

CALL TO ORDER

Mayor Thomas McKee 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 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 please stand for the Flag Salute and for a Moment of Silence in honor of our Servicemen and Women.

ROLL CALL

Present - Thomas McKee Ronald Milkowski Bernard Cryan Marc Laul

Absent- Brian Wunder

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 5 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of April 1, 2015

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of April 1, 2015.

Minutes of the Executive Session Meeting of April 1, 2015

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the executive session meeting of April 1, 2015.

PUBLIC COMMENTS – for agenda items only.

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

There were no comments from the public.

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

RESOLUTIONS

Resolution No. 31-2015 – Pledge of Municipal Support for NJ Wildlife Action Plan

Motion by Mr. Cryan, seconded by Mayor McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 31-2015, Resolution No. 32-2015 and Resolution No. 33-2015 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 31-2015

PLEDGE of Municipal Support for New Jersey's Wildlife Action Plan

WHEREAS, New Jersey is home to a rich diversity of wildlife and ecologically significant natural communities,

WHEREAS, New Jersey's wildlife and wild places are under threat from development, fragmentation, invasive species and the impacts of people,

WHEREAS, the populations of mammals, birds, invertebrates, fish, reptiles and amphibians that live in and migrate through New Jersey find themselves clinging to smaller and smaller pieces of wild clean lands and aquatic habitats,

WHEREAS, it is more cost-effective to prevent species from becoming imperiled than it is to recover them once their populations have declined,

WHEREAS, a naturally functioning and healthy ecosystem represents a healthy environment for NJ wildlife and our citizens,

WHEREAS, status of wildlife can be an indicator of human community health and well-being,

WHEREAS, the NJ Division of Fish and Wildlife, other state and federal agencies, and many partners in conservation have worked together to develop a state Wildlife Action Plan for the benefit of biologists, wildlife experts, municipal leaders, land stewards, non-profit organizations, educators, planners, researchers, outdoor recreation enthusiasts, landowners and all the people who know the wild places of New Jersey State,

WHEREAS, the New Jersey Wildlife Action plan is a comprehensive action agenda for the conservation of native wildlife, the restoration of important lands and water, and public education targeting the needs of rare wildlife in New Jersey,

WHEREAS, the residents of, and visitors to, New Jersey also enjoy and benefit from New Jersey's wildlife and wild spaces.

NOW THEREFORE, we the township of Lebanon, resolve to take the following steps with regard to our municipal land-use decisions with the intent of making Lebanon Township an ecologically sustainable community. It is our intent to include these principles in our public lands management, our environmental resources inventory and to inform the next master plan revision and update our zoning accordingly.

We will identify imperiled species, critical habitat and unique ecosystems in our Environmental Resource Inventory.

Acknowledging that it is more cost-effective to protect species than recover species, we will protect populations of rare and imperiled species that live and breed in, and migrate through, the municipality and the habitats they depend upon.

Because habitat integrity is critical to healthy biodiversity we will manage publicly owned lands in accordance with wildlife management actions laid out in the New Jersey Wildlife Action Plan and will promote the management of all protected lands to promote biodiversity.

We will protect wildlife habitats and maintain connectivity of habitat when formulating an open space acquisition strategy, open space stewardship plans and through the municipal master plan including planning and zoning ordinances.

We will seek to minimize disturbance of critical wildlife populations and their habitats from human activities, subsidized predators and invasive species.

When possible and appropriate, we will work with neighboring municipalities to implement the aforementioned principles across municipal boundaries.

When possible and appropriate, we will strive to monitor and implement appropriate management of municipal easements to ensure native vegetation and wildlife takes precedence over invasive and/or exotic species.

Resolution No. 32-2015 – Sustainable Land Use Pledge

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 32-2015

SUSTAINABLE LAND USE PLEDGE

WHEREAS, land use is an essential component of overall sustainability for a municipality; and
WHEREAS, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

WHEREAS, Given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;
NOW THEREFORE, we the Township of Lebanon, resolve to take the following steps with regard to our municipal land-use decisions with the intent of making

Lebanon Township a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly.

Regional Cooperation - We pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.

Transportation Choices - We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.

Natural Resource Protection - We pledge to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we pledge to complete a Natural Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.

Mix of Land Uses - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown and town center areas.

Housing Options - We pledge, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single- and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

Green Design - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.

Municipal Facilities Siting - We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

Resolution No. 33-2015 - Green Building Practices for Civic, Commercial and Residential Buildings

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 33-2015

RESOLUTION ENDORSING THE ADOPTION OF GREEN BUILDING PRACTICES FOR CIVIC,
COMMERCIAL AND RESIDENTIAL BUILDINGS

WHEREAS, buildings account for 39% of CO2 emissions – more than either the transportation or industrial sectors. In addition, buildings account for nearly 12% of potable water use, 65% of waste output, and 71% of electricity consumption in the U.S. (U.S. Green Building Council).

WHEREAS, green building – also referred to as sustainable or high-performance building -- is a collection of better design, construction, and operating practices that have the potential to reduce or eliminate the negative impacts of development on the environment and on human health. There are many examples of green building programs and guidelines that have been propagated at national, state, and municipal levels. They commonly address energy efficiency and carbon emissions reduction, water conservation, waste reduction, healthy and sustainably produced materials, indoor air quality, occupant productivity and health, and other components of green building and sustainable development.

WHEREAS, the purpose of this resolution is to enhance the public welfare and assure that commercial, residential and civic development is consistent with the (identify name of municipality) desire to create a more sustainable community by incorporating green building measures into the design, construction, operation and maintenance of buildings.

