

**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  
                                 Brian Wunder                    Marc Laul

Absent-

Also Present - Attorney Tara St. Angelo, Clerk Karen Sandorse and 13 members of the public.

**PRESENTATION OF MINUTES**

**Minutes of the Regular Meeting of November 4, 2015**

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by favorable roll call vote, the Township Committee approved minutes of the regular meeting of November 4, 2015. AYES: Wunder, McKee, Milkowski Laul ABSTAIN: Cryan*

**Minutes of the Executive Session Meeting of November 4, 2015**

*Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by favorable roll call vote, the Township Committee approved the minutes of the executive session meeting of November 4, 2015. AYES: Wunder, McKee, Milkowski Laul ABSTAIN: Cryan*

**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.*

Ms. Laurie Hoffman stated that at the last meeting the Committee discussed putting the vehicles that the Fire Department requested under the Capital Improvement Funds. Ms. Hoffman said that she is concerned with the process the Committee follows in approving expenditures. She was made to submit two letters to the Committee for the \$60,000.00 for the Museum bathroom but the Fire Department has not had to follow the same procedures when requesting vehicles. Ms. Hoffman stated that it does not seem fair.

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

## **RESOLUTIONS**

### **Resolution No. 82 -2015 - Appointing a Risk Management Consultant**

*Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 82-2015 as written below. AYES: Wunder, McKee, Milkowski Laul NAYS: Cryan*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION 82-2015  
STATEWIDE INSURANCE FUND  
RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT**

WHEREAS, the Township of Lebanon (hereinafter "LOCAL UNIT") has joined the Statewide Insurance Fund (hereinafter "FUND"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the FUND; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk Management Consultant

WHEREAS, the FUND has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Lebanon, in the County of Hunterdon and State of New Jersey, as follows:

1. Township of Lebanon hereby appoints Groendyke Associates as its local Risk Management Consultant.
2. The Mayor and Clerk are hereby authorized to execute the Risk Management Consultant's Agreement for the fund year 2016 in the form attached hereto.

### **Resolution No. 83 -2015 - Appoint Fund Commissioner**

*Motion by Mr. Milkowski, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 83-2015 as written below.*

STATE OF NEW JERSEY  
COUNTY OF HUNTERDON  
TOWNSHIP OF LEBANON

RESOLUTION NO. 83-2015

APPOINT FUND COMMISSIONER

WHEREAS, the Township of Lebanon (hereinafter “Local Unit”) is a member of the Statewide Insurance fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner; NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Lebanon that Thomas McKee is hereby appointed as the Fund Commissioner for the Local Unit for the 2016 year; and

BE IT FURTHER RESOLVED that Karen Sandorse is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the 2016 year; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

**Resolution No. 84 -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. 84-2015 as attached.*

**TOWNSHIP OF LEBANON  
RESOLUTION NO. 84-2015  
GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE  
FISCAL GRANT CYCLE JULY 2014-2019**

**Resolution No. 85-2015 - Amending the Capital Budget**

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 85-2015 as written below.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 85-2015  
A RESOLUTION**

WHEREAS, the Township of Lebanon, County of Hunterdon, desires to amend the 2015 Capital Budget of said municipality by inserting thereon or correcting the items therein as shown in such budget for the following reason:

Road resurfacing, new automotive vehicles including orig. apparatus and equipment consisting of DPW dump trucks.

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

Section 1. the 2015 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 2015  
 Method of Financing

<u>PROJECT</u>	ESTIMATED GENERAL <u>COST</u>	CAPITAL IMPROV.  <u>FUND</u>	<u>NOTES/BONDS</u>
As Listed Above -	\$ <u>515,000</u>	\$ <u>25,000</u>	\$ <u>490,000</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 2015 Capital Budget, to be included in the 2015 Capital Budget as adopted.

**ORDINANCES**

**Public Hearing**

**Ordinance No. 2015-08 – Amending the Length of Service Award Program**

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2015-08 was opened.*

Mr. Anthony Casale stated that he supports LOSAP for the volunteers, however, questioned if the changes in the Ordinance will make individuals eligible that were not previously. Mayor McKee stated that the amendments make the qualifications clearer.

Mr. Casale asked if the Fire Departments bylaws were amended to comply with the proposed ordinance. Mr. Laul stated that the bylaws were amended.

