

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 Troops.

ROLL CALL

Present - Tom McKee Patricia Schriver Francis Morrison
 Bernie Cryan Ron Milkowski

Absent-

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 21 members of the public.

Mayor McKee welcomed the Boy Scouts to the meeting.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of May 15, 2013

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by favorable roll call vote, the Township Committee approved minutes of the regular meeting of May 15, 2013. AYES: Schriver, McKee, Morrison, Cryan ABSTAIN: Milkowski

PUBLIC COMMENTS – for agenda items only.

Motion by Mr. Cryan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting.

Mr. Wunder read to the Committee the questions that were listed on the Facebook Community Bulletin Board and asked the Committee to comment on the questions.

Mrs. Laurie Hoffman asked if the Quest Environmental proposal is for the two wells that have been tested for years.

Mr. Victor Hoffman asked if once the payments are made and balanced out is the LOSAP matter closed. The Mayor stated that it is his hope that the matter will be closed.

Motion by Ms. Schriver, seconded by Mr. Cryan carried by unanimous favorable roll call vote, the Township Committee closed the Public comment portion of the meeting.

RESOLUTION

Resolution No. 56-2013- Renewing Plenary Retail Consumption Licenses

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 56-2013 as written below.

RESOLUTION NO. 56-2013
RESOLUTION RENEWING PLENARY
RETAIL CONSUMPTION LICENSES

WHEREAS, each of the listed Plenary Retail Consumption Licensees have submitted application forms that have been completed in all respects; and

WHEREAS, the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, each have paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed Licenses be granted a renewal for the 2013-2014 year:

1019-33-003-004 RADGNA, L.L.C. 2012 Route 31
1019-22-007-001 LEDYARD B. SCHUYLER, JR - RIVER STYX INN –374 Vernoy Road
1019-33-005-002 THE NEW HAMPTON INN, INC. t/a New Hampton Inn
23 Musconetcong River Road

Resolution No. 57-2013- Renewing Plenary Retail Distribution License

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 57-2013 as written below.

RESOLUTION NO. 57-2013
RESOLUTION RENEWING A PLENARY
RETAIL DISTRIBUTION LICENSE

WHEREAS, the listed Plenary Retail Distribution License has submitted an application form that has been completed in all respects; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, the applicant has paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed License be granted a renewal for the 2013-2014 year:

1019-44-008-002 The Rock Corp. of Tewksbury t/a Bourbon Street Wine and Liquor
425 Route 513, Califon, NJ

Resolution No. 58-2013- Fireworks Display/A & B Stainless Valve and Fitting Co.

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 58-2013 as written below.

RESOLUTION NO. 58-2013
RESOLUTION GRANTING FIREWORKS
PERMIT TO A&B STAINLESS VALVE
AND FITTING COMPANY

WHEREAS, A&B Stainless Valve and Fitting Company has applied for a permit for public display of fireworks to be held on July 6, 2013 at 9:00 p.m.; and

WHEREAS, the Lebanon Township Fire Code Official has reviewed the application, investigated the area where the display will take place and recommends that the permit be granted; and

WHEREAS, the necessary bond and surety has been posted.

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 a fireworks permit be granted to A&B Stainless Valve and Fitting Company for the activity described in its application.

BE IT FURTHER RESOLVED that the Township Fire Official file copies of this Resolution and any other pertinent document with the appropriate New Jersey agency.

Resolution No. 59-2013- Award Bid for Road Materials

Attorney Cushing stated that there are issues with the bids that are being looked at. The Committee has sixty days to address the bid. The matter will be carried to another meeting.

Motion by Mr. Cryan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee tabled Resolution No. 59-2013 until a future meeting, within the 60 days, while legal issues that were raised can be explored.

Resolution No. 60-2013- Amending the Capital Budget

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 60-2013 as written below.

