

**Lebanon Township Committee
December 16, 2015**

Minutes of Regular Meeting

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 Dick Cushing, Clerk Karen Sandorse and 4 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of December 2, 2015

Motion by Mr. Laul, seconded by Mr. Cryan and carried unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of December 2, 2015.

Minutes of the Executive Session Meeting of December 2, 2015

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the minutes of the executive session meeting of December 2, 2015.

PUBLIC COMMENTS – for agenda items only.

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 7:03 p.m.

There were no public comments.

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:03 p.m.

ORDINANCES

Public Hearing

Ordinance No. 2015-09 – Bond

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2015-09 was opened.

There were no comments from the public.

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2015-09 was closed.

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2015-09