WHEREAS, the City desires to set a leadership example in the area of green building through the implementation of energy efficiency audits and upgrades to the municipal building stock, continued procurement practices...etc. (e.g. improve water conservation, reduce light pollution, increase construction waste recycling).

WHEREAS, the City additionally wishes to support green building in the private sector through a combination of voluntary actions (e.g., including a green building scorecard as a discussion item

within the Site Plan approval process), actions that may be required in the future although not at the time of the adoption of this resolution (e.g., amending the Site Plan approval checklist to directly incorporate those green building standards available to a municipality), and educational actions (e.g., making available information on green building programs, guidelines, rebates etc to residents of the municipality).

NOW, THEREFORE, BE IT RESOLVED that the Lebanon Township hereby implements a Green Building Policy that: will consider opportunities to incorporate green building measures into the design, construction, operation and maintenance of municipal buildings and facilities will encourage green design for commercial and residential buildings.

Resolution No. 34-2015 - Redemption of Tax Sale Certificate

Motion by Mr. Milkowski, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 34-2015 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 34 -2015
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201406 on October 10th 2014 to US Bank Cust for Pro Capital 5, Sterling National, and,

WHEREAS the amount of \$26,868.65 has been collected from First Hope Bank, for redemption of this lien on this property, known as Block 59, Lot 31, Lebanon Township, for Tax Sale Certificate #201406,

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 26,868.65 and,

THEREFORE BE IT FURTHER RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign a check in the amount of \$15,600.00 for the premium paid for Tax Sale Certificate #201406, and that these checks be mailed to the lien holder:

US Bank Cust for Pro Capital 5, Sterling National
US Bank Corp TLSG
50 S 16th Street Suite 1950
Philadelphia PA 19102

OLD BUSINESS

Comcast Cable Franchise Renewal

Attorney Cushing advised the Committee that there were some changes from the last proposal provided to Comcast. He proposed a line extension policy for the benefit of the public where Comcast will extend a line with no charge. Comcast informed Attorney Cushing that they have a policy that there must be a certain number of houses in order to run a line for free and denied the request. Comcast increased their grant opportunities offer from \$15,000.00 to \$20,000.00 for a 15 year contract. Comcast has agreed to provide the Clerk with contact information for a managerial employee. Attorney Cushing

will also present an objection to the change of the word, permitted to require, in Section 5. Franchise Fee, of the proposed ordinance. Attorney Cushing will make the changes and provide them to Comcast for their comments. The final draft of the ordinance should be ready for the next meeting.

Township Volunteer Picnic

The Township Volunteer Picnic will be held on June 13, 2015. Mr. Laul will organize the event.

Filing

Mr. Milkowski informed the Committee that he spoke to Gail Glashoff about the need for additional filing cabinets. Gail thinks there is a need for eight new cabinets. The question is where to put them. Mr. Laul is looking into proper ventilation for the filing rooms. The mold in the rooms will need to be remediated.

Park Committee and Recreation Ordinances - Proposed

Mr. Laul stated that the proposed Recreation ordinance is complete; however, the Park ordinance is still being discussed. Mr. Laul asked the Committee when they would like to introduce the ordinances. The Committee agreed to introduce the ordinances at the same time, once the Park ordinance is complete.

Food Pantry - Hagedorn

Mr. Cryan stated that he has not heard back from the individual he spoke to from Trenton regarding the Food Pantry utilizing a building on the Hagedorn property. Mr. Cryan will reach out to him again.

NEW BUSINESS

Margaret McGuire – Hazard Mitigation Grant Program Reimbursement

The Township Engineer notified the Clerk that the Township will be receiving a check in the amount of \$49,000.00 from the New Jersey Office of Emergency Management. The payment represents 50% of the eligible expenses incurred in the home elevation project of Margaret McGuire of 128 Raritan River Road. Engineer Risse has requested that the Township Committee authorize the reissuance of the payment to Ms. McGuire once received by the Township.

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee authorized a check to be issued to Margaret McGuire of 128 Raritan River Road. A payment of \$49,000.00 is to be issued to Lebanon Township by the NJOEM and Lebanon Township is then to reimburse Margaret McGuire for that amount. The Township Committee authorizes a check in the amount of \$49,000.00 to be issued to Ms. McGuire upon such time as when the Township receives it.

PRESENTATION OF VOUCHERS

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

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the April 15, 2015 bill list in amount of \$126,848.95.

COAH

Attorney Cushing provided the history of COAH and a summary of the recent New Jersey Supreme Court ruling relative to affordable housing. Attorney Cushing has spoken to the Township Planner Mike Bolan and noted that the Planner should be discussing the matter with the Planning Board. Attorney Cushing stated that Planner Bolan suggested having a joint Township Committee and Planning Board meeting. Attorney Cushing informed the Committee that they will have the question of how to proceed once they receive advice from the Planning Board.

CORRESPONDENCE

- a. Tax Collector's Report for the Month of March 2015

PUBLIC COMMENTS

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 8:00 p.m.

There were no comments from the public.

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:01 p.m.

Resolution No. 34-2015 –Executive Session

Mayor McKee informed the Clerk that she was to leave the meeting when the Committee convened in executive session.

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 34-2015 and convened in executive session at 8:01 p.m.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 34-2015
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 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: PBA and 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:

_____ Professional Service Contracts _____. 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: _____ Union Contract _____ 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.

ADJOURNMENT

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: May 6, 2015

Thomas McKee, Mayor