**STATE OF NEW JERSEY
RESOLUTION NO. 60-2013**

WHEREAS, the Township of Lebanon, County of Hunterdon, desires to amend the 2013 Capital Budget of said municipality by inserting thereon or correcting the items therein as shown in such budget for the following reason:

Acquisition of DPW Dump Trucks/Apparatus, Road Resurfacing, Municipal Building Septic System

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lebanon of the County of Hunterdon, as follows:

Section 1. the 2013 Capital Budget of the Township of Lebanon is hereby amended by adding thereto a Schedule to read as follows:

**AMENDMENT NO. 1
CAPITAL BUDGET OF THE
TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON
Projects Schedules for 2013
Method of Financing**

CAPITAL	ESTIMATED	IMPROV.	GENERAL
<u>PROJECT</u>	<u>COST</u>	<u>FUND</u>	
<u>NOTES/BONDS</u>			
As Listed Above -	\$ <u>550,000</u>	\$ <u>27,500</u>	\$ <u>522,500</u>

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2013 Capital Budget, to be included in the 2013 Capital Budget as adopted.

ORDINANCE

Introduction

Ordinance No. 2013-08- Salaries

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2013-08 as entitled below.

TOWNSHIP OF LEBANON
SALARIES
ORDINANCE NO. 2013-08

Public Hearing to be held on June 19, 2013

Introduction

Ordinance No. 2013-09- BOND ORDINANCE

Motion by Mr. Cryan, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2013-09 as entitled below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE NO. 2013-09

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF LEBANON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$550,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Public Hearing to be held on June 19, 2013

OLD BUSINESS

Lebanon Township School – Emergency Alert System

Mayor McKee stated that there was a bomb scare at the Woodglen School a few weeks back. Mr. Cryan stated concerns at an earlier meeting about the Mayor and Township not being notified of the scare. The Superintendent contacted the Mayor and discussed the need to notify the Township and the Committee of emergency situations. Mayor McKee stated that the Superintendent informed him of a County Wide Alert System which was established by the Prosecutor. The Mayor and Municipal Clerk will be included in the list for the alert system.

LOSAP – Moving Forward

Mr. Milkowski and Mr. Cryan recused themselves from the meeting.

Mayor McKee stated that it is time for the Committee to hold an open discussion on how to proceed with the LOSAP issue. The Mayor stated that the report indicates that the qualifying year, which was applied, was not done in accordance with the ordinance and that the issue goes back to the inception of LOSAP in the Township. Mayor McKee stated that he feels that the Township has an obligation to provide a contribution to those participants who did not receive one due to the qualifying year error and if the payment enables vesting then the member would become vested. Mayor McKee feels that the Township will need a third party agency to assist with resolving the problem. The Committee needs the auditor to review and correct the program for the Township as well as to review LOSAP accounts in Lincoln Financial to see if there is funding that can be received from inactive accounts to help to ease the burden of making the payment adjustments. Mayor McKee stated that the audit was for the years 2007 – 2011 and he is not looking to audit any further back. Therefore, the question arises about the members prior to the audit. Mayor McKee stated that there is a 45 day appeal process in which all individuals can come to the Committee to inquire on the status of their account. Mayor McKee stated that once the accounts are corrected then the Fire Dept.

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and the auditors have to meet to make an effort to put the program back in place and to make the ordinance clearer. Mayor McKee stated that the residents voted for LOSAP to say thank you to the volunteers and he would like to see it continue.

Mayor McKee explained that the Fire Department submits the list of qualifying volunteers to the Township at which point the list is posted at the Municipal Office and the Fire Department for 30 days. If anyone has an issue with the way the program was awarded they have the opportunity to appeal the list if they feel that something was done incorrectly. Mayor McKee stated that there should have been an in house audit conducted annually, which has not been done. Mayor McKee noted that this issue may have been a moot issue if the Township had done an audit from day one.

Mayor McKee stated that his comments are his ideas which he is providing to the Committee for their consideration.

