

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

August 21, 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

Mr. 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 (via telephone)
Mr. Brian Wunder
Mr. Tom McKee

Also present were:

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

PRESENTATION OF MINUTES

7/17/2024 Regular Session Meeting Minutes

Mr. Wunder asked for a motion to approve the 7/17/2024 Regular Session Meeting Minutes.

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

7/17/2024 Executive Session Meeting Minutes

Mr. Wunder asked for a motion to approve the 7/17/2024 Executive Session Meeting Minutes.

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

8/6/2024 Special Meeting Regular Session Meeting Minutes

Mr. Wunder asked for a motion to approve the 8/6/2024 Special Meeting Regular Session Meeting Minutes.

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

8/6/2024 Special Meeting Executive Session Meeting Minutes

Mr. Wunder asked for a motion to approve the 8/6/2024 Special Meeting Executive Session Meeting Minutes.

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

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

Public comment: Museum repairs.

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

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

ORDINANCE FOR INTRODUCTION

NO. 09-2024 ORDINANCE AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$640,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE 2023 CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP

BE IT ORDAINED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, as follows:

Section 1. The Township of Lebanon, County of Hunterdon, State of New Jersey (the "Township") is hereby authorized to undertake the following public improvements and acquisitions in, by and for the Township: (A) undertaking the Road Resurfacing Program at various locations; (B) undertaking the Chip Seal Program at various roads; (C) acquisition of a Dump Truck for the use of the Department of Public Works ("DPW") - Streets and Roads; (D) Fire Department Building Upgrades. Said improvements and acquisitions shall include all equipment, work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$640,000.00 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the 2023 Capital Improvement Fund of the Township. The sum of \$640,000.00 is hereby appropriated from the 2023 Capital Improvement Fund of the Township to the payment of the cost of said purpose.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefitted.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 5. This Ordinance shall take effect at the time and in the manner provided by law.

Mr. Wunder advised the Public Hearing for Ordinance No. 09-2024 is scheduled for Wednesday, September 4, 2024.

Mr. Wunder asked for a motion to introduce Ordinance No. 09-2024.

Motion to Introduce: Mr. McKee

Second: Mr. Abuchowski

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

NO. 10-2024 ORDINANCE AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$556,000 AND PROVIDING

**THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE
2024 CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP**

BE IT ORDAINED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, as follows:

Section 1. The Township of Lebanon, County of Hunterdon, State of New Jersey (the "Township") is hereby authorized to undertake the following public improvements and acquisitions in, by and for the Township: (A) undertaking the Road Resurfacing Program at various locations; (B) undertaking the Chip Seal Program at various roads; (C) acquisition of a Maintainer and Air Compressor for the use of the Department of Public Works ("DPW") - Streets and Roads; (D) acquisition of a Calcium Tank to be placed at the Department of Public Works ("DPW"); (E) acquisition of a SUV for the use of the Police Department; (F) acquisition of Recording Equipment for use in Municipal Building Meeting Room; (G) acquisition of Fire Prevention Software. Said improvements and acquisitions shall include all equipment, work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$556,000.00 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the 2024 Capital Improvement Fund of the Township. The sum of \$556,000.00 is hereby appropriated from the 2024 Capital Improvement Fund of the Township to the payment of the cost of said purpose.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefitted.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 5. This Ordinance shall take effect at the time and in the manner provided by law.

Mr. Wunder advised the Public Hearing for Ordinance No. 10-2024 is scheduled for Wednesday, September 4, 2024.

Mr. Wunder asked for a motion to introduce Ordinance No. 10-2024.

