1/2/2025, Friday 1/3/2025 or Monday 1/6/2025. After discussion the Committee agreed to schedule the 2025 Re-Organization Meeting for Friday, 1/3/2025 at 3:00 p.m.
8. Committee Meetings in July and August – Propose Cancelling 7/3 and 8/7 – Committee Availability for Special/Emergency Meeting if Needed. The Committee discussed cancelling the July and August meetings. Ms. Koehler advised if a Special Meeting was needed it would be scheduled accordingly. Ms. Koehler asked for a motion to approve the cancellation of the meetings.

Motion to Cancel: Mr. Wojcik
Second: Mr. McKee
Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler
9. Late Payment Remedy for Township Professionals Due to NAR Group Inc. Escrow Shortfall. Ms. Koehler asked this discussion item be tabled to Executive Session.
10. Battery Backup Not Working in Police Department. Ms. Koehler advised 2 battery backups at the Police Department are not working properly. Mr. Wojcik and Ms. Budd to Address the issue with IT services.
11. Tax Collector – Standard Operating Procedures (SOP) in a Resident Friendly Format for Posting to Website. Ms. Koehler spoke regarding the repeat questions the Tax Collector receives and the need for a standard operating procedure to answer those questions and more. Ms. Budd to speak with Ms. Ann Marie Silvia, Tax Collector, to produce the SOP. Move discussion forward to 6/19 meeting.
12. LAIF Grant Opportunity. Ms. Koehler asked Mr. Wojcik to follow up on this grant opportunity. Discussion to be placed on a future meeting agenda.
13. Municipal Door Quote. Mr. Abuchowski advised he spoke with FirstLine, the vendor that provided the quote provided to the Committee and the doors would be metal, no further

details available at this time. Mr. Abuchowski also advised 2 more vendors would be at the Municipal Building on 6/6 to look at the doors and provide quotes.

PRESENTATION OF VOUCHERS

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

Ms. Koehler asked the bill list be amended as follows:

1. Payment to the Fire Department for their second donation be amended from \$94,000.00 to \$60,000.00. A reduction of \$34,000.00.
2. Payment to Stickel, Koenig, Sullivan & Drill, LLC in the amount of \$42,480.00 be removed for further discussion.

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

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

The Township Committee approved the May 15, 2024, bill list in the amount of \$146,841.00.

PUBLIC COMMENT (limited to three minutes per speaker)

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

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

Public Comment: NAR escrow shortfall, Municipal Building generator, fire truck.

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

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

EXECUTIVE SESSION

NO. 105-2024 RESOLUTION AUTHORIZING EXECUTIVE SESSION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; the employee(s) and/or general nature of discussion is: staff development, probationary period, salary requests. And whereas the public

disclosure of such information at this time would violate the employee(s) privacy rights; therefore, this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists;

□Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit.

BE IT FURTHER RESOLVED that the Mayor and Committee hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Township Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Committee, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Ms. Koehler asked for a motion to open Executive Session and adopt Resolution No. 105-2024.

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

Mayor and Committee entered Executive Session at 8:55 p.m.

Mayor and Committee closed Executive Session at 11:27 p.m.

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

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

Ms. Koehler asked for a motion to approve payment to Stickel, Koenig, Sullivan & Drill, LLC in the amount of \$42,480.00 for the general legal fund since NAR Group, LLC escrow account is depleted.

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

ADJOURNMENT

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

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

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

Meeting adjourned at 11:28 p.m.

Respectfully Submitted:

Carolynn Budd, RMC
Township Clerk

Beverly Koehler, Mayor

Date Approved