

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

September 4, 2024

7:00 p.m.

CALL TO ORDER

Mayor Beverly Koehler called the meeting to order at 7:00 p.m. and stated that in compliance with the “Open Public Meeting Act” this is a Regular Meeting of the Township Committee as published in the Hunterdon Review, the agenda has been posted at the Municipal Building and as a courtesy posted on the Township website. Official action will be taken at this meeting.

FLAG SALUTE AND MOMENT OF SILENCE

Ms. Koehler asked everyone to please stand for the Flag Salute and for a moment of silence in honor of the victims of the Apalachee High School in Winder, Georgia School shooting, 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
5 Members of the Public

PRESENTATION OF MINUTES

8/21/2024 Regular Session Meeting Minutes

8/21/2024 Executive Session Meeting Minutes

Ms. Koehler asked for a motion to approve the 8/21/2024 Regular Session and 8/21/2024 Executive Session Meeting Minutes.

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

Ayes: Mr. Abuchowski, Mr. Wojcik, Mr. Wunder, Mr. McKee, Ms. Koehler
Abstain: Ms. Koehler from 8/21/2024 Executive Session Meeting Minutes

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. Wojcik
Second: Mr. Abuchowski
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

ORDINANCE FOR PUBLIC HEARING AND ADOPTION

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.

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

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

Public comment: question regarding the total dollar value of both Ordinances.

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

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

Ms. Koehler asked for a motion to adopt Ordinance No. 09-2024.

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

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

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

Public comment:

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

Ms. Koehler asked for a motion to adopt Ordinance No. 10-2024.

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

RESOLUTIONS

NO. 139-2024 RESOLUTION AUTHORIZING THE REDEMPTION OF A TAX SALE CERTIFICATE #23-5 486 WEST HILL ROAD, BLOCK 30, LOT 38.01

WHEREAS, the Tax Collector did sell a Tax Sale Certificate #23-5 on July 17, 2024, to Christiana T C/F CE1 Firsttrust; and

WHEREAS, the amount of \$45,434.91 has been collected from Heritage Abstract Company for 486 West Hill Road, Block 30 Lot 38.01 for the redemption of Tax Sale Certificate #23-5.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, authorizes the Treasurer to prepare and the Mayor, Treasurer and Clerk are authorized to sign a check in the amount of \$45,434.91 for the redemption and a check in the amount of \$39,100.00 for the premium, payable to Christiana T C/F CE1 Firsttrust, PO Box 5021, Philadelphia, PA 19111-5021.

Ms. Koehler asked for a motion to adopt Resolution No. 139-2024.

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

NO. 140-2024 RESOLUTION AUTHORIZING THE REDEMPTION OF A TAX SALE CERTIFICATE #23-4 164 MT. GROVE ROAD, BLOCK 17, LOT 19.01

WHEREAS, the Tax Collector did sell a Tax Sale Certificate #23-4 on June 19, 2024, to G-Tech Capital, LLC; and

WHEREAS, the amount of \$21,234.11 has been collected from Title Lines for 164 Mt. Grove Road, Block 17 Lot 19.01 for the redemption of Tax Sale Certificate #23-4.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, authorizes the Treasurer to prepare and the Mayor, Treasurer and Clerk are authorized to sign a check in the amount of \$21,234.11 for the redemption and a check in the amount of \$8,000.00 for the premium, payable to G-Tech Capital, LLC, 474 Mary Allen Way, Mountainside, NJ 07092.

Ms. Koehler asked for a motion to adopt Resolution No. 140-2024.

