

**CALL TO ORDER**

Mayor Marc Laul 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 Laul 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 -	Marc Laul	Thomas McKee	Ronald Milkowski
	Brian Wunder	Mike Schmidt	

Absent-

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 10 members of the public.

**PRESENTATION OF MINUTES**

**Minutes of the Regular Meeting of August 17, 2016**

**Tabled**

**PUBLIC COMMENTS – limited to agenda items only.**

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

**PROCLAMATION**

**TO LIAM CUTRI-FRENCH  
FOR RECEIVING THE EAGLE SCOUT AWARD**

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, Liam Cutri-French, Boy Scouts of America, Troop 192, attained the designation of "Eagle Scout"; and

WHEREAS, Liam Cutri-French is to be commended for his Eagle Scout Service Project, which involved the development of a comprehensive map of the trails at the Voorhees State Park for accessibility by first responders; and

WHEREAS, Liam Cutri-French will be honored and receive his award at an Eagle Court of Honor Recognition Ceremony on September 25, 2016; and

WHEREAS, the Lebanon Township Committee wishes to recognize this noteworthy achievement of Liam Cutri-French.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Lebanon hereby extend their congratulations to Eagle Scout, Liam Cutri-French for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.

**RESOLUTIONS**

**Resolution No. 61-2016 – Awarding a Contract for a 2017 Chevy Tahoe**

*Motion by Mr. Milkowski, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 61-2016 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 61-2016  
RESOLUTION AWARDING A CONTRACT FOR  
A 2017 CHEVY TAHOE

WHEREAS, the Township of Lebanon wishes to purchase a 2017 Chevrolet Tahoe 4 x 4 9C1, through a Morris County Co-op vendor, as requested by the Lebanon Township Volunteer Fire Department; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Day Automotive has been awarded Contract #15-A through the Morris County Co-op, effective November 1, 2015 – October 31, 2016; and

WHEREAS, the actual cost for the 2017 Chevrolet Tahoe is expected not to exceed \$38,607.60; and

WHEREAS, the Chief Financial Officer has certified the availability of \$38,607.60 under the General Capital Budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Lebanon, that Day Automotive partnered w/Municipal Equipment be awarded a contract for the purchase of a 2017 Chevrolet Tahoe to be used as the Fire Chief's vehicle for the Lebanon Township Volunteer Fire Department.

**Resolution No. 62-2016 – Amending Resolution No. 51-2016 – Extension of Liquor License**

*Motion by Mr. McKee, seconded by Mr. Schmidt and carried by favorable roll call vote, the Township Committee approved Resolution No. 62-2016 as written below. AYES: Schmidt, Laul, McKee, Milkowski ABSTAIN: Wunder*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 62-2016  
AMENDING RESOLUTION NO. 51-2016  
FOR EXTENSION OF LICENSE  
TO EXECUTRIX

WHEREAS, an application has been filed for the extension of Plenary Retail Consumption License No. 1019-33-007-001 to the Executrix of the Estate of Ledyard B. Schuyler, Jr., sole proprietor owner of the license;

WHEREAS, the submitted application form is complete in all respects, including proof of appointment to act as the Executor;

NOW, THEREFORE BE IT RESOLVED that the Lebanon Township Governing Body did hereby approve, effective July 20, 2016, the extension of the aforesaid Plenary Retail Consumption License to Linda C. Schuyler to retain the license under the privileges, terms, and conditions of the license as Executrix of the estate of Ledyard B. Schuyler, Jr. for the benefit of the estate until such time as the license may be transferred in compliance therewith and directs the Township Clerk to endorse the License Certificate as follows: "This license is hereby extended, subject to all its terms and conditions to Linda C. Schuyler, Executrix, **until June 30, 2017.**"

**Resolution No. 63-2016 - Designating a \$3,431,805 Bond Anticipation Note**

*Motion by Mr. Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 63-2016 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 63-2016

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RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LEBANON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, DESIGNATING A \$3,431,805 BOND ANTICIPATION NOTE, DATED SEPTEMBER 1, 2016 AND PAYABLE SEPTEMBER 1, 2017,

AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

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WHEREAS, the Township of Lebanon, in the County of Hunterdon, New Jersey (the "Township"), intends to issue a \$3,431,805 Bond Anticipation Note, dated September 1, 2016 and payable September 1, 2017 (the "Note"); and

WHEREAS, the Township desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code");

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

SECTION 1. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Township and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2016.