Motion to Introduce: Mr. Abuchowski

Second: Mr. Wojcik

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

NO. 11-2024 ORDINANCE AMENDING CHAPTER 400, ARTICLE II, §400-9 ENTITLED "USE REGULATIONS" OF THE CODE OF THE TOWNSHIP OF LEBANON BY PROHIBITING THE OPERATION OF ALL COMMERCIAL PRODUCTION, MANUFACTURING AND SERVICE

PROVISIONING OF PSILOCYBIN, PSILOCIN AND PSYLOCYBE SPORES

WHEREAS, the Township of Lebanon has under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., and the police power, N.J.S.A. 40:48-1, et seq., the authority to regulate land uses within its municipal boundaries; and

WHEREAS, the Township of Lebanon through adoption of Lebanon Township Code Chapter 400 has established Land Use and Development Regulations; and

WHEREAS, the Township of Lebanon through adoption of §400-9 has established use regulations for the Township of Lebanon; and

WHEREAS, the Township of Lebanon in exercising its authority under the MLUL and its general police powers has determined that the establishment of Psilocybin manufacturing facilities and services centers present special concerns for security, safety and location; and

WHEREAS, the Federal Department of Justice/Drug Enforcement Administration lists Psilocybin as a Schedule 1 substance under the Controlled Substances Act, having a high potential for abuse, no currently accepted medical use in treatment in the United States and a lack of accepted safety for use under medical supervision; and

WHEREAS, the Township Committee of the Township of Lebanon has determined that Psilocybin manufacturing and service administration present similar zoning concerns as those for cannabis establishments regulated by Ordinance No. 2021-07 and 2022-10 and therefore, should be regulated consistently to implement a rational zoning plan; and

WHEREAS, the Township Committee of the Township of Lebanon has determined that it is currently necessary, appropriate and in the best interest of the health, safety and welfare of the Township's residents to proactively amend the Township of Lebanon zoning regulations to prohibit commercial production and manufacturing of Psilocybin and derivatives and the operation of Psilocybin service centers in all zoning districts within the Township of Lebanon.

NOW THEREFORE, IT BE ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LEBANON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AS FOLLOWS:

SECTION 1. Chapter 400, Article II, §400-9 A. Residential districts, B. Business districts, C. Industrial District, is hereby amended by adding the following as "Prohibited uses" in all zoning districts:

All commercial manufacturing and service provisioning of Psilocybin, psilocin and psilocybe spores. "Manufacturing" and "service provisioning" means the planting, cultivation, growing, harvesting, production preparation, propagation, compounding, conversion or processing of, retail or wholesaling sale of, warehousing, delivery (originating from within the Township), or client administration sessions of under the supervision of a service facilitator or provider, operation of a testing lab of, operation of an alternate treatment facility or other facility licensed to administer and guide and/or monitor clients through episodes associated with the use of Psilocybin.

SECTION 2. At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

SECTION 4. The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S. 40:55D-15. Upon adoption of this Ordinance, after public hearing thereon, the Township Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S. 40:55D-16, the Highlands Commission, and with the Township Tax Assessor. The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this section and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

SECTION 5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

Mr. Wunder advised the Public Hearing for Ordinance No. 11-2024 is scheduled for Wednesday, September 18, 2024. The Ordinance will be referred to the Township Planning Board for their review.

Ms. Koehler provided background on the proposed Senate bill that speaks to this Ordinance. Mr. Abuchowski and Mr. Wojcik stated it was good to be proactive on the matter.

Mr. Wunder asked for a motion to introduce Ordinance No. 11-2024.

Motion to Introduce: Ms. Koehler

Second: Mr. Wojcik

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

RESOLUTIONS

NO. 124-2024 RESOLUTION AUTHORIZING AND APPROVING PERSON TO PERSON PLENARY RETAIL CONSUMPTION LIQUOR LICENSE TRANSFER APPLICATION FROM A.T.K., INC. TO LAM RESTAURANT GROUP, LLC

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1019-33-001-003 from A.T.K., Inc. to LAM Restaurant Group, LLC to be utilized at premises located at 419 Route 513, Lebanon Township, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulation promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey approves, effective August 21, 2024, the transfer of aforesaid Plenary Retail Consumption License to LAM Restaurant Group , LLC to be utilized at premises located at 419 Route 513, Lebanon Township, New Jersey and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to effective August 21, 2024.”

Mr. Wunder asked for a motion to remove from the table and adopt Resolution No. 124-2024.

