

CALL TO ORDER

Mayor McKee called the meeting to order at 7:05 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 distributed to the Hunterdon Review, Courier News, the Express Times, the Hunterdon County Democrat and the Star Ledger.

FLAG SALUTE

Mayor McKee asked everyone to stand for the Flag Salute and for a Moment of Silence to honor our troops.

ROLL CALL

Present Thomas McKee Ronald Milkowski
 Bernard Cryan Brian Wunder Marc Laul

Absent- None

Also Present - Attorney Tara Ann St. Angelo, Deputy Clerk Kimberly Jacobus and 36 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of December 17, 2014 - Tabled
Minutes of the Executive Session of December 17, 2014 - Tabled

PUBLIC COMMENTS – for agenda items only

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting.

There were no comments.

Motion by Mr. Cryan, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting.

Mayor McKee asked the Committee if they minded bringing the firemen up for their oaths at this time.

Attorney St. Angelo administered the oath of office to the following firemen:

Thomas J. Carlucci Jr. – Chief

James Crampton – Deputy Chief
Bill Cutri-French – Deputy Chief
Robert Pek – Captain
Mark Rothfeld- Lieutenant

Sue Schlesinger- Lieutenant, was absent.

RESOLUTIONS

Resolution No.18-2015 – Redemption of Tax Sale Certificate

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 18-2015 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 18-2015
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201201 on October 12th 2012 to US Bank Cust for Empire V, and,

WHEREAS the amount of \$16,021.51 has been collected from Robert Stasyshyn, owner of this property, known as Block 8, Lot 17, 2076 Route 31, Lebanon Township, for redemption of Tax Sale Certificate #201201,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign a check in the amount of \$16,021.51 and that this check be mailed to the lienholder:

US Bank Cust for Empire V
US Bank Cust Tax Lien Services
2 Liberty Place
50 S 16th Street Suite 1950
Philadelphia PA 19102

Resolution No. 19-2015- Municipal Alliance-Fiscal Grant Cycle July 2014-June 2019

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 19-2015 as attached.

OLD BUSINESS

Cell Tower – Municipal Complex

The Committee received information from the Township Attorney to review regarding their options to collect back Co-locator rent for the cell tower. The Committee discussed these options and they decided that since they have been getting rent in a timely manner, they would do nothing.

CWA Negotiations- Committee Representative-held to Executive

NEW BUSINESS

Junkyard License Renewal – Burd’s salvage

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the Junkyard License for Burd’s Salvage.

Quest Environmental – Hollow Road Summary of Results/Remedial Investigation

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the proposal from Quest regarding Hollow Road Summary of Results/Remedial Investigation.

Quest Environmental – First Aid Squad Case Status/Proposal for Monitor Well Abandonment

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the proposal from Quest for the First Aid Squad Case Status/Proposal for Monitor Well Abandonment property.

Winding Brook Lane Association – Request for Township to Take Over Winding Brook Lane

Mr. Brice Henderson of Winding Brook Lane Association gave the Committee 3 facts as to why they should take over the road. #1-it is a thru-road that connects two thoroughfares, East Hill Road and Sliker Road. It has been used in the past as a detour, not only by the general public, but by emergency services vehicles. #2-it is just over ½ mile long and has approximately 20 homes on it and #3 Winding Brook is black-topped and maintained and is in good shape. The Committee had a lengthy discussion with several residents of Winding Brook Lane regarding several issues; the deeded right of way, storm water and run-off, drainage and bridge, the construction of the road, maintenance of the road. The Committee also discussed having the Township Engineer go out, one time on the Township, to inspect Winding Brook Lane and then prepare a report for the Committee.

Motion by Mr. Wunder, seconded by Mr Laul and carried by favorable roll call vote, the Township Committee approved having the Township Engineer and the DPW Supervisor inspect and report to the Committee on Winding Brook Lane. AYES: Wunder, McKee, Laul, Milkowski ABSTAIN: Cryan

OEM-Hunterdon County Hazard Mitigation Plan Update

Mayor McKee explained to the Committee that he had received a letter from the County OEM regarding the need to update the County's Hazard Mitigation Plan for the township. There is a deadline of February 2 for the letter of intent to be received and he was requesting approval for the township to participate.

Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved participation with the County OEM Hazardous Mitigation Plan update.

LIAISON REPORT-PARK

Mr. Laul stated that he had been at a Friends of Memorial Park meeting and something came up regarding reserving the pavilion and the suggested donation. The Friends of Memorial Park concerns are that they do not always get the donation and they are not sure if they can change it to a fixed value instead of a suggested donation. Mayor McKee stated that the Park Committee oversees the activities in the park. The fees go to Friends of Memorial Park which is a 501(c)(3). Mayor McKee asked the attorney if they could do a permit fee. The attorney stated that she was not sure and thought they may be able to do a permit fee. She will check and see if a fee can be charged for a public park.

LIAISON REPORT-HISTORIANS

Mr. Laul contacted Freeholder Rob Walton regarding the grant the Historians applied for. Mr. Walton is supposed to come to the Historian's next meeting to discuss what is covered and what is not and how to write a grant so that it is not rejected.

COMCAST FRANCHISE AGREEMENT

Mr. Cryan met with Comcast regarding the franchise agreement with the Township. They provided him with a map that outlines where Comcast serves. Comcast is open to looking at any areas that are presently not covered by them. The triangle on the map show where their amplifiers are and the roads are highlighted in green that have their service on it. If the road is open there is no service. The map is available to look at and if the Committee thinks there are areas that should be covered, the Committee can discuss it with Comcast.

PRESENTATION OF VOUCHERS

Committee Members provided a description of vouchers exceeding \$1000.00.

Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the approved bill list in the amount of \$942,115.26

CORRESPONDENCE

Tax Collector's Report for the Month of December 2015
Tax Collector's Annual Report

Township Historian's November 6, 2014 Meeting Minutes

PUBLIC COMMENTS

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 8:07 p.m.

Ms. Laurie Hoffman, 213 Buffalo Hollow Road, asked what the start date is for the cell tower rent. Mayor McKee explained that the Township has been getting rent. The Township received a lump sum of \$6700.00 that goes back to March, 2014. Ms. Hoffman stated that if the insurance company is paying for doing the environmental remediation, why does the Committee have to approve it? Ms. Hoffman also asked about the testing of the wells at the Anthony Road Firehouse. Ms. Hoffman asked if the Committee was going to require specific information regarding what the departments want to spend their budget money on.

Mr. Victor Hoffman, 213 Buffalo Hollow Road, asked if there had been any discussion regarding Califon Borough using our Police Department. Mayor McKee stated that there had been no discussions. Mr. Hoffman asked if there would be a final bill as to how much the DPW building really cost the township, including lawsuits, for the finished product. Mayor McKee felt that there could be a final total of all the costs.

Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 8:06 p.m.

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 20-2015 and convened in executive session at 8:12 p.m.

EXECUTIVE SESSION

Resolution No. 20-2015

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 20-2015
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 the 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 (Specify contract: _____ CWA _____);

_____ A matter involving the purpose, 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; Real Estate Acquisitions;

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

_____ Investigations of violations or possible violations of the law;

_____ Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: _____ The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter 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: 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.

The Committee discussed CWA negotiations and personnel/contract. No action were taken.

Having no further business to come before the Committee a motion was made by Mr. Milkowski seconded by Mr. Wunder and carried by unanimous favorable roll call vote to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

Kimberly S. Jacobus
Deputy Clerk

Approved: February 18, 2015

Thomas McKee, Mayor