SECTION 3. It is further determined and stated that the Township has, as of the date hereof, issued the following tax-exempt obligations (other than the Note) during the calendar year 2016, viz:

<u>Amount</u>	<u>Dated – Due</u>
\$955,565 BANs	1/29/16 - 1/27/17

SECTION 4. The Township will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Township does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 5. The issuing officers of the Township are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2016 dated as of the date of delivery of the Note.

SECTION 6. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

**Resolution No. 64-2016 – DPW Employee Job Description**

*Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 64-2016 as written below.*

TOWNSHIP OF LEBANON  
HUNTERDON COUNTY, NEW JERSEY  
RESOLUTION NO. 64-2016  
RESOLUTION ADOPTING JOB DESCRIPTION, ROAD DEPARTMENT LABORER

WHEREAS, Township Committee of the Township of Lebanon desires to adopt a job description for the position of Road Department Laborer with in the Township's Department of Public Works

in order to clarify the duties and qualifications for such position; and WHEREAS, the Public Works Supervisor has reviewed the format and content of the job descriptions to be adopted by the Township Committee and has provided input which has been incorporate; and NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, that the attached job description for Road Department Laborer is hereby adopted.

## **OLD BUSINESS**

### **Approve Deed Notice – Fire Station No. 1 Remediation – Authorize Clerk to Sign**

*Motion by Mr. McKee, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved the Deed Notice submitted by Quest Environmental for Fire Station No. 1 and authorized the Clerk to sign. This will hopefully be the final steps in terminating the need for remediation at the Fire House.*

### **Lebanon Township Volunteer Fire Department Proposed Ordinances**

Deputy Fire Chief James Crampton was present to discuss the two proposed ordinances with the Township Committee. The ordinances pertain to; Costs Incurred in Providing Certain Emergency Services for Hazardous Abatement Incidents, and Prohibiting Nuisance Calls.

#### **Hazardous Abatement Incidents**

Deputy Chief Crampton stated that the Fire Department is happy with the wording in the Hazardous Abatement Incidents Ordinance with the exception of on page 2, under Hazardous Abatement Incident the words “or threat of discharge”. Deputy Chief Campton stated that the Fire Department does not want to leave a situation as a judgement call and requested that the words be removed.

Mr. Schmidt questioned what leverage the Township has in Section 35-20, item D., which states that “The Department reserves the right to determine that a bill is uncollectable by reason of unavailability of insurance coverage and be written off”. Mr. Schmidt asked if the Township has any recourse if the insurance company decides not to pay. Attorney Cushing stated that the Fire Department can then make the decision to pursue legal action. Attorney Cushing said that he feels that in most departments they look at the situation pragmatically to determine if it is too much work or that it will be too costly to pursue and then may back away. Mr. Schmidt stated that he just questions where you would draw the line.

Mr. Schmidt asked if the cost for the Police would include in the Spill Act under the hourly payment reimbursement. Attorney Cushing stated that it is usually limited to the Fire Departments.

#### **Prohibiting Nuisance Calls**

Mr. Wunder questioned how the health care facilities in the Township will be affected by the Nuisance Calls ordinance. Deputy Chief Crampton explained that the facility will have to hire their own private ambulance service for calls, other than those requiring immediate emergency medical

care. The Fire Department feels that they have been taken advantage of by a few of the health care facilities in the Township by being used as a transport company. Deputy Chief Crampton noted that when responding to nuisance calls, it takes the Fire Department away from potential true emergency calls, which is a disservice to the residents. Attorney Cushing suggested sending the Nuisance Calls ordinance out to the health care facilities, in the Township, to obtain feedback on practical problems that the Township may not have considered. Comments received could be factored into the decision making. Mr. Schmidt stated that in Section 35-26 - B, it states that; "Any Township Police Officer or Emergency Services Officers, who in the course of their duties, believes that a false report has been made, shall be authorized to write and serve on the Patient Care Facility responsible, a summons". Mr. Schmidt questioned if this would empower EMT's to write summons. Attorney Cushing stated that he would prefer to see the Police Officer write the summons as they have the professional training. Officer in Charge Jack Gale stated that an investigation would have to be conducted prior to a Police Officer issuing a summons. Discussion was held and subsequently in Section 35-26 - A., "90 days in jail for a first offence" will be stricken from the ordinance as well as in Section 35-26 -B., "emergency services officer". Mr. Schmidt stated that he would like to see that the ordinance specifies that ambulance companies must be licensed when transporting patients for non-emergency care. Attorney Cushing will make amendments as requested by the Committee.