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

NO. 129-2024 RESOLUTION AUTHORIZING INTERLOCAL PARTICIPATION AGREEMENT WITH NATIONAL PURCHASING COOPERATIVE

WHEREAS, N.J.S.A. 52:35-6.2 authorizes contracting units to purchase goods or to contract for services through use of a nationally recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting agent within the State of New Jersey or within any other state when available; and

WHEREAS, National Purchasing Cooperative (“Cooperative”), having its principal officers located at 12007 Research Blvd., Austin, Texas 78759, was formed on May 26, 20201 by the entry of certain governmental entities into an Organizational Interlocal Agreement (“OIA”) pursuant to Md. Code Ann., State Fin & Proc. §13-110 (West 2009), and R.I. Gen. Laws §16-2-9.2 (2009) ; and

WHEREAS, Cooperative was formed for the benefit of its members, which are eligible governmental entities in the United States of America, for the purposes of obtaining benefits and efficiencies that can accrue to its members by participating in a cooperative effort to (a) comply with governmental procurement requirements applicable to the State of purchase; (b) identifying qualified vendors of commodities, goods and services that will meet the needs of Cooperative members; (c) relieving or easing the burden of the governmental purchasing function by promoting administrative efficiency and intergovernmental cooperation; and (d) realizing the various potential economies of scale, including administrative and other cost savings, that can be achieved from volume purchasing on a national scale; and

WHEREAS, the Township of Lebanon is an eligible entity and desires to enter an Interlocal Participation Agreement (“IPA”) offered by Cooperative on the terms and conditions set forth in the IPA for the purchase of goods and services offered by Cooperative; and

WHEREAS, the Township of Lebanon desires to achieve cost savings and procurement efficiencies through the use of the IPA offered by National Purchasing Cooperative.

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 to enter the Interlocal Participation Agreement with National Purchasing Cooperative.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign such agreement with National Purchasing Cooperative on behalf of the Township of Lebanon.

Mr. Wunder asked for a motion to adopt Resolution No. 129-2024.

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

NO. 130-2024 RESOLUTION AUTHORIZING REFUND OF HIGHLANDS EXCEPTION ESCROW FOR 30 HOLLOW ROAD, BLOCK 59, LOT 54.01

WHEREAS, Christopher Stasyshyn issued check number 166, dated July 30, 2020, for a Highlands Exception Escrow for 30 Hollow Road, Block 59, Lot 54.01 with the Township of Lebanon; and

WHEREAS, there remains a balance of \$165.00 in the escrow account; and

WHEREAS, the Township Planner prepared a final application review letter with approval of 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 \$165.00 to Christopher Stasyshyn.

Mr. Wunder asked for a motion to adopt Resolution No. 130-2024.

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

NO. 131-2024 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 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 adopt Resolution No. 131-2024.

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

NO. 132-2024 RESOLUTION ACCEPTING THE RESIGNATION OF GREG DELLA PIA FROM THE TOWNSHIP OF LEBANON

WHEREAS, Greg Della Pia was employed as Chief Financial Officer for the Township of Lebanon; and

WHEREAS, by written notice received August 1, 2024, Greg Della Pia notified the Township that he would be resigning from his position as Chief Financial Officer for the Township of Lebanon, with his last day of employment being August 31, 2024; and

WHEREAS, the Township Committee desires to accept the resignation of Greg Della Pia as Chief Financial Officer for the Township of Lebanon, effective August 31, 2024 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 Greg Della Pia Chief Financial Officer for the Township of Lebanon, effective August 31, 2024.

Mr. McKee thanked Mr. Dell Pia for his service to the Township and made a motion to accept his resignation with regrets.

Mr. Wunder asked for a motion to adopt Resolution No. 132-2024 with regrets.