Ms. Schriver stated that she wants to be sure that everyone has been treated fairly, from the inception and that every person receives what they are due. Ms. Schriver also stated that the members should be notified of the 45 day appeal process as they are very confused over the entire matter.

Discussion was held on the way in which to determine who should have received a contribution for the qualifying year. Mr. Cushing suggested asking the auditor if he would be able to determine who should have received that contribution and what the cost would be in researching it.

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the Township Committee Authorized the Township Attorney to write a letter to the auditor regarding the below items and to request a quote for such:

- 1) To verify who qualified for the program back to inception.
- 2) The need to correct the improper allocations by either debiting or crediting accounts.
- 3) To provide advice to the Fire Department as to how to apply the ordinance correctly.
- 4) To receive advice on how to make the ordinance clearer.
- 5) Intend to follow advice with an annual audit.
- 6) Anyone whose status may be affected needs to receive notice, in a timely fashion, of any alterations made and the process in which to follow for an appeal.

Award Bid for Document Restoration

There were three quotes received for the restoration of old minute books that were damaged by mold. The Deputy Clerk received two recommendations for Belfor Property Restoration who provided the lowest quote. Mr. Milkowski stated that he would like to make sure that the area is secure for the Township files to insure that this sort of thing does not happen again.

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee awarded the quote to Belfor Property Restoration for document restoration at a cost of \$2728.21.

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Quest Environmental – Proposal of a POE System Maintenance/2 Properties

Ms. Schriver stated that Quest Environmental has suggested that a POE System Maintenance be conducted at Fire Station No. 1 and the Fass Property. Ms. Schriver recommended proceeding with the maintenance to protect the interest of the Township and those who use the wells.

Motion by Ms. Schriver, seconded by Mr. Cryan, and carried by unanimous favorable roll call vote, the Township Committee approved the Quest Environmental proposal for POE System Maintenance at Fire Station No. 1 and the Fass property at a cost of \$2602.00.

DPW Summer Help Appointment

Mr. Cryan stated that one of the candidates who was appointed at the last meeting for the summer help position has declined the position. Mr. Cryan authorized Mr. Gabriel to proceed to the next qualified candidate on the list due to the length of time between Committee meetings. Mr. Cryan stated that Shawn Kneafsey has filled the position and has been doing a great job.

Motion by Mr. Milkowski, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee appointed Shawn Kneafsey for a DPW summer help position at a rate of pay of \$13.50.

Flower Gardens

Ms. Schriver stated that in a previous meeting the Committee discussed the need for someone to care for the flower gardens at the Library and the Municipal Office. Ms. Patricia Wentz has volunteered to take care of the library gardens and Ms. Jeanne Cassano has responded to the webpage notice and volunteered to take care of the gardens at the municipal office. In addition, Laurie Hoffman and Nancy Darois have volunteered their time also. Ms. Schriver asked Ms. Hoffman and Ms. Darois to please contact Ms. Cassano and Georgia Cudina to proceed with the gardening. Ms. Schriver thanked the volunteers for their help.

Mauer Letter

Mr. Cryan stated that at the last meeting the Committee asked him to reach out to the County Road Supervisor, John Glynn, to discuss the letter that was received from Ms. Katie Mauer regarding the truck traffic on East Hill Road. Mr. Cryan stated that he was informed that it would not be as easy as it may seem to take care of the problem. Mr. Glynn informed Mr. Cryan that if a section of the road was closed to truck traffic the Township would have to provide for alternate routing which would have to be well signed. Mr. Glynn also stated that if a bridge has a weight limit it would be tagged, if not, it is unlimited. Local deliveries cannot be limited, also.

Library Water Drainage

Mayor McKee stated that recently the Township Engineer did a test dig at the Library to see how far down the clay is. The clay was the extent of the machine; therefore, there is no permeable ground to drain the water. The County will be conducting improvements at the corner of Bunnvale Road and Route 513 but will not permit any water to cross over into the South Branch Watershed. Mayor McKee stated that the next thought was to raise the grade and to possibly divert the water to the Willoughby Creek; however, the Willoughby is a trout stream and you cannot elevate the water

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temperature by more than one degree. Mayor McKee stated that there appears to be no answer in correcting the drainage problem at this time.

