

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

October 2, 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 for those effected by Hurricane Helene.

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
6 Members of the Public

PRESENTATION OF MINUTES

9/18/2024 Regular Session Meeting Minutes

Ms. Koehler asked for a motion to approve the 9/18/2024 Regular Session Meeting Minutes.

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

9/18/2024 Executive Session Meeting Minutes

Ms. Koehler noted a misspelled word on the first page of the Executive Session Minutes and asked for a motion to approve the 9/18/2024 Executive Session Meeting Minutes as amended.

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

NO. 12-2024 ORDINANCE AMENDING ARTICLE I, CHAPTER 380 OF THE CODE OF THE TOWNSHIP OF LEBANON ENTITLED “WATER”

WHEREAS, the regulation of potable water from private wells when selling real estate in New Jersey is set forth at N.J.S.A. 58:12A-26 to 37 (the “Private Well Testing Act”) and N.J.A.C. 7:9E-3.1 to 5.1; and

WHEREAS, Chapter 380 of the Township Code, entitled “Water” also regulates potable water from private wells, including the requirement that a drinking water certificate from the Township Board of Health be issued for a certificate of occupancy to be issued by the Construction Official upon the sale or transfer of title to the property that has a private drinking well; and

WHEREAS, to avoid any conflict between the Private Well Testing Act and its related regulations, the Township Committee desires to amend Chapter 380 of the Township Code such that potable water from private wells upon the sale of real property shall be regulated by the Private Well Testing Act and the related regulations set forth at N.J.A.C. 7:9E-3.1 to 5.1.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey, that Chapter 380 of the Township Code entitled “Water” be and is hereby amended as follows (additions are bolded and underlined; deletions have strikethrough):

SECTION 1. Chapter 380 Water

Article I Safe Drinking Water Standards

§ 380-1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

BOARD OF HEALTH

The Lebanon Township Board of Health or any member or agent thereof designated by that Board to act in its place in administering or enforcing the provisions of this article. Whenever the Board of Health designates someone to act in its stead, any person aggrieved by the actions of such designee shall have the right to have such action reviewed by the entire Board of Health.

OWNER

The person having legal title to the premises where drinking water is available.

QUALIFIED LABORATORY

A facility certified by the State of New Jersey pursuant to regulations promulgated under the Safe Drinking Water Act as capable of performing tests to determine the contents of water.

SAFE DRINKING STANDARDS

The current standards of the State of New Jersey promulgated pursuant to the Safe Drinking Water Act (N.J.S.A. 58:12A-1 et seq.) as adopted by the Township and the standards set forth in § 380-10.

TRANSFER OF TITLE

A sale or other conveyance of an ownership interest in real estate from one person to another other than the following transfers:

- A. From one spouse to another where the transferee occupied the premises prior to the conveyance; and
- B. A transfer of title caused by the death of an owner to his heirs at law, surviving tenants or beneficiaries under his will.

WATER SUPPLY SYSTEM

Any individual well, cistern, spring or source of drinking water.

§ 380-2 Exemption.

Water supply systems which are regulated in accordance with the New Jersey Safe Drinking Water Act through N.J.A.C. 7:10-1 et seq. by the New Jersey Department of Environmental Protection and Energy and those subject to and regulated by Private Well Testing Act, N.J.S.A. 58a2A-26 to 27 and N.J.A.C. 7:9E-3.1 to 5.1, shall be exempt from the provisions of this article.

§ 380-3 Declaration of contamination; corrective action.

Any water supply system within the Township shall be declared contaminated if the water produced therefrom does not meet safe drinking standards as set forth in § 380-10. The Board of Health shall have the power to order appropriate corrective action by the owner of such water supply system and shall be empowered to prohibit human consumption of such water until the water meets safe drinking standards.

§ 380-4 Drinking water certificate; when required.

Except as provided in § 380-9, a drinking water certificate shall be obtained by the owner of any structure within the Township serviced by a water supply system upon the happening of any of the following events:

- ~~A. The sale or transfer of title to another person of such structure or any part thereof; or~~
- ~~B. A.~~ The change of a water supply source.

§ 380-5 Water samples submitted for analysis.

Whenever a drinking water certificate is required, a qualified laboratory shall draw and evaluate

the sample and submit the same to the Lebanon Township Board of Health. The analysis shall be for the presence of the contaminants listed in § 380-10.

§ 380-6 Review of analysis by Board of Health.

The Board of Health shall review the analysis to insure that any contaminants do not exceed the minimum standards listed in § 380-10. Upon such review, the Board of Health may also require additional testing.

§ 380-7 Issuance of drinking water certificate.

A. When the test results show that the water is within all applicable standards, the Board of Health shall issue a drinking water certificate attesting to such compliance.

B. This drinking water certificate shall also show the test results for the inforamatory contaminant levels set forth in § 380-13. ~~However, results exceeding the standards therein set forth shall not preclude the issuance of a certificate of occupaney under § 380-8.~~

§ 380-8 Certificate of occupaney contingent upon drinking water certificate.

~~No certificate of occupaney shall be issued until a drinking water certificate is presented to the Construction Official, and no water supply system shall be put into service unless the owner shall have received a drinking water certificate.~~

§ 380-9 Effective period of certificate; transfer of title.

A drinking water certificate shall be effective for a period of six months from the date of issuance. Any transfer of title which occurs during the effective period of the certificate shall be permitted without the necessity of obtaining a new certificate.

§ 380-10 Binding contaminant levels.

A. Binding contaminant levels are as follows:

(1) Inorganic.

Contaminant	Standard
Nitrate (N)	10.0 mg/L
Iron (Fe)	0.3 mg/L
Manganese (Mn)	0.05 mg/L
pH	6.5 - 8.5
Lead (Pb)	15. PPM

(2) Organic. All volatile organic compounds for which maximum contaminant levels have been established pursuant to N.J.S.A. 58:12A-1 et seq. shall also be tested.

B. The coliform bacteria count shall be less than 1 per 100 ml (membrane filter technique) or shall be less than 2.2 per 100 ml (multiple fermentation tube method).

C. The water test shall include a forty-eight-hour gross alpha test for radium, provided the Department of Environmental Protection has identified a sufficient number of laboratories certified to perform such test.

§ 380-11 Violations and penalties; failure to obtain certificate.

Any person who fails to obtain a drinking water certificate as required under this article shall be subject to the penalties set forth in Chapter 1, Article II, General Penalty.

§ 380-12 Copies appended to all real estate tax searches.

Copies of this article shall be appended to all real estate tax searches issued by the Lebanon Township Tax Search Officer.

§ 380-13 Inforamatory contaminant levels.

Contaminant	Nonenforcement Standard
Iron	0.3 mg/L
Manganese	0.05 mg/L

pH Level shall be between 6.5 and 8.5

SECTION 2. Repealer.

All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. Severability.

If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. Effective Date.

This Ordinance shall take effect after passage and publication in the manner provided by law.

Ms. Koehler advised the public hearing is scheduled for Wednesday, October 16, 2024.

Ms. Budd provided details on the Ordinance.

Ms. Koehler asked for a motion to introduce Ordinance No. 12-2024.

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

NO. 13-2024 ORDINANCE AMENDING CHAPTER 325, ARTICLE II, §325-11 OF THE CODE OF THE TOWNSHIP OF LEBANON ENTITLED “FEES; CASH DEPOSIT; PUBLIC UTILITY CORPORATIONS”

BE IT ORDAINED by the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey, that Chapter 325, Article II, §325-11 of the Township Code entitled “Fees; cash deposit; public utility corporations” be and is hereby amended as follows (additions are bolded and underlined; deletions have strikethrough):

SECTION 1. § 325-11 Fees; cash deposit; public utility corporations.

A. – C. *No changes.*

D. If a cash bond is not provided pursuant to § 325-11 B or § 325-11 C above, the applicant or public utility corporation, as the case may be, shall also be required to post an escrow fund with the Township in an amount to be determined by the Township Engineer to cover the cost of engineering, inspections, legal services, or other necessary costs to the Township that are directly related to the project, prior to the issuance of any permit. Within two months after completion and final approval of the project or openings, which also means two months after the expiration of the eighteen-month maintenance period specified in § 325-15E below, all unexpended moneys remaining shall be returned to the applicant, except for an additional amount of \$25 which shall be retained by the Township as its final application fee

SECTION 2. Repealer.

All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. Severability.

If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. Effective Date.

This Ordinance shall take effect after passage and publication in the manner provided by law.

Ms. Koehler advised the public hearing is scheduled for Wednesday, October 16, 2024.

Mr. Roselli provided details on the Ordinance.

Ms. Koehler asked for a motion to introduce Ordinance No. 13-2024.

Motion to Introduce: Mr. Wunder

Second: Mr. McKee

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

RESOLUTIONS

NO. 153-2024 RESOLUTION PROVIDING ACCEPTANCE OF HUNTERDON COUNTY MUNICIPAL INFRASTRUCTURE GRANT IN THE AMOUNT OF \$37,000.00 AND AUTHORIZING EXECUTION OF GRANT AGREEMENT WITH THE COUNTY OF HUNTERDON

WHEREAS, on June 19, 2024, the Township Committee adopted Resolution No. 106-2024 authorizing the submission of an application to the County of Hunterdon for a Municipal Infrastructure Grant; and

WHEREAS, the County of Hunterdon advised the Township that it was awarded a \$37,000.00 grant from the Hunterdon County Municipal Infrastructure Grant Program on August 29, 2024; and

WHEREAS, the Township Committee has determined to accept said grant award provided under the Hunterdon County Municipal Infrastructure Grant Program and to authorize the Mayor and Township Clerk to execute a Grant Agreement with the County of Hunterdon.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that it does accept the grant funding from Hunterdon County Municipal Infrastructure Grant Program in the amount of \$37,000.00.

BE IT FURTHER RESOLVED that the Township Committee hereby authorizes the Mayor and Township Clerk to execute, on behalf of the Township of Lebanon, such grant agreements/documents as may be required by the County of Hunterdon for award of said grant, and it does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Lebanon and the County of Hunterdon.

BE IT FURTHER RESOLVED that the persons whose names, titles and signatures appear below are authorized to sign the agreement, and any other documents necessary in connection therewith.

Ms. Koehler asked for a motion to adopt Resolution No. 153-2024.

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

NO. 154-2024 RESOLUTION REQUESTING APPROVAL OF THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET RECEIVED FROM THE COUNTY OF SOMERSET IN THE AMOUNT OF \$700.00

WHEREAS, N.J.S.A 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Lebanon has received funding from the County of Somerset in the amount of \$700.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$700.00, received from the County of Somerset; and

BE IT FURTHER RESOLVED that the like sum of \$1,540.00 be appropriated under the title "Drunk Driving Fund"; and

BE IT FURTHER RESOLVED that the Township Clerk and Chief Financial Officer are authorized to execute and forward the Director of the Division of Local Government Services the appropriate documentation required for the Director's approval.

Ms. Koehler asked for a motion to adopt Resolution No. 154-2024.

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

NO. 155-2024 RESOLUTION AWARDED CONTRACT TO FRANK RYMON & SONS INC. FOR BUFFALO TURBINE CYCLONE BLOWER FOR THE DEPARTMENT OF PUBLIC WORKS

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's Department of Public Works Supervisor solicited for and

received 2 quotes for a Buffalo Turbine Cyclone Blower; and

WHEREAS, Frank Rymon & Sons Inc., 399 Route 31, Washington, New Jersey, submitted its quote for a Buffalo Turbine Cyclone Blower in the amount of \$7,475.00; and

WHEREAS, based upon the Department of Public Works Supervisor's investigation of each vendor, and review of the quotes, Frank Rymon & Sons Inc'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 Frank Rymon & Sons Inc., 399 Route 31, Washington, New Jersey, for a Buffalo Turbine Cyclone Blower, in accordance with its quote dated September 12, 2024, a copy of which is on file in the Office of the Municipal Clerk, for the sum of \$7,475.00; and

WHEREAS, the Township of Lebanon has sufficient funding in place from the Clean Communities Grant for this purchase.

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 Frank Rymon & Sons Inc., 399 Route 31, Washington, New Jersey, in accordance with its quote dated September 19, 2024, a copy of which is on file in the Office of the Municipal Clerk, for the purchase of a Buffalo Turbine Cyclone Blower for the Township's Department of Public Works, for the sum of \$7,475.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to issue said purchase order from Clean Communities Grant funds on behalf of the Township.

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

Ms. Koehler asked for a motion to adopt Resolution No. 155-2024.

Motion to Adopt: Mr. Wunder

Second: Mr. McKee

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

NO. 156-2024 RESOLUTION AUTHORIZING THE SOLICITATION OF BIDS TO PURCHASE A 2023 MODEL YEAR OR NEWER CHEVROLET TAHOE OR EQUIVALENT FOR THE TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Township of Lebanon has a need to purchase a vehicle for the Police Department; and

WHEREAS, pursuant to Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., the Township is required to solicit public bidding if the purchase is anticipated to exceed the bid threshold; and

WHEREAS, the Township desired to go out to bid for the purchase of a 2023 Model Year or Newer Chevrolet Tahoe SSV 4WD or equivalent for the Police Department; and

WHEREAS, the vehicle shall have a 30-day delivery period to the Township Police Department from the time the successful bid is accepted.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey does authorize the solicitation of bids for the purchase of a 2023 Model Year of Newer Chevrolet Tahoe SSV 4WD or equivalent pursuant

to the specifications set forth in the bid packet.

Ms. Koehler asked for a motion to adopt Resolution No. 156-2024.

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

NO. 157-2024 RESOLUTION AWARDING CONTRACT TO MORTON SALT, INC. UNDER HUNTERDON COUNTY COOPERATIVE PRICING SYSTEM FOR ROCK SALT

WHEREAS, the Township of Lebanon, pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7.1 et seq., may without advertising for bids, purchase any goods or services under any contract or contracts for such goods or services entered into on behalf of the County of Hunterdon pursuant to the County Cooperative Pricing System; and

WHEREAS, on September 17, 2024, the Board of County Commissioners awarded a master contract for County Bid #2024-15 to Morton Salt, Inc., 444 West Lake Street, Suite 2900, Chicago, IL 60606 to furnish and deliver rock salt for snow and ice control for roads and bridges for the County and members of the County Cooperative Pricing System for the 2024/2025 season; and

WHEREAS, the Township of Lebanon is a member of the County Cooperative Pricing System, and the Township Committee has requested to participate in the non-binding, anticipation of purchasing 2,000 tons of rock salt.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey does hereby award a contract to the following company for a contract period of September 19, 2024 to September 18, 2025.

<u>COMPANY</u>	<u>ITEM</u>	<u>PRICE</u>
Morton Salt, Inc. 444 West Lake Street Suite 2900 Chicago, IL 60606	Rock Salt	\$65.81 per ton

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to issue said purchase order(s) on behalf of the Township, noting identification code (51-HCCPS) to each purchase order.

BE IT FURTHER RESOLVED that a copy of this resolution shall be provided to the Township’s CFO, Accounts Payable Clerk and Department of Public Works.

Ms. Koehler asked for a motion to adopt Resolution No. 157-2024.

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

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

NO. 158-2024 RESOLUTION ADOPTING CODE OF ETHICS AND CONDUCT FOR ELECTED AND APPOINTED OFFICIALS FOR THE TOWNSHIP OF LEBANON

WHEREAS, the Township Committee desires to adopt a Code of Ethics and Conduct for Elected and Appointed Officials; and

WHEREAS, the Township Committee wishes to adopt the Code to assure that all elected and appointed officials, while exercising their office, conduct themselves in a matter that will instill public confidence and trust in the fair operation and integrity of Lebanon Township government.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon, in the County of Hunterdon and State of New Jersey, that the Code of Ethics and Conduct for Elected and Appointed Officials for the Township of Lebanon, a copy of which is attached, be and is hereby adopted.

Ms. Koehler advised Mr. Roselli would like to review in detail before moving forward with the Resolution. Ms. Koehler asked for a motion to table Resolution No. 158-2024 to the 10/16/2024 Meeting.

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

NO. 159-2024 RESOLUTION AUTHORIZING THE REDEMPTION OF A TAX SALE CERTIFICATE #20-6 223 MUSCONETCONG RIVER ROAD, BLOCK 60, LOT 17

WHEREAS, the Tax Collector did sell a Tax Sale Certificate #20-6 on November 19, 2020, to US Bank Cust for Pro Cap 8; and

WHEREAS, the amount of \$18,073.18 has been collected from Julio Gallo for 223 Musconetcong River Road, Block 60, Lot 17 for the redemption of Tax Sale Certificate #20-6.

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 \$18,073.18, payable to US Bank Cust for Pro Cap 8, 2500 McCellan Avenue, Suite 200, Pennsauken, NJ 08103.

Ms. Koehler asked for a motion to adopt Resolution No. 159-2024.

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

**NO. 160-2024 RESOLUTION AUTHORIZING THE REDEMPTION OF A TAX SALE
CERTIFICATE #21-9 405 TRIMMER ROAD, BLOCK 43, LOT 1.01**

WHEREAS, the Tax Collector did sell a Tax Sale Certificate #21-9 on December 2, 2021, to US Bank Cust for Pro Cap 8; and

WHEREAS, the amount of \$53,329.10 has been collected from Henry Odunlami for 405 Trimmer Road, Block 43, Lot 1.01 for the redemption of Tax Sale Certificate #21-9.

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 \$53,329.10, payable to US Bank Cust for Pro Cap 8, 2500 McCellan Avenue, Suite 200, Pennsauken, NJ 08103.

Ms. Koehler asked for a motion to adopt Resolution No. 160-2024.

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

UNFINISHED BUSINESS

1. Request to Review Fire Inspection Fees for Certificate of Continued Occupancy – Fire Officials Recommendations. Ms. Koehler reviewed the information provided by Mr. Terry Lawler, Fire Official. The Committee reviewed the proposed increased inspection fee and re-inspection fee and would like to move forward with an Ordinance to make those amendments. Ms. Budd to work with Mr. Roselli on the Ordinance for instruction at the 10/16/2024 Meeting. The Committee requested additional time to review other recommendations provided by Mr. Lawler.
2. Fire Department Capital Request – Fire Engine/Pumper Truck. Mr. McKee reviewed the options acquisition for the truck, which included: leasing, purchasing used and purchasing new. After discussion the option of purchasing new was determined to be the best option for the Township. In order to move forward with the purchase a Bond Ordinance will need to be adopted. Due to timing, this will not be done before 10/31 when the price of the truck potentially increases. Mr. McKee noted that the following increase will be February of 2025. Mr. McKee to discuss further with Ms. Diane Laudenbach, Accounts Payable Clerk and report back to the Committee during the 10/16/2024 Meeting.

NEW BUSINESS

1. Township Clerk Request to attend NJLM Conference, Staying Two Nights (11/18 – 11/20) to Attend Classes for CEU's. Ms. Budd requested to stay tow nights during the conference to attend CEU classes. Ms. Koehler asked for a motion to approve:

Motion to Approve: Mr. Wojcik

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

2. Municipal Flooring and Door Status Update. Ms. Budd advised the flooring vendor has the floors and they are ready for installation. The doors are on order and won't be ready for 8-10 weeks. Ms. Budd explained she is working to get the doors in prior to the floors. The flooring for the Police Department can be installed anytime.

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

The Township Committee approved the October 2, 2024, bill list in the amount of \$1,275,844.18, Developer's Escrow \$8,827.50.

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

EXECUTIVE SESSION

NO. 161-2024 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) Consulting Services. 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: . 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. 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. 161-2024.

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

Mayor and Committee entered Executive Session at 7:50 p.m.

Mayor and Committee closed Executive Session at 8:45 p.m.

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

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

After returning to Regular Session the Committee discussed the need for temporary CFO services. Holdman Frenia Allison, P.C. "HFA" provided a proposal for financial consulting services. The Committee was in consensus to award HFA the agreement with an amount not to exceed \$17,500.00

Ms. Koehler presented Resolution No. 162-2024 to the Committee for their review.

NO. 162-2024 RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENT TO HOLMAN FRENIA ALLISON, P.C. FOR FINANCIAL CONSULTING SERVICES

WHEREAS, the Township's long time Chief Financial Officer recently retired thereby creating a vacancy in that position; and

WHEREAS, the Township of Lebanon requires the services of a Financial Consultant to assist the Township with the transition associated with the appointment of a new Chief Financial Officer; and

WHEREAS, Holman Frenia Allison, P.C., Certified Public Accountants, having an address at 1985 Cedar Bridge Avenue, Suite 3, Lakewood, NJ 08701, is experienced and

recognized as being capable of providing said financial consulting services to the Township of Lebanon; and

WHEREAS, the Township Committee has determined to award a professional services agreement to Holman Frenia Allison, P.C. for financial consulting services as outlined in their September 23, 2024 written proposal, a copy of which is on file in the Office of the Township Clerk.

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 professional services agreement to Holman Frenia Allison, P.C., Certified Public Accountants, having an address at 1985 Cedar Bridge Avenue, Suite 3, Lakewood, NJ 08701, in an amount not to exceed \$17,500.00, pending receipt of all required documentation for the award of the contract and for a term not to exceed twelve consecutive months.

BE IT FURTHER RESOLVED that the Township Committee hereby authorizes the Mayor and Township Clerk to execute said professional services agreement on behalf of the Township of Lebanon.

Ms. Koehler asked for a motion to adopt Resolution No. 162-2024.

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

Mr. Abuchowski asked to discuss the joining of the Planning Board and Board of Adjustment to create a Joint Land Use Board. Mr. Abuchowski asked Mr. Roselli how this is accomplished. Mr. Roselli provided details on the process which is done by Ordinance. The Committee discussed and requested Mr. Roselli work on the appropriate Ordinance for an upcoming meeting.

ADJOURNMENT

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

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

Meeting adjourned at 9:01 p.m.

Respectfully Submitted:

Carolynn Budd, RMC
Township Clerk

Beverly Koehler, Mayor

Date Approved