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

**NO. 133-2024 RESOLUTION AUTHORIZING EMERGENCY APPROPRIATIONS PER
N.J.S.A. 40A:4-48**

WHEREAS, an emergency has arisen with respect to an unexpected legal matter for the Township of Lebanon and no adequate provision was made in the 2024 budget for the aforesaid purpose, and N.J.S. 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$125,000.00 and three (3) percent of the total operating appropriations in the budget for 2024 is \$ 169,108.00; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2024.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey (by not less than 2/3 of all governing body members affirmatively concurring), that in accordance with N.J.S.A. 40A:4- 48 authorizes the following:

1. An emergency appropriation is hereby made for Legal Expense - Other Expense in the amount of \$125,000.00.
2. That said emergency appropriation shall be provided for in full in the 2025 budget, and is requested to be excluded from CAPS, pursuant to N.J.S.A. 40A:4-53c(1).
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Mr. Wunder asked for a motion to adopt Resolution No. 133-2024.

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

**NO. 134-2024 RESOLUTION AUTHORIZING AND APPROVING SHARED SERVICES
AGREEMENT BETWEEN TOWNSHIP OF LEBANON AND NORTH
HUNTERDON-VOORHEES REGIONAL HIGH SCHOOL DISTRICT
BOARD OF EDUCATION FOR SCHOOL RESOURCE OFFICER**

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 a School Resource Officer to be assigned to Voorhees High School; and

WHEREAS, the Township of Lebanon has agreed to provide the School Resource Officer for purposes of performing law enforcement duties at Voorhees High School for the sum of \$110,670.00, for a term expiring June 30, 2025; 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 a School Resource Officer to perform law enforcement duties at Voorhees High School is hereby approved and the Mayor and Clerk are hereby authorized to execute said agreement on behalf of the Township of Lebanon.

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

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

Ms. Koehler provided details on the agreement and how the costs for service were calculated.

Mr. Wunder asked for a motion to adopt Resolution No. 134-2024.

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

NO. 135-2024 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 \$77,013.00 for each SLEO, for a term expiring June 30, 2025, 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.

Mr. Wunder asked for a motion to adopt Resolution No. 135-2024.

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

NO. 136-2024 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 \$74,963.00 for each SLEO, for a term expiring June 30, 2025, 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.

Mr. Wunder asked for a motion to adopt Resolution No. 136-2024.

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

**NO. 137-2024 RESOLUTION AUTHORIZING REMAINING DONATION TO THE
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 \$96,000.00 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 remaining funds in the amount of \$34,000.00 to assist in the Department's continued operation; and

WHEREAS, the Township Committee desires to formally authorize the release of the remaining funds in the amount of \$34,000.00 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 \$34,000.00 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.

Mr. Wunder asked for a motion to adopt Resolution No. 137-2024.

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

UNFINISHED BUSINESS

1. Municipal Door Quote Review. The Committee reviewed the three quotes received. Mr. Wunder stated the quote from All Season includes the replacement of the frame for the main entry door, the other two quotes do not. After review the Committee was in consensus to move forward with the quote from Access Commercial Door. Mr. Abuchowski to confirm with Access a timeframe for work to be completed. Mr. Roselli advised a Resolution is needed to award the contract. Ms. Budd and Mr. Roselli to work on a Resolution for the 9/4 meeting.
2. Hunterdon County Board of County Commissioners Municipal Parks and Recreation Grant Program Opportunity – Use of Finelli Engineers for Conceptual Site Plan and Millenium Strategies for Grant Submission. Ms. Budd advised Mr. Bryce Good, Township Engineer, will provide a proposal to complete the Conceptual Site Plan and other required items for grant submission. The proposal should be available within the next two weeks. Ms. Budd advised she believes submission of the grant can be done inhouse and with the assistance of Mr. Finelli. Ms. Budd stated Millenium Strategies services are not needed. Since an estimate from Finelli Engineering is not available Ms. Budd recommended approving an

amount up to \$2,500.00 for their services. Mr. Wunder asked for a motion to approve up to \$2,500.00 for services rendered by Finelli Engineering for grant submission.