Fire Department Donation

Mayor McKee stated that last year there was a budget request from the Fire Dept. for \$50,000.00. The Fire Dept. has not formally requested the donation in writing on Fire Dept. letterhead. Mayor McKee stated that the LOSAP Auditor was paid \$10,000.00 out of the \$50,000.00. There is a \$40,000.00 balance remaining and Mayor McKee would like the money to be earmarked for the Fire Department and for the Committee to discuss the donation at the next meeting.

NEW BUSINESS

Contract for Cleaning Services

Motion by Mr. Cryan, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved entering into a contract with M & A Cleaning Services for the Municipal Building and Library cleaning.

CWA Correspondence – July 5, 2013

Motion by Mr. Cryan, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved the July 5, 2013 request of the CWA Union Shop Stewards, Gail Glashoff and Kevin Rivers, and authorized the Township employees to be off on Friday July 5, 2013 with all employees using personal or vacation days.

July 3, 2013 Meeting

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee canceled the July 3, 2013 Township Committee meeting and rescheduled the Board of Health meeting to be held on June 19, 2013.

Planning Board Meeting – Farm Animals

Mr. Milkowski stated that at the Planning Board meeting the Board discussed the issue of farm animals. It is a difficult issue and the Board is working on a response.

PRESENTATION OF VOUCHERS

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

Mr. Milkowski stated that Rochelle Contracting submitted a payment voucher for their last payment for the DPW Garage Project. Mr. Milkowski spoke to the DPW Manager and was informed that there are items that have not been completed. The architect has however certified that everything has been done. Mr. Milkowski stated that he feels that the DPW Manager is at the garage and he has confidence that he knows what the issues are. Mr. Milkowski stated that he would like to table

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paying the invoice until all items are completed. The Committee discussed approval and payment of the invoice.

Motion by Mr. Milkowski, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the payment of Rochelle Contracting invoice subject to the DPW Manager certifying that all work is satisfactory and that the Maintenance Bond is in place.

Mr. Cryan will draft a letter to be sent to Rochelle stating that the payment has been approved and a check will be issued when all is work is completed and satisfactory.

Motion by Mr. Milkowski, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the June 5, 2013 bill list in amount of \$119,676.52 with the Rochelle Contracting payment being held until authorized for release.

CORRESPONDENCE

- a. Assemblyman Erik Peterson - Regarding Resolution No. 55-2013 Supporting Sustainable State Funding for Preservation and Stewardship Of Open Space, Parks, Farmland and Historic Sites in New Jersey
- b. Township Historian's May 2, 2013 Meeting Minutes
- c. Park Committee's April 8, 2013 Meeting Minutes

PUBLIC COMMENTS

Motion by Mr. Cryan, seconded by Ms. Schriver, and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 8:05p.m.

Mr. Lou Perry stated issues he has with the size of the candidate's signs from the recent primary election. Mr. Perry would like the election signs to all be the same size in the future. Mayor McKee stated that it would be up to the Zoning Officer to make the determination. Mr. Perry also questioned the signs being placed on public property.

Mr. Wunder asked if the old DPW dump truck is still at Jim Flynn's. Mr. Milkowski stated that the truck was traded in. Mr. Wunder asked if there are any large DPW projects coming up. Mayor McKee stated that there are a few resurfacing programs planned for this year. Mr. Wunder asked if there will be an open house for the new garage. Mayor McKee stated that the Committee is planning on having an open house. Mr. Wunder commended the Mayor on doing a good job and stated that his thoughts are encouraging. Mr. Wunder stated that he feels that in order to make the LOSAP issue correct, they should go back to the inception of the program. Mr. Wunder asked for clarification of the Fire Department's annual donation and the written request. Mr. Wunder asked how prepared Lebanon Township is for the next super storm and asked the Committee to think about it. Mayor McKee stated that individuals and families need to prepare themselves and that will help the issue. Mayor McKee stated that an alert system and a networking system to tell people where to seek aid is important for the Township to work on. Mr. Wunder stated that he gave a list of 20 volunteers to the Committee and asked if they have moved forward with it. The Mayor stated that it can be looked into but has not at this point.

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Mr. John Kneafsey Vice President of the Fire Department and President Paul Ibsen were present.

Mr. Kneafsey stated that the Fire Department took on an enormous task of taking over the former First Aid Squad's services. The Fire Department has many new members and many who are getting certified at this time. Mr. Kneafsey stated that at the last meeting there was a question raised on missed calls. The Department is not sure of when the missed calls happened as they looked into records to see where they may be. Mr. Kneafsey stated that if they happen during the day it is during the time that the 27 Truck is on duty and explained how responses work when the 27 Truck is on a call. Mr. Kneafsey stated that the question keeps coming up of missed calls but they are not missing them. Mr. Kneafsey stated that the Fire Department was having problems with being short staffed a couple of nights during the week but they are no longer as they have filled in the gaps. Mr. Kneafsey stated that the Department would like the questions to be put to rest since the Department is doing everything possible to provide the best emergency medical service to the Township as they agreed to. Mr. Kneafsey stated that it is important for the Township Committee and the public to be aware of that. Mr. Kneafsey informed the Committee about a new program that the County has put into place which assists in response times.

Mr. Kneafsey stated that the Fire Department is providing a tremendous service to the Township and are not missing calls; they have the documents to prove it. Mayor McKee stated that the documentation will help to calm those with questions and asked for the information to be given to the Committee. Mr. Kneafsey stated that there were calls in April that were questioned but they were daytime calls when the 27 Truck is providing EMS.

Mr. Kneafsey stated that he has a report prepared by the EMS Captain and noted that the Chief, Deputy Chief and the EMS Captain are in law enforcement and do shift work and training and are unavailable this evening. Mayor McKee stated that when the Committee gave EMS to the Fire Department they did ask for reports to be provided and the Committee has been a little lax in asking for them. Mayor McKee stated that EMS should understand that there are reports that need to be provided to the Township Committee. It would be positive for the Township Committee to understand what agencies are helping the Township and at what level as well as if Lebanon Township is reciprocating to that agency. Mr. Kneafsey stated that mutual aid is used for both Fire and EMS and has gone on for years. Mr. Kneafsey stated that you always depend on mutual aid as there will always be gaps in coverage that are unavoidable. Which mutual aid neighbor it is that responds, will always vary. Mr. Kneafsey stated that he will be sure that the Committee is provided with exact figures. The Mayor requested monthly reports in the future which can decrease in time which is the way EMS was awarded to the Fire Department based on their proposal. Mayor McKee stated that because of the issues with the prior squad there were concerns raised that EMS has to be watched to avoid similar problems. Mayor McKee stated that he does understand that the volunteers are joining the Department however he just wants to be sure that the calls are being handled and to have a better understanding as to who is helping the Township and who the Township is helping. Mayor McKee asked if the report would provide that information. Ms. Schriver stated that the Committee has received requests for donations from other communities and does not know if they should be giving a donation or not. It would be very helpful to know who is helping out the Township. Mr. Kneafsey stated that at times multiple agencies will respond and there are times when mutual aid companies are canceled once the Lebanon Township ambulance signs on.

Mr. Kneafsey stated that from a public safety standpoint if a missed call is reported to the Committee the liaison to the Fire Department should report it to the Department officers immediately. Mr. Milkowski asked if the Fire Department was provided with any information on calls that may have

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been missed so they could be investigated. Mr. Kneafsey stated that they have not and that he first heard of the matter at the last Committee meeting and brought the information to his Line Officers and the EMS Captain. Mr. Kneafsey stated that he will be sure that the EMS Captain provides a monthly report to the Committee and would like information on any missed calls.

Mr. Kneafsey asked if the Committee has gotten any further with the Squad Building Lease Agreement. Attorney Cushing stated that the matter will be discussed in the Executive Session. Mr. Kneafsey asked if there was any information received relative to the insurance coverage for the damage to the back of the Squad building. Mayor McKee stated that the filing date for FEMA money from Super Storm Sandy has expired and he feels that the Township's insurance deductible may be too high to recover any money from the insurance company. Mr. Tom Groendyke will be looking to see if there is any insurance money to handle the neglect to the building and the storm. Mayor McKee thanked the Fire Dept. for moving forward and taking care of the Squad building without a lease agreement being in place. Mr. Kneafsey stated that they have an attorney who will look at the agreement on the Fire Department's behalf.

Mr. Victor Hoffman stated that the County is to blame for the water issue at the Library. He informed the Committee that he, Laurie Hoffman and Nancy Lawler sat and watched the water flow during a rain storm. Mr. Hoffman said that the water runs down Bunnvale Road, travels through the Library and then backdrafts off of Route 513 onto the Library property. Mr. Hoffman stated that they have a cure for the drainage problem at the Library and suggested planting Weeping Willow trees to absorb the water. Mr. Hoffman stated that the trees that are at the Library are not thirsty trees; however, Weeping Willows are and will drink up the water. Mr. Hoffman may provide the Committee with a letter to be forwarded to the County regarding the water issue. Mr. Hoffman asked if the \$550,000 Bond will be all Capital items which were all listed in the budget. Mayor McKee stated that all items in the Bond were discussed. Mr. Hoffman asked if the Committee is staying within their budget. The Mayor stated that they are. Mr. Hoffman asked how it looks in paying down the debt this year. Mayor McKee stated that this year more debt will be paid down than in the past. Mr. Hoffman stated that he thinks that it is great to see the number of people in attendance at the meeting.

Ms. Laurie Hoffman stated that she went by the DPW Building at night and understands why the neighbors are upset as the building was lit up. Mr. Milkowski asked what time Ms. Hoffman was at the building. Ms. Hoffman stated around 9:30 P.M.- 10:00 P.M. Mr. Milkowski stated that the lights are to be off after 10:00 P.M. Ms. Hoffman suggested that the lights be turned off earlier and recommended lower lights. Mr. Milkowski stated that he will look into it.

Ms. Annette Lemenze asked if the public will have time to provide input on a proposed farm animal ordinance prior to adoption. Mayor McKee stated that the public may speak during public comment at the Planning Board meetings as well as during the public hearing on the ordinance at a Committee meeting.

Mr. Jason Kornagey, Lebanon Township School Superintendent, thanked the Committee for the emergency contacts information that was provided to him and informed the Committee that the schools are switching to a new system for emergency notifications. The new system will allow the schools to differentiate between emergency notifications and snow day information. The Committee will be notified of emergencies or if the school needs to close early, in any situation, as there will be kids on the roadway and school traffic. Mayor McKee thanked Mr. Kornagey for reaching out to him stated his pleasure with the Township being included in the new system.

Mr. Charlie Fortenbacker questioned why there were no signs at the polling place notifying residents where to vote. Mr. Milkowski stated that the DPW Manager did put the sign out later in the morning and the doors were posted. It was an oversight.

Motion by Ms. Schriver seconded by Mr. Cryan and carried by unanimous favorable roll call vote the Township Committee closed the public comment portion of the meeting at 8:38 p.m.

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 61-2013 and convened in executive session at 8:44 p.m.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 61-2013
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: _____);

_____ 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

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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.) **Lease of Squad Building**

_____ 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

Having no further business to come before the Committee a motion was made by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote to adjourn the meeting at 9:42 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: June 19, 2013

Thomas McKee, Mayor