Mr. Casale questioned the increase in the budgeted amount of funds in Section 49.3. Mr. Laul stated that the amount was previously based on two departments (Fire and Rescue) and the amount was based on previous numbers.

Mr. Casale questioned the definition in 49-7 Paragraph 3; “Standby” has been stricken from the paragraph however it is still listed in the title. Discussion was held and “Standby” is to be removed.

Mr. Casale asked for clarification on sleep in hours.

Mr. Casale stated that elected or appointed positions were stricken from Section 49-7 Paragraph 3 and questioned why they were omitted. Mr. Laul stated that it is outlined in the Fire Department bylaws. Mr. Casale asked that if the bylaws were to be changed would it change the intent behind the ordinance. Mr. Laul stated that it may.

Mr. Casale stated that he has concerns with in Section 49.7 Section 7a where the Fire Chief or his designee has the discretion to give points for activities not listed. Mr. Casale noted that he feels that this can make it selective. Mr. Laul informed Mr. Casale that this applies to items that are not standard duties, such as driving a vehicle to Pennsylvania for repair. Different items come up each year so the Chief will be able to provide points as justified. This is reflected in the Duties of the Chief in the bylaws.

Mr. Casale questioned what the purposed was in back dating the ordinance to January 1, 2010? Mr. Laul stated that he actually wanted the ordinance to be back dated. He is going to administer the program would like to apply it the same across the board. Mayor McKee stated that the program was suspended at that time also.

Mr. Wunder stated that he feels that the Chief having the discretion to give out points is problematic. Mr. Wunder questioned if there can't be a better list of activities so it is clearer.

Mr. Wunder stated that the residents incurred damages due to LOSAP but he does want to keep the program going. He feels that the Chief's discretion needs to be made clearer. Mr. Laul stated that at some point the Township Committee has to put some trust in the volunteers in the Fire Department. He will administer the program for the Township but he cannot vouch for everything the members do.

Mr. Ed Kiley, a member of the Lebanon Township Fire Department, stated that if the Chief is not present to validate a member's participation who will be the one to verify who will get credit. Discussion was held. Under Paragraph 49-7 Section 7a, the final sentence will read: To be determined at the discretion of the Department Chief or his/her designees.

*Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2015-08 was closed.*

*Motion by Mr. Wunder, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee adopted Ordinance No. 2015-08 as written below. AYES: Wunder, McKee, Laul, Cryan ABSTAIN: Milkowski*

**TOWNSHIP OF LEBANON  
HUNTERDON COUNTY, NEW JERSEY  
ORDINANCE NO. 2015-08  
ORDINANCE AMENDING THE LENGTH OF SERVICE AWARD PROGRAM**

WHEREAS, the Township of Lebanon ("Township") Mayor and Committee has determined that it is in the best interest of Township to revise and clarify the ordinance pertaining to the Length of Service Award Program ("LOSAP") and

WHEREAS, the Township Committee has reviewed the proposed amendments and believe it is in the best interests of the municipality to adopt these amendments.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Lebanon, the County of Hunterdon, that Chapter 49 entitled "Length of Service Award Program" of the Code of the Township of Lebanon ("Code") is hereby amended as follows:

**SECTION 1.** Chapter 49 of the Code of the Township of Lebanon entitled "Length of Service Award Program" is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

§ 49-1. Authorization to establish program.

The Township of Lebanon is authorized by law to establish by ordinance a length of service award program (LOSAP) for the active volunteer members of the emergency service organizations operating under the municipality's jurisdiction pursuant to Chapter 388 of the Laws of 1997 (N.J.S.A. 40A:14-183 et seq.). As provided in this chapter, a length of service award program for the *active eligible* volunteer members of the emergency service organizations operated under the jurisdiction of Lebanon Township is hereby established, pursuant to the provisions set forth in N.J.S.A. 40A:14-183 et seq. above mentioned. *LOSAP eligibility will be determined within the emergency service organization's bylaws.*

§ 49-2. Effective date.

A. This chapter shall take effect insofar as it pertains to granting the benefits conferred in said statute, only if it is presented as a public question by the Township of Lebanon at the next general election to be held on November 3, 1998, and ratified by the voters at said general election.

B. This chapter shall take effect insofar as it pertains to directing that the public question be presented to the voters at the next annual election, when given final passage by the Lebanon Township Committee and publication.