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

NO. 141-2024 RESOLUTION AUTHORIZING A FULLY DISABLED VETERAN EXEMPTION, REFUND OF TAX OVERPAYMENT FOR DANNY EDLING, 19 SHADY LANE, BLOCK 49, LOT 85

WHEREAS, N.J.S.A. 54:4-3.30-34 grants an exemption from local property taxes for the dwelling house of a qualified totally disabled veteran; and

WHEREAS, Mr. Danny Edling having property at 19 Shady Lane, Block 49, Lot 85 has applied for a property tax exemption as a totally disabled veteran; and

WHEREAS, the Township Tax Assessor has reviewed and approved said application as qualifying for the tax exemption as of May 30, 2024; and

WHEREAS, the Township Tax Collector has certified that the cancellation of taxes has caused an overpayment and is requesting a refund in the amount of \$4,763.80 for third quarter taxes.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey authorizes the refund of tax overpayment to Mr. Danny Edling having property at 19 Shady Lane, Block 49, Lot 85 in the amount of \$4,763.80.

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

Ms. Koehler asked for a motion to adopt Resolution No. 141-2024.

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

NO. 142-2024 RESOLUTION AUTHORIZING A FULLY DISABLED VETERAN EXEMPTION, REFUND OF TAX OVERPAYMENT FOR MARY BIRMINGHAM, 2 LEBANON FARM LANE, BLOCK 66, LOT 12.04

WHEREAS, N.J.S.A. 54:4-3.30-34 grants an exemption from local property taxes for the dwelling house of a qualified totally disabled veteran; and

WHEREAS, Mrs. Mary Birmingham having property at 2 Lebanon Farm Lane, Block 66, Lot 12.04 has applied for a property tax exemption as a totally disabled veteran; and

WHEREAS, the Township Tax Assessor has reviewed and approved said application as qualifying for the tax exemption as of June 19, 2023; and

WHEREAS, the Township Tax Collector has certified that the cancellation of taxes has caused an overpayment and is requesting a refund in the amount of \$14,783.71.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey authorizes the refund of tax overpayments to Mrs. Mary Birmingham having property at 2 Lebanon Farm Lane, Block 66, Lot 12.04 in the amount of \$14,783.71.

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

Ms. Koehler asked for a motion to adopt Resolution No. 142-2024.

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

NO. 143-2024 RESOLUTION AUTHORIZING REFUND OF BOARD OF ADJUSTMENT ESCROW FOR 7 BUTLERS PARK ROAD, BLOCK 60, LOT 14

WHEREAS, Mr. Tod Harris issued checks in 2012 and 2022 for Board of Adjustment Escrows for 7 Butlers Park Road, Block 60, Lot 14 with the Township of Lebanon; and

WHEREAS, there remains a balance of \$1,905.00 in Account #*****8637 and \$73.25 in Account #*****8163, for a total amount of \$1,978.25; and

WHEREAS, the Township Board of Adjustment adopted a Resolution at their June 22, 2022 Regular Meeting granting a bulk variance.

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 \$1,978.25 to Mr. Tod Harris.

Ms. Koehler asked for a motion to adopt Resolution No. 143-2024.

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

NO. 144-2024 RESOLUTION AUTHORIZING REFUND OF PLANNING BOARD ESCROW FOR 218 COUNTY ROAD 513, BLOCK 12, LOT 8

WHEREAS, Mr. John Ethan B. Edwards issued check number 269, dated June 28, 2021, for a Planning Board Escrow for 218 County Road 513, Block 12, Lot 8 with the Township of Lebanon; and

WHEREAS, there remains a balance of \$500.00; and

WHEREAS, after an informal hearing during the August 17, 2021, Planning Board Meeting Mr. Edwards withdrew his 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 \$500.00 to Mr. John Ethan B. Edwards.

Ms. Koehler asked for a motion to adopt Resolution No. 144-2024.

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

NO. 145-2024 RESOLUTION AWARDING CONTRACT TO VAN NEST CONSTRUCTION FOR EXTERIOR TRIM REPLACEMENT AT THE MUSEUM

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 goods and 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 of Lebanon solicited for and received quotes for exterior trim replacement at the Museum; and

WHEREAS, Van Nest Construction, 28 Sliker Road, Califon, New Jersey submitted its quote for exterior trim replacement at the Museum in the amount of \$7,663.00 and

WHEREAS, based upon review of each vendor and their proposals, Van Nest Construction's quote and proposal was most advantageous, price and other factors having been considered; and

WHEREAS, the Township Committee desires to award a contract to Van Nest Construction, 28 Sliker Road, Califon, New Jersey for exterior trim replacement at the Museum, in accordance with its quote dated August 28, 2024, a copy of which is on file in the Office of the Municipal Clerk, for the sum of \$7,663.00; and

WHEREAS, the Township of Lebanon has sufficient funding in place for this purchase as evidenced by the Chief Financial Officers certification of the availability of funds.