*Motion by Mr. Wunder, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved placing the Spill Act Ordinance on the September 21, 2016 meeting agenda.*

### **Lebanon Township Volunteer Fire Department Request to Seek Bids for BLS Unit**

*Motion by Mr. McKee, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee authorized the Township Attorney to prepare the bid package for the purchase of a new BLS Unit for the Fire Department's use. The Committee is to review the package prior to advertising.*

### **LOSAP**

Mayor Laul state that he spoke to a previous Squad member and there are 5 past members that were not accounted for and have not received the LOSAP letter that was sent out to all other members. The LOSAP letter now needs to be sent to each omitted individual; certified returned receipt and regular mail.

### **DPW Garage Floor Bids**

Mr. Milkowski stated that he feels that the epoxy floor option should be eliminated from the bid packet. Mr. Milkowski was informed by the DPW that they are not satisfied with the current epoxy floor due to it having burn holes from sparks triggered by welding. Also, when the floor was installed the epoxy was applied 6 inches up the side of the walls for sealing, however; the water seeps through anyway. Mr. Schmidt stated that in reviewing the drawing he believes that the proposal is to lower the drains by almost an 1/8 of an inch. Mr. Schmidt questioned if this is enough to correct the problem. Mr. McKee stated that it is a small fraction and that there should be a depression to insure that the water travels to the drain. Mr. Wunder stated that originally 1/2 of an inch was discussed. The Township Committee would like for the Township Engineer to be in

attendance at the September 21, 2016 meeting to discuss the proposal. Mr. Wunder will contact Engineer Risse.

## **NEW BUSINESS**

### **Accept Resignation – Lebanon Township Park Committee**

*Motion by Mayor Laul, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee accepted the resignation from Aiko Thurlow from the Park Committee with regret.*

### **Friends of Memorial Park – Basketball Courts**

Mayor Laul stated that the Friends of Memorial Park would like to refurbish the basketball courts in the Memorial Park. Friends are asking for approval from the Township Committee to have Harrington Construction do the work. There is no cost to the Township as the Friends of Memorial Park will be covering the full cost of the project. Mr. Milkowski stated that Friends should obtain a few prices to protect everyone. The Township and Friends will be named additionally insured on the Certificate of Insurance received from Harrington. A Memorandum of Agreement between the Township and the Friends of Memorial Park will be drafted for future projects in the Park.

*Motion by Mayor Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the request of the Friends of Memorial Park for Harrington Construction to refurbish the basketball courts in the Park.*

### **Approve Blue Light Permit – Daniel Infusino – Lebanon Township Vol. Fire Dept. Member**

*Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved a Blue Light Permit application for LT Volunteer Fire Department member Daniel Infusino.*

### **JoAnn Fascenelli Memo – Township Wide Clean Up Quotes**

The Recycling Coordinator, JoAnn Fascenelli sent a memo to the Township Committee regarding pricing for dumpsters for the Township Wide Cleanup Day. Two quotes were received but were very different in how they were written. Mayor Laul will speak to JoAnn for clarification and to be sure that there are adequate funds in Clean Communities to cover the cost of the event.

## **PRESENTATION OF VOUCHERS**

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

*Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved the September 7, 2016 bill list in amount of \$352,495.93*

## CORRESPONDENCE

- a. Lebanon Township Recreation Commission Meeting Minutes - July 7, 2016
- b. Toll Brothers 2015 Annual Report

## PUBLIC COMMENTS

*Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 8:02 p.m.*

Mr. Donald Winkler noted that he lives on Sliker Road and has been there for 51 years. Mr. Winkler stated that he is upset with the way that the Township spends money. Mr. Winkler said that he was at the DPW garage today and placed a 2 foot level in more than twenty locations in the mechanics bay and the floor is completely level. Mr. Winkler asked how water can possibly run to the drains in the middle of the bay when the floor is level. Mr. Winkler questioned why the builder and the architect are not responsible to correct the problem. Mr. Winkler said that they should be sued and the taxpayers should not have to cover the cost. Attorney Cushing stated that the Committee looked at the cost-benefit ratio when they considered holding the professionals accountable. It would be very costly to pursue a lawsuit. Mr. McKee stated that the floor was designed to be level and the floor is supposed to be squeegeed if there was a spill. Mr. McKee stated that the problem was overlooked by many people. Mr. Milkowski stated that the floor was installed level at the request of the DPW because they were anticipating purchasing jacks that needed the floor to be level. Mr. Winkler stated that the two stands that hold up the lifts are starting to rust. Mr. Milkowski stated that the rust is due to salt residue from the vehicles that are brought in for repair during the winter. Mr. McKee stated that the floor was built to the specs of the blueprints. Mr. Winkler stated that he will not pay his taxes anymore if the Committee proceeds as planned.