C. The public question to be presented to the voters shall be in the following form:

Shall Lebanon Township volunteer fire fighters ~~and volunteer rescue squad personnel~~ be granted certain benefits, as permitted under the Emergency Services Volunteer Length of Service Award Program Act and by an Ordinance adopted by the Lebanon Township Committee on August 20, 1998? [1]

[1] Editor's Note: This question was ratified by the voters at the General Election held November 3, 1998.

§ 49-3. Contribution of Township.

[Amended by Ord. No. 2002-03; 3-17-2004 by Ord. No. 2004-03[1]

The contribution by the Township of Lebanon under the Emergency Services Volunteer Length of Service Award Program Act shall be \$700 per year per participant. This would result in a proposed estimated total amount to be budgeted for the program, for such members of the Lebanon Township Fire Department who may be qualified, the sum of \$10,500 ~~3,000~~ per year, ~~and for such members of the Lebanon Township Rescue Squad who may be qualified, an additional sum of \$3,000 per year, making a total sum of \$6,000 per year.~~

[1] Editor's Note: This ordinance also provided that the increase in contribution become effective for individuals who qualify for LOSAP benefits for 2004 until and unless further action be taken by the Township Committee.

§ 49-4. Participants not required to contribute.

No participant in the plan shall be required to make any contribution.

§ 49-5. No credit for service prior to establishment of program.

No credit for service rendered prior to the establishment of this service award program shall be provided under this chapter.

§ 49-6. Tax-deferred benefits.

Under this Length of Service Award Program, a system would be established by the Township of Lebanon to provide tax-deferred income benefits to ~~active-qualified~~ *eligible* volunteer members of the ~~two~~ emergency service organizations heretofore mentioned, by means of investment in those products permitted pursuant to N.J.S.A. 43:15B-3.

§ 49-7. LOSAP point system schedule.

[Added by Ord. No. 7-2000]

- A. A year of service shall be credited for each calendar year in which active emergency service volunteers accumulate at least 50 points.
- B. Points shall be granted as follows:
- (1) Training course: 25 point maximum.
    - (a) Courses under 20 hours' duration: one point per hour, with a maximum of five points.
    - (b) Courses of 20 to 45 hours' duration: one point per hour for each hour over initial 20 hours, with a maximum of 10 points.
    - (c) Courses over 45 hours' duration: 15 points per course.
  - (2) Drills: 20 point maximum.
    - (a) One point per drill, minimum two-hour drill.
  - (3) Sleep-in: ~~15~~ 20 point maximum.
    - (a) Sleep-in: one point *per 12-hour period* ~~each full night~~.
    - (b) ~~Stand-by: one point each. A "stand-by" is defined as line of duty activity of the volunteer personnel, lasting for four hours, not falling under one of the other categories.~~
  - (4) Elected or appointed positions: 25 point maximum. ~~"Elected or appointed position" means line officers, department or company officers and president, vice president, treasurer and secretary of the volunteer program.~~
    - (a) Completion of one-year term in an elected or appointed position: 25 points maximum.
    - (b) Active volunteer personnel elected to serve as a delegate to a fire fighter or rescue squad convention shall also be eligible to receive one point per meeting.
  - (5) Attendance at meetings: 20 point maximum.
    - (a) Attendance at any official volunteer fire ~~department company or rescue squad~~ meeting: one point per meeting.
  - (6) Participation in department responses: 25 points for responding on the minimum number of calls, as outlined below:

*The active participation requirements for each of the LTVFD volunteer categories is defined within the LTVFD bylaws (LOSAP Article 13)*

    - (a) ~~Fire calls: total number of calls volunteer fire company responds to annually: 0 to 500.~~
    - (b) ~~Minimum number of calls volunteer firefighters must respond to annually in order to receive 25 points: 10%.~~

- ~~\_\_\_\_\_ (c) First aid calls: total number of calls emergency rescue and first aid squad responds to annually: 0 to 500.~~
- ~~\_\_\_\_\_ (d) Minimum number of calls first aid personnel must respond to annually in order to receive 25 points: 10%.~~

- (7) Miscellaneous activities: 20 45 point maximum.
  - (a) Participation in inspections and other activities not otherwise listed: one point per activity. *To be determined at the discretion of the Department Chief or his/her designees.*