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 Van Nest Construction, 28 Sliker Road, Califon, New Jersey, in accordance with its quote dated August 28, 2024 a copy of which is on file in the Office of the Municipal Clerk, for painting of facia and soffits at the Museum, for the sum of \$7,663.00.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to issue said purchase order aforesaid on behalf of the Township.

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

Ms. Koehler asked for a motion to adopt Resolution No. 145-2024.

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

NO. 146-2024 RESOLUTION AWARDING CONTRACT TO PRUDENTE CUSTOM PAINTING, LLC FOR PAINTING OF FACIA AND SOFFITS AT THE MUSEUM

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 goods and 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 of Lebanon solicited for and received quotes for painting of facia and soffits at the Museum; and

WHEREAS, Prudente Custom Painting, LLC, 61 Knob Hill Road, Hackettstown, New Jersey submitted its quote for painting of facia and soffits at the Museum in the amount of \$5,800.00; and

WHEREAS, based upon review of each vendor and their proposals, Prudente's Custom Painting, LLC's quote and proposal was most advantageous, price and other factors having been considered; and

WHEREAS, the Township Committee desires to award a contract to Prudente Custom Painting, LLC, 61 Knob Hill Road, Hackettstown, New Jersey for painting of facia and soffits at the Museum, in accordance with its quote dated June 26, 2024, a copy of which is on file in the Office of the Municipal Clerk, for the sum of \$5,800.00; and

WHEREAS, the Township of Lebanon has sufficient funding in place for this purchase as evidenced by the Chief Financial Officers certification of the availability of funds.

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 Prudente Custom Painting, LLC, 61 Knob Hill Road, Hackettstown, New Jersey, in accordance with its quote dated June 26, 2024, a copy of which is on file in the Office of the Municipal Clerk, for painting of facia and soffits at the Museum, for the sum of \$5,800.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to issue said purchase order aforesaid on behalf of the Township.

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

Ms. Koehler asked for a motion to adopt Resolution No. 146-2024.

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

NO. 147-2024 RESOLUTION AWARDING CONTRACT TO ACCESS COMMERCIAL DOOR FOR REPLACEMENT OF MUNICIPAL BUILDING ENTRY DOORS

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 goods and 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 of Lebanon solicited for and received 3 quotes for replacement of two (2) Municipal Building Entry Doors; and

WHEREAS, Access Commercial Door, 18 Raritan Avenue, Raritan, New Jersey submitted its quote for replacement of two (2) Municipal Building Entry Doors in the amount of \$13,858.23; and

WHEREAS, based upon review of each vendor and their proposals, Access Commercial Door's quote and proposal was most advantageous, price and other factors having been considered; and

WHEREAS, the Township Committee desires to award a contract to Access Commercial Door, 18 Raritan Avenue, Raritan, New Jersey for replacement of two (2) Municipal Building Entry Doors, in accordance with its quote dated August 27, 2024, a copy of which is on file in the Office of the Municipal Clerk, for the sum of \$13,858.23; and

WHEREAS, the Township of Lebanon has sufficient funding in place for this purchase as evidenced by the Chief Financial Officers certification of the availability of funds.

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 Access Commercial Door, 18 Raritan Avenue, Raritan, New Jersey, in accordance with its quote dated August 27, 2024, a copy of which is on file in the Office of the Municipal Clerk, for the replacement of two (2) Entry Doors for the Township's Municipal Building, for the sum of \$13,858.23.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to issue said purchase order aforesaid on behalf of the Township.

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

Mr. Abuchowski advised the reason for the quote increase, over the last provided quote, was due to the addition of the removal mullion and lock keying.

Ms. Koehler asked for a motion to adopt Resolution No. 147-2024.

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

NO. 148-2024 RESOLUTION SUPPORTING SCR-81/ACR-58 AIMED AT INCREASING THE NEW JERSEY VETERANS' PROPERTY TAX DEDUCTION TO \$2,500

WHEREAS, The Veterans property tax deduction, currently set at \$250.00, has not been increased in over twenty years; and

WHEREAS, bipartisan bills SCR-81/ACR-58 propose a constitutional amendment to increase the amount of veterans' property tax deduction from \$250.00 to \$2,500.00 over four years; and

WHEREAS, under the State Constitution both houses of the state legislature must approve the bills either by supermajority votes or in consecutive years; and

WHEREAS, according to the legislation, Veterans who are honorably discharged from active service in a branch of the United States Armed Forces qualify for the deduction. A qualified

veteran’s surviving spouse would receive the deduction after the qualified veteran dies; and

WHEREAS, the legislation calls for the proposed increase in the property tax deduction to be phased in over a four-year period and the state would provide municipalities with funding to offset the tax revenue reduction; and

WHEREAS, it is the opinion of the Township Committee of the Township of Lebanon that Veterans, deserve this recognition that has been earned through their sacrifice and dedicated service to the Nation.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey hereby strongly support bipartisan legislation SCR-81/ACR-58; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to members of the 15th, 16th, and 23rd Legislative Districts and Hunterdon County Board of County Commissions.

Ms. Koehler provided details regarding the proposed bills.

Ms. Koehler asked for a motion to adopt Resolution No. 148-2024.

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

UNFINISHED BUSINESS

1. IT Backup Update – Backup Monthly Fee. Ms. Budd explained the previously agreed upon fee of \$200.00 per month for back up is locked in for 3 years and if the Township should change IT providers the new provider can take over the account as a managed service provider.

NEW BUSINESS

1. Mayoral Appointment – Thomas Childers to Recreation Committee – Unexpired Five Year Term Ending 12/31/2024. Ms. Koehler provided background information on Mr. Childers and appointed him a member of the Recreations Committee for the unexpired term ending 12/31/2024.
2. Board of Health Request to Remove the Drinking Water Certificate Requirement from Certificate of Continued Occupancy (CCO) – Will Require Ordinance Revision. Ms. Budd advised the Committee that after the Board of Health reviewed the Drinking Water Requirements, they recommend its removal and referred their recommendation to the Township Committee for approval. The Committee discussed and was in agreeance to remove. Mr. Roselli to work with Ms. Budd to revise the sections of the Ordinance that reference the Drinking Water Certificate.
3. DPW Request to Purchase a Portable Air Compressor, \$3,300.00.

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

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

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

The Township Committee approved the September 4, 2024, bill list in the amount of \$1,329,592.31.

PUBLIC COMMENT (limited to three minutes per speaker)

Ms. Koehler made a motion and asked for a second to open Public Comment.

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

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

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

EXECUTIVE SESSION

NO. 149-2024 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 NAR Group, LLC, insurance claim, shared service agreement. 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: legal advise. 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: CFO position, Finance Department. 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. Roselli requested Naccarato vs. Lebanon Township be added to the Executive Session Resolution under pending litigation.

Ms. Koehler asked for a motion to open Executive Session and adopt Resolution No. 149-2024 as amended per Mr. Roselli's request.

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

Mayor and Committee entered Executive Session at 7:34 p.m.

Mayor and Committee closed Executive Session at 9:11 p.m.

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

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

After returning to Regular Session Mr. Roselli asked for a motion to approve the settlement agreement, unconditional relief, Statewide Insurance Fund presented in relation to the Naccarato vs. Lebanon Township as well as authorizing Insurance Funds Counsel to execute the necessary paperwork relating to the settlement.

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

ADJOURNMENT

Having no further business to conduct, Ms. Koehler made 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 9:12 p.m.

Respectfully Submitted:

Carolynn Budd, RMC
Township Clerk

Beverly Koehler, Mayor

Date Approved