Mr. Winkler asked what kind of unit the Committee is ordering for the Fire Department. Mr. Winkler was informed that it is an ambulance. Mr. Winkler inquired on how many ambulances the Fire Department needs. The Committee stated that they need two that run. Mr. Winkler asked who the Tahoe is for. Mr. McKee stated that it is for the Fire Department for the safety and welfare of the Township.

Mr. Winkler told the Committee that they should be appointing a Police Chief before they hire new police officers. Mr. Winkler asked the Committee if the new Chief shouldn't have a say in who is working for him. Mayor Laul stated that multiple members of the Police Department interviewed the candidates and they come to a consensus collectively.

Mr. Winkler asked why the Committee would hire contractors to plow snow just because the Township is down a dump truck. Mr. Winkler stated that a contractor will damage resident's property or mailboxes. Mr. Winkler questioned why the Committee is not replacing the two employees that the DPW is lacking. Mr. McKee stated that the Township is looking into replacing the employees that have retired and that they just put one on for temporary service. Mr. Winkler stated that that Committee is spending money on stupid things and he does not feel that the Township needs another ambulance.

Ms. Laurie Hoffman stated that she thought that the Township Committee is talking about contracting out for snow removal because the Township does not have enough DPW employees and that new employees could not be hired because the employee contract has not been settled. Mayor Laul stated that the Township's DPW is down men and the contract is not finalized. The Committee is looking at temporary arrangements to get by. Mayor Laul stated that the DPW Manager has contacted a vendor to get pricing for plowing. Mr. Wunder asked if the Township will need to seek formal bids for a snow removal contract. Attorney Cushing stated that if the proposal exceeds \$17,500 then it will be required. Ms. Hoffman stated that the Committee cannot wait to do so as it could snow next month. Ms. Hoffman questioned what the Committee will do if there is a bad winter and DPW is down employees and there is no snow removal contract in place with a vendor.

Ms. Hoffman stated that at last meeting Mr. Wunder stated that he would help the Historians with the Museum septic system. Mr. Wunder stated that he did but has now reconsidered and declined. Ms. Hoffman stated that she does not have a problem with Mr. Wunder declining, however; she does have a problem with him stating that he is declining because she did not vote for him in the primary election. Ms. Hoffman stated that Mr. Wunder works for the residents of the Township whether they voted for him or not. Mr. Wunder stated that he actually declined because he has not been working on septic systems in the past 6 or 7 years and he no longer has an account at the quarry for pricing. Mr. Wunder stated that he felt that it would make better sense for Mr. Milkowski to assist the Historians. Mr. Wunder stated that he was joking when he said that Ms. Hoffman did not vote for him and that he feels that she should not challenge his Christianity either. Ms. Hoffman agreed and said that Mr. Wunder should work for all residents of the Township regardless of whether they voted for him or not. Mr. Milkowski stated that even though he lost the election he is still working for all of the residents of the Township.

Ms. Hoffman stated that the Committee has dealt with all of the items listed on the agenda but she has had no say in the decisions that they made. She now understands that she needs to know in advance what the Committee is working on and to ask questions to the appropriate Committeeman prior to the meeting. This way she will be prepared to make comments at the meeting. Ms. Hoffman stated that she questions if the proposed plan for the DPW garage floor is going to work. It is a lot of money to spend on something that you are not sure of. Mayor Laul stated that this is why the Committee will ask the Engineer to be at the next meeting. Mr. McKee stated that he does not want to tear the floor out but the mechanic is working in water which is not safe.

Ms. Hoffman stated that there is a plan for the new bathroom at the museum and asked if she can seek proposal through Facebook. Attorney Cushing stated that he does not think that would be a good idea.

Ms. Hoffman asked if the Chevy Tahoe that the Township is purchasing for the Fire Department, is stripped. Deputy Chief Crampton stated that the \$38,607.60 is for the chassis.

*Motion by Mr. Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:22 p.m.*

#### **Resolution No. 65-2016 –Executive Session**

It is not anticipated that action will be taken when the public meeting is reconvened.

*Motion by Mr. McKee, seconded by Mayor Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 65-2016 and convened in to executive session at 8:23 p.m.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 65-2016**

**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;

X  A collective bargaining agreement, or the terms and conditions thereof (Specify contract: CWA Local 1040;

\_\_\_\_\_ 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;

X  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  X . 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.

The Township Committee reconvened the Public Meeting at 9:31p.m.

## **ADJOURNMENT**

Having no further business to come before the Committee a motion was made by Mr. Milkowski seconded by Mr. McKee and carried by unanimous favorable roll call vote to adjourn the meeting at 9:32 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: September 21, 2016

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Marc Laul, Mayor