C. The Secretary of ~~each of the two~~ volunteer ~~fire department organizations~~ shall file with the Lebanon Township Clerk on or before February 1 of each year a list of *eligible* persons who have accumulated at least 50 points under the point system herein defined.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect retroactively to January 1, 2010 upon final passage and publication according to law

## **Introduction**

### **Ordinance No. 2015-09 – Bond Ordinance**

*Motion by Mr. Wunder, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2015-09 on first reading as entitled below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
ORDINANCE NO. 2015-09

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE ROAD RESURFACING PROGRAM 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 \$515,000 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 December 16, 2015**

## **OLD BUSINESS**

**Lebanon Township Volunteer Fire Department Request for a Command Vehicle and Ambulance**

LTCM

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Mr. Wunder asked if there is a need for a new ambulance. Mayor McKee stated that the Fire Department informed him that they have had to put a lot of money into the 2005 ambulance. Deputy Fire Chief Crampton stated that there is approximately 26,000.00 miles on the 2010 ambulance and approximately 75,000.00 miles on 2005. The heat just went and the values had to be replaced in 2005 ambulance.

Mayor McKee stated that he feels that the request should be held until the January 20, 2016 Committee meeting for consideration. This way the CFO can be present and a discussion can be had on the 2016 year finances. The Committee agreed and the matter was tabled.

## **NEW BUSINESS**

### **Raffle Application - Voorhees Viking Booster Club – Event Date 05/13/2016**

*Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved a Raffle License Application for the Voorhees Viking Booster Club for an event to be held on 05/13/2016.*

### **Raffle Application – Voorhees Viking Booster Club – Event Dates – Various**

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved a Raffle License Application for the Voorhees Viking Booster Club for various January 2016 events.*

### **Schedule 2016 Re-organization Meeting**

*Motion by Mr. Laul, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee scheduled the Reorganization meeting to be held on January 6, 2016 at 6:00 p.m. with an alternate date of January 7, 2016.*

### **Township Employees Disability Insurance**

Mayor McKee stated that the CWA Contract negotiations are still in effect and have not been settled to date. In the event that the contract is settled with the New Jersey State Temporary Disability Insurance Benefits approved, Mr. Cryan and Mayor McKee would like to be able to proceed with the enrollment process immediately.

### **Resolution No. 86-2015**

*Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 86-2015 as written below.*

**TOWNSHIP OF LEBANON  
HUNTERDON COUNTY, NEW JERSEY  
RESOLUTION NO. 86-2015  
RESOLUTION AUTHORIZING  
OPTING INTO NEW JERSEY STATE PLAN FOR TEMPORARY DISABILITY INSURANCE  
BENEFITS AND PROVIDING FOR A PAYROLL DEDUCTION THEREOF**

WHEREAS, the Township of Lebanon self-insures for the purposes of providing temporary disability coverage to its employees, and

WHEREAS, in accordance with Chapter 21 of Title 43 of the New Jersey Temporary Disability Benefits Law, the Township can opt into the New Jersey State Temporary Disability Plan upon thirty (30) days notice, and

WHEREAS, pursuant to negotiations with the Blue and White Collar Unit (Local 1040) Communications Workers of America, AFL/CIO (the "Union"), of which the Township's Department of Public Works employees are members, the Union has requested that the Township enroll in the State Temporary Disability Plan for the purposes of providing such insurance to Union members; and

WHEREAS, N.J.S.A. 43:21-33 requires that a "majority of the employees in the class or classes to be covered thereby" agree to elect such coverage in writing; and

WHEREAS, it is the Committee's understanding that at least a majority of Union members request that the Township provide such coverage through the State Temporary Disability Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, New Jersey, that it hereby agrees to opt into the New Jersey State Temporary Disability Insurance Benefits Plan in order to provide such insurance to Union members at such time is deemed appropriate by Committeeman Bernard Cryan in his discretion.

BE IT FURTHER RESOLVED that the necessary Township employees, including, but not limited to the Clerk, Chief Financial Officer, and Township Attorney, are authorized to take the necessary steps to effectuate such enrollment in the State Temporary Disability Benefits Plan.

### **Surplus Materials –**

Mayor McKee stated that there is a municipality in the County that has expressed a need for the concrete blocks that are being stored at the DPW building. Mayor McKee asked Attorney St. Angelo if it is acceptable to sell the blocks to the municipality without the bidding process. Attorney St. Angelo stated that the Local Public Contracts law exempts on one municipality selling to another. Mayor McKee stated that the other municipality will bring their vehicles to the Township and the Township's DPW will load the blocks for them to transfer out. Discussion was held on what the Township should charge for the blocks. It was felt that the minimum offer should cover the cost of the labor for the Township employees to load the block.

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee authorized the Mayor, the DPW Manager and the Clerk to negotiate a fair price.*

### **DPW Clothing Allowance - Hold Purchases for Discussion by the Committee**

Mr. Cryan stated that the purchase orders for the DPW Clothing Allowances are issued in January of each year and requested that they be held on for 2016 until the CWA Contract has been settled. The DPW Manager stated that Mr. Cryan's request is acceptable conditioned upon him receiving a notice to that effect in writing.

*Motion by Mr. Cryan, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee authorized the 2016 DPW Clothing Allowance to be held until further notice.*

### **Township Rabies Clinic**

Mr. Milkowski stated that last year it was down to the wire as to where the Rabies Clinic would be held. He does not feel that the Municipal Building is the best location to hold it. Mr. Milkowski recommended that the Clinic be held at the DPW Garage in the future.

*Motion by Mr. Cryan, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee authorized the Rabies Clinic to be held at the DPW Garage in the future.*

### **Camera for the Police Department – Sawyers**

*Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the Police Chief's request to purchase a CCTV System (Camera/Monitoring System) from Sawyers Control Systems, Inc. at a cost of \$2,525.00, for the Police Department.*

### **PRESENTATION OF VOUCHERS**

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

*Motion by Mr. Laul, seconded by Mayor McKee and carried by unanimous favorable roll call vote, the Township Committee approved the December 2, 2015 bill list in the total amount of \$ 739,924.20.*

### **CORRESPONDENCE**

- a. Hunterdon County Planning Board – Bank & Reserve 2015 Open Space Trust Funds  
(Resolution will be on December 16, 2015 Meeting Agenda)
- b. Tax Collector's Report for the Month of October 31, 2015
- c. Township Historian's October 1, 2015 Meeting Minutes
- d. Recreation Commission's October 1, 2015 Meeting Minutes

### **PUBLIC COMMENTS**

*Motion by Mr. Milkowski, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 8:13 p.m.*

Mr. Anthony Casale asked for clarification on the vehicles listed in the Bond Ordinance.

Mr. Casale thanked Mr. Cryan for the efforts and contributions he provided during his tenure as a Committeeman.

Mr. Casale noted that there is a problem with the toilet in the men's room in the municipal office as it does not flush.

Mr. Casale requested that, before the Committee approves any professional services contracts at the Reorganization meeting, for them to please review the fees and conduct performance evaluations.

Mr. Casale suggested that the Committee should try to hold their professionals fees to the current. Mr. Casale noted that performance is important and if a correction should need to be made it should be handled by the professional and not at a cost to the Township. Mr. Casale said that he is not only speaking of Attorney Cushing's office; however, he thinks that Mr. Cushing's office should be looked at as there have been areas of concern that he has observed. Mr. Casale suggested possibly making temporary appointments.

Mr. Ed Kiley, DPW Mechanic, thanked the Township Committee for the new DPW building. Mr. Kiley informed the Committee that although the building is beautiful there have been substantial issues with it. There is no ventilation in the building therefore it makes it difficult to work on the vehicles in the winter. The compressor does not work and the flooring has no drainage. Mr. Kiley stated that at times he has had to weld while standing in water. Mr. Kiley noted that issues have been brought to the Committee in the past and nothing has been done. Mr. Kiley stated that he wants the problems rectified and asked for the Committee to address the issues. The Committee asked Mr. Gabriel to put the problems in writing for them.

*Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:25 p.m.*

#### **Resolution No. 86-2015 –Executive Session**

*Motion by Mr. Milkowski, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 86-2015 and convened in executive session at 8:29 p.m. It is not anticipated that action will be taken at the reconvening of the Public Meeting.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 86-2015  
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: \_\_\_\_\_);

\_\_\_\_\_ 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: Affordable Housing.

\_\_\_\_\_ 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

Public Meeting as reconvened at 8:54p.m.

**ADJOURNMENT**

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 8:55 p.m.

LTCM  
12/02/2015  
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Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: December 16, 2015

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Thomas McKee, Mayor