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

3. Boosting CivicReady Sign Ups. Ms. Budd advised sign up information will be included in the tax bill mailing which will be mailed in the upcoming weeks.
4. IT Backup Update. Ms. Budd advised the Committee that after review with the MES, IT Company, a new backup service was required. After reviewing options presented by MES a choice was made. The new backup service included permanent retention and disaster recovery which will be provided for the Municipal Building and the Police Department. The cost for this service per month is \$200.00. Ms. Budd advised there is also a one time set up fee of \$350.00. Mr. Wunder asked for a motion to approve the one time fee of \$350.00 and a monthly reoccurring fee of \$200.00.

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

5. \$750,000 HUD Grant Update. Ms. Koehler provided an update on the status of the grant and deadlines.
6. North Hunterdon Voorhees Regional High School – School Tax Payment. Ms. Koehler advised payment was approved on the 5/1/2024 but paid out in June.

NEW BUSINESS

1. Lebanon Township Fire Department Coin Toss Application for August 31, 2024, 8:00 a.m. to 4:00 p.m. on Bunnvale Road and Route 513.

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

2. Museum Conditions Assessment Report January 2024. Mr. McKee reviewed some of the items mentioned in the report. Mr. McKee advised a drone was recently used to check the condition of the roof, from that it appears repairs have been made in areas. Mr. McKee stated it is important to keep the weather outside of the Museum.

3. Historian's Request to Have Fascia Board and Soffits Repaired/Painted at the Museum. Mr. McKee reviewed quotes with the Committee for repair or the fascia/soffits as well as quotes for painting on same. Mr. McKee advised the repair work would be done and once completed painting of those repairs would be done. After review the Committee was in consensus to move forward with the quote from Van Nest Construction for the repair and the quote from Prudente Painting for painting. Ms. Budd and Mr. Roselli to work on a Resolution for the 9/4 meeting.
4. Hunterdon County Board of County Commissioners Letter of August 1st Requesting Support for New Proposed Veterans Deduction. Ms. Koehler provided details on the County's request. The Committee was in agreeance with supporting the new proposed Veterans deduction. The Committee would like to know how many Veterans there are within the Township and how reimbursement to the Township will be handled. Ms. Budd to work on a Resolution of support for the 9/4 meeting.
5. Request to Review Fire Inspection Fees for Certificate of Continued Occupancy – Current Fee is \$60.00 – Review Fee Based on Inspection Leadtime and Re-Inspection Fee. Ms. Koehler provided details. The Committee recommends Mr. Terry Lawler, Fire Official, review the current fees relating to Fire Inspection and any amendments will need to be done by Ordinance.
6. Police Department Request to Purchase Additional Equipment, \$3,129.00.

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

7. Finance/Clerk Request to Purchase Edmunds Finance Software Upgrade to Cloud Hosting, \$3,000.00

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

PRESENTATION OF VOUCHERS

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

Mr. Wunder asked for a motion to approve vouchers and the bill list.

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

The Township Committee approved the August 21, 2024, bill list in the amount of \$3,520,504.55.

CORRESPONDENCE

1. July 2024 Department Head Report
2. Historian’s March 2024 Meeting Minutes
3. EOSC Meeting Minutes – 3/4/2024
4. EOSC Meeting Minutes – 5/6/2024
5. Memo From Finance Regarding Galls – PD Uniform Orders

Correspondence were provided to the Committee.

PUBLIC COMMENT (limited to three minutes per speaker)

Mr. Wunder made a motion and asked for a second to open Public Comment.

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

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

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

EXECUTIVE SESSION

NO. 138-2024 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) enforcement matter, insurance claim. 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 Inspector, CFO 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 and adopt Resolution No. 138-2024.

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

Ms. Koehler left following Public Session since attending Executive Session via telephone would be improper.

Committee entered Executive Session at 8:30 p.m.

Committee closed Executive Session at 9:33 p.m.

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

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

ADJOURNMENT

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

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

Meeting adjourned at 9:33 p.m.

Respectfully Submitted:

Carolynn Budd, RMC
Township Clerk

Brian Wunder, Deputy Mayor

Date Approved