

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.

ROLL CALL

Present - Thomas McKee Patricia Schriver Bernard Cryan
 Ronald Milkowski

Absent- Francis Morrison

Also Present - Attorney Tara St. Angelo, Clerk Karen Sandorse and 16 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of November 6, 2013

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by favorable roll call vote, the Township Committee approved minutes of the regular meeting of November 6, 2013. AYES: Schriver, McKee, Milkowski ABSTAIN: Cryan

Minutes of the Executive Session of November 6, 2013

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by favorable roll call vote, the Township Committee approved minutes of the executive session of November 6, 2013. AYES: Schriver, McKee, Milkowski ABSTAIN: Cryan

PUBLIC COMMENTS – for agenda items only.

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

No comments from the public

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.

ORDINANCE

Introduction

Ordinance 2013-11 Authorizing Sunday Raffles

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2013-11 as entitled below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE NO. 2013-11
AN ORDINANCE AUTHORIZING SUNDAY RAFFLES

Public Hearing to be held on December 18, 2013.

RESOLUTION

Resolution No. 88-2013 – Refund for Overpayment of Taxes

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 88-2013 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 88-2013
RETURN OVERPAYMENT

WHEREAS there exists an overpayment for the fourth quarter 2013 for the following Blocks and Lots and,

WHEREAS these amounts have been requested for refund by Corelogic, Refund Department,
THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign a refund check to Corelogic, Refund Department for the following:

Block/Lot	Owner	Amount
16/33	Lori Kecker	\$1144.11
77.01/1	Joseph & Katherine Skiba	\$2341.46

Resolution No. 89-2013 – Refund for Overpayment of Taxes

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No.89-2013 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 89-2013
RETURN OVERPAYMENTS

WHEREAS there exists an overpayment for the fourth quarter 2013 for the following Blocks and Lots and,

WHEREAS these amounts have been requested for refund by Bank of America, through their servicing agent Corelogic,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign a refund check to Bank of America c/o Corelogic for the following:

Block/Lot	Owner	Amount
21/9	John & Marie Desapio	\$1337.24
44/19.01	Kevin Devine & Kathleen Ryan	\$1753.58

Resolution No. 90-2013- Blue Acres Demolition of 139 Raritan River Road

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 90-2013 as written below.

TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 90-2013

RESOLUTION RECOMMENDING AWARD OF CONTRACT TO KDP DEVELOPERS, INC. FOR THE BLUE ACRES DEMOLITION OF 139 RARITAN RIVER ROAD IN THE SUM OF \$13,800.00

WHEREAS, pursuant to the Blue Acres Program, the New Jersey Department of Environmental Protection (“NJDEP”) owns certain lands located within the Township of Lebanon, Hunterdon County, New Jersey known and designated as Block 19, Lot 6 and Block 20, Lot 6, also known as 139 Raritan River Road (the “Property”);

WHEREAS, NJDEP and the Township of Lebanon desire to demolish the structures located on the Property;

WHEREAS, in response to an advertisement of bids, a proposal submitted by KDP Developers, Inc. in the amount of \$13,800.00 was the lowest responsible bid received that complies with the Township of Lebanon’s and NJDEP’s bid specifications.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Lebanon, Hunterdon County, New Jersey, that the proposal of KDP Developers, Inc. should be forwarded to NJDEP with a recommendation that the contract for the demolition of the Property be awarded to KDP Developers, Inc.

OLD BUSINESS

Remedial Action Permit Application & Biennial Certification Form

Quest Environmental has submitted a Remedial Action Permit Application & Biennial Certification Form for the Committee's consideration relative to the Squad Building property on West Hill Road. The application must be sent to the DEP for remediation compliance.

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the Remedial Action Permit Application & Biennial Certification Form to be submitted to the DEP by Quest Environmental for the Squad Building property and authorized the Clerk to sign. The CFO is authorized to process a check for the State Treasurer in the amount of \$600 for the application fee.

COAH Rehabilitation – Roof Replacement Bid Addendum

Mayor McKee stated that the Committee had previously awarded a bid for a COAH Rehab roof replacement to Dorf Construction. The bid included the replacement of three skylights & flashing kits; however, there are actually five that need to be replaced. The original price for the three skylights & flashing kits was \$1063.25 and will now need to be increased to \$1183.80 for the five. Mayor McKee stated that with the added materials Dorf remains the low bidder for the project.

Motion by Mr. Milkowski, seconded by Mayor McKee and carried by favorable roll call vote, the Township Committee approved the amended bid from Dorf Construction, in the amount of \$1183.00, for five skylights and flashing kits. AYES: Schriver, McKee, Milkowski ABSTAIN: Cryan

Authorize Payment of Lerch, Vinci & Higgins Invoice – Response to State Comptroller's Request for LOSAP Documents

The State Comptroller's office requested documents from Lerch, Vinci & Higgins relative to the LOSAP review they conducted on behalf of the Township. Lerch, Vinci & Higgins is billing the Township for their time in collecting and providing the documents.

Mr. Milkowski and Mr. Cryan have recused themselves from any LOSAP discussion as they are past members of the Fire Department. Due to their recusal and the absence of Mr. Morrison there are not enough members to vote on the matter. Attorney St. Angelo informed the Committee that they can invoke the Doctrine of Necessity to permit an individual who has a conflict to vote.

Motion by Ms. Schriver, seconded by Mayor McKee and carried by favorable roll call vote, the Township Committee moved to invoke the Doctrine of Necessity. AYES: Schriver, McKee, Cryan ABSTAIN: Milkowski

Mr. Cryan stated that his conflict with the LOSAP matter is that he was a member of the Fire Department during the time of the LOSAP situation that is in question.

Motion by Ms. Schriver, seconded by Mayor McKee and carried by favorable roll call vote, the Township Committee authorized a payment to Lerch, Vinci & Higgins in the amount of \$707.50 for their release of documents to the State Comptroller. AYES: Schriver, McKee, Cryan ABSTAIN: Milkowski

Award Sale of Surplus

The Township Committee received a memo from the DPW Manager stating that surplus bids were opened November 26, 2013 at 10:00 a.m. and that three bids were received.

Jersey One Auto Sales bid on all three items. Jersey One was the highest bidder on the Swenson Spreader at \$533.00. They were also the highest bidder for the Scavage Vac. Catch Basin cleaner at \$113.00; however, Mr. Gabriel feels that this bid is too low to accept at this time. Jersey One also bid on the 2008 Ford Crown Vic at \$2233.00, which was not the highest bid received.

Liberty Motors Inc. submitted a bid for the 2008 Ford Crown Vic at \$2339.99, which was the highest bid received for the vehicle.

Mr. Dan Dames bid on all three items; however, all bids were the lowest bids received and he did not meet the ten percent down payment requirement.

Mr. Gabriel recommended awarding the surplus items as follows.

1. The Swenson Spreader to Jersey One Auto Sales for \$533.00.
2. The 2008 Ford Crown Vic to Liberty Motors Inc. for 2339.99.
3. The bids for the Scavage Vac. should be rejected.

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee awarded the bid for the Swenson Spreader to Jersey One Auto Sales for \$533.00, the 2008 Ford Crown Vic to Liberty Motors Inc. for 2339.99 and rejected the bid for the Scavage Vac.

DPW Manager Correspondence – Pick-up Truck

Mr. Gabriel sent a letter to the Township Committee stating that, at their request, he advertised to seek new bids for the 2014 pick-up truck with a Duramax Diesel with the Allison Transmission. The bid opening was scheduled for November 26, 2013 at 10:30 a.m. There were no bids received for the truck. Mr. Gabriel noted that he had contacted the dealers that had previously bid on the truck to see why they did not submit bids this time. Mr. Gabriel was advised that the cutoff date for the 2014 trucks is October 31. The dealers are currently moving toward the 2015 model year and pricing is not yet available. Mr. Gabriel will continue to look into the issue to see if there is a way to move forward with the purchase.

Wolek Property – Update

Attorney St. Angelo stated that she was in contact with the Wolek's attorney. The Woleks have raised apprehensions on if the Township takes over the portion of the property that has been encroached upon they may have a problem with the mortgage company. The issue will need to be worked out with the mortgage company. Attorney St. Angelo stated that she had to revise the agreement and make it subject to the Township working something out with the mortgage company. The Township does not want to be locked into owning a piece of property that is subject to a mortgage. Attorney St. Angelo has not heard back from the Wolek's attorney but will be following up. The Woleks will also need to give the Township permission to work out the issue with their mortgage company as opposed to having their attorney deal with it.

DPW Dump Truck Bids

Mayor McKee stated that there have been concerns raised about the Dump Truck bids since the Committee held the hearing on the matter. Mayor McKee stated that there was a hearing and the two dealers who provided bids were present. Based on the testimony the Township Committee awarded the bid to Mid Atlantic Trucking. Brown's Trucking has now raised issues with the changing of the Mid Atlantic's bid at the hearing. The Committee was to follow up with a letter from the Township; however, did not receive three Committee approvals for a letter to be sent to Brown's stating that the Township will proceed with the low bidder.

Mr. Cryan said that he feels that that the dump truck should be rebid. The bid specifications should be very clear and defined on what the dealer is bidding on. It should be by line item and should not be open to interpretation. Mr. Milkowski stated that the dealers complied with the specifications and if there are new specifications drawn the Township may end up with the same problem. Mayor McKee stated that he is concerned that if it is rebid there may be an elevation in price. Mr. Milkowski stated that there will no doubt be an increase based on the issue with the pickup truck and will most likely be a model year newer. Ms. Schriver stated that she voted against the motion to award and still feels the same way. She would like to rebid. Mayor McKee stated that he feels that the Committee held a hearing and the dealers presented their cases and exhibits. Both parties had the opportunity to refute the bids. The Committee voted 3-1 to award to the lower bidder. Mayor McKee feels that the Committee should stay with the low bid. There was no action by the Committee.

Matter Tabled.

NEW BUSINESS

Raffle Application - PTSO Voorhees High School Inc. – 02/07/2014 (Rain Date 02/28/2014)

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved a raffle application for PTSO Voorhees High School Inc. for an event to be held on 02/07/2014 with a rain date of 02/28/201.

Schedule 2014 Reorganization Meeting

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee scheduled the Reorg meeting for January 7, 2014.

DPW Manager Correspondence – Staffing

Mr. Cryan stated that the DPW went through a period of time this year when employees were out on medical leave. The Committee extended the services of Branden Peschel, a summer employee, to assist the DPW with the work load, until December 31, 2013. In addition to the medical leaves the DPW has been down two employees since Paul Jones Sr. and Paul Jones Jr left in 2006, and 2008. Mr. Cryan stated that Branden has shown extreme interest in the Township DPW and has obtained his CDL license. Mr. Gabriel sent a letter to the Committee requesting to keep Branden on as a part-time employee at a rate of \$15.00 per hour. He feels that in retaining Branden it would insure that the Township is adequately covered for snowstorms. In the past few years the DPW has had to split up routes in order to cover the Township roads. Mr. Gabriel feels that keeping Branden on would be an

asset to the Township and the employees. Mr. Cryan recommended extending Branden's part time employment with the Township.

Motion by Mr. Cryan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee appointed Branden Peschel, as a part time employee, at a rate of \$15.00 per hour.

Clinton First Aid Rescue- 27 Truck Contract

Mayor McKee stated that the Clinton First Aid and Rescue -27 Truck contract will expire on January 10, 2014. The 27 Truck has been providing daytime EMS coverage in the Township. Mayor McKee stated that at this time the Committee will need to discuss the matter in executive session, under Contract Negotiations. Mayor McKee gave an overview of the services provided by the Clinton First Aid Rescue- 27 Truck Contract for the past 18 months and the cost associated with such.

OEM Coordinator Alan Goracy – OEM Deputies

OEM Coordinator Alan Goracy was present and stated that he would like to appoint Bruce Cunningham as Deputy OEM Coordinator. Mr. Goracy stated that he does not have to go before the Committee to appoint the Deputy; however, in order for Mr. Cunningham to receive correspondence from the County the Committee needs to acknowledge the appointment. Mr. Goracy stated that Mr. Cunningham has been a resident for 34 years, is an EMT, and has been involved in LTAA and the Boy Scouts. Mr. Goracy has known Mr. Cunningham for 29 years.

Attorney St. Angelo stated that there is no ordinance in place in the Township relative to OEM. It appears that all towns have an identical OEM ordinance so it should not be a problem. The ordinance will need to be adopted in early 2014.

Mr. Goracy stated that he applied for a grant from FEMA, for a generator. Hunterdon County was awarded \$1,000,000.00 and from that the Township is able to be reimbursed up to \$75,000.00 for the generator. The Township will receive 90% of the cost of the generator up to \$75,000.00. Mr. Goracy was thinking about fire and rescue for the generator. Mayor McKee stated that the Township would have to seek bids for the purchase. Mr. Goracy stated that he needs approximate costs, within 30 days, which Chief Schaffer is working on. Mr. Cryan stated that he just went to the League Conference and in certain classes that he attended there were many people from different communities who have not received their Sandy money from FEMA. Mr. Cryan stated that if the Township puts the money out and FEMA does not come through, the Township is out a lot of money. Mr. Goracy stated that he can only do what he is told and if the Committee decides not to accept the \$75,000.00 he is fine with that. Mr. Goracy stated that there are 10 or 12 municipalities, out of all of the counties, which will be receiving allotments. Mr. Goracy stated that he was informed that the reimbursement time will be 60 to 100 days. Mr. Goracy said that he is still waiting for the Township's FEMA money also and he will look into Mr. Cryan's concerns. Mr. Goracy and Chief Schaffer will put together a plan, with a ball park figure, and then create bid specifications.

Mr. Goracy stated that he placed a letter last newsletter in preparation for future storms. He provided suggestions that he feels can be done here in the Township. If the Township needs a warming shelter it can be done at the municipal office or at the Woodglen School, as long as there are no students present and only during the day. Mr. Goracy spoke to the OEM Coordinator for Glen Gardner and was informed that they are too small to assist the Township. The Red Cross will be using Voorhees High

School as it is an ideal facility for an overnight shelter. The high school can handle over 1000 people as they have a week's worth of food and have plenty of bathrooms and showers. Mr. Goracy noted that unless there are a certain number of individuals in need, they will not be opening up the high school. It is all dictated by the County. The County has advised Mr. Goracy that he is to send the Township residents there, either through our transportation or through the LINK bus system. Mr. Goracy stated that if the County is overcapacity or in the case of a real disaster, he feels that the Township would be covered as the Red Cross will man the high school shelter with cots and food.

Mr. Goracy stated that he attended a High Bridge OEM meeting and it was very interesting. High Bridge has had an OEM Committee for years and is well advanced. High Bridge has a few councilmen who sit on the OEM Committee. Attorney Cushing had stated, at an earlier meeting, that he did not believe that an elected official can sit on an OEM Committee and was going to look into the possibility. Mr. Goracy stated that in most towns the governing body is necessary in performing a part if there is a true catastrophe. Mr. Goracy stated that there are just so many volunteers that can be had. Mr. Goracy noted that in the newsletter he requested volunteers and only received one response. Mr. Goracy said that the Lebanon Township School system has an alert system in which 75% of the families are connected. He now has access to the system and will be publishing his letter through it. If any information needs to be sent out to the public the system is a good means to do so.

Mr. Goracy stated that he will need to meet with the Mayor and one Committee person to move forward. He would like to know how they would like him to handle the OEM Committee and to provide ideas.

Police Chief's Request to Purchase a Stalker Radar Unit

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the purchase of a Stalker Radar Unit for the Police Department from Applied Concepts, Inc. at a cost of \$2911.50.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the December 4, 2013 bill list in amount of \$122,317.85.

Mr. Milkowski stated that the DPW is working on the septic system at the municipal office.

CORRESPONDENCE

- a. Quest Environmental – Lebanon Township Fire Station No. 1 – Sub-Slab Gas Testing
- b. Tax Collectors Report for the Month of October 2013
- c. Township Historian November 7, 2013 Meeting Minutes

Mayor McKee thanked the Historians for the tree lighting ceremony and for providing their minutes from their November 7, 2013 meeting.

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 8:04 p.m.

Mr. Brian Wunder asked what the cost was for Lerch, Vinci & Higgins to submit the LOSAP documents to the State Comptroller's office. Mr. Wunder stated that he feels that Mr. Cryan's remark about rebidding for the dump truck was wise and fair. Mr. Wunder asked if the Clinton 27 Truck is charging the patients for transportation to the hospital. He feels that it is like a hidden tax and it should be noted that it is being paid through the taxpayers and it was not in the past. Mr. Wunder stated that a radio station will be on line for OEM also.

Ms. Laurie Hoffman stated that Clinton Rescue is billing the insurance company and that you do not have to pay, if the insurance company does not. They will send you three bills and if you do not pay they will not send you to collections.

A concerned resident stated his worries over logging activity that is going on at the Crossroads Christian Camp on Pleasant Grove Road. The logging has been going on for 6 or 7 months and many trees have been taken down. The resident was told by the director of the camp that the operation was to remediate the damage from Sandy. The resident feels that they are taking the prime wood; the biggest and best trees that they can find and they are leaving a mess where the work was conducted. They are knocking down many trees to get to the prime ones and are building roads through the area. A few neighbors spoke with the loggers and they stated that what they are doing is in the best interest of good forestry. The resident does not believe this to be the case. The resident is concerned because he does not think that anyone is overseeing what is going on; in terms of the environment.

Mr. Warren Newman, Chairman of EOS, stated that he drove by the area and investigated the operation. He spoke to the Zoning Officer, John Flemming, and was informed that he had spoken to the camp director/owner the property and the property has a Forest Management Plan. The operations are under a practice plan which is a supplement to the standard Forest Management Plan. The plan is authorized and prepared by a DEP approved forester. The supplemental plan has been issued by the State to cover Sandy damage and has a 2 year gyration. The plan is designed to do a cleanup of trees damaged by the storm. This could include gaining access to areas of trees that are damaged or down which could involve taking a few other trees in doing so. The plan does not include the wholesale foresting of the property. Mr. Newman stated that the taking of trees beyond what have been damaged is not covered in the plan. The Township's tree ordinance does provide for an exemption as to those activities regulated under a DEP approved Forest Management Plan. Mr. Newman stated that the Zoning Officer was informed that they are only doing Sandy damaged tree removal, which Mr. Newman does not believe to be the case. Mr. Newman stated that his concern is the enforcement aspects of the activities. The Township Committee requested that the Zoning Officer contact the State DEP and the Highlands Council to look into the issue and to inform them that he is having trouble enforcing the Township's tree ordinance based on the activity. Mr. Tom Burrell stated that the forester is the one who chooses the trees to be harvested.

Mr. Brain Wunder clarified his earlier statement, regarding EMS costs, by noting that if the Township had to pay a cost for EMS, it would be paid by residents who may not have used the service.

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 8:37 p.m.

Resolution No 91-2013 –Executive Session

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 91-2013 and convened in executive session at 8:43p.m.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 91-2013
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: **Centurion**

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.) **Clinton First Aid and Rescue Squad – 27 Truck Service**

_____ 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.);

 X 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 Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote to adjourn the meeting at 9:14. p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: December 18, 2013

Thomas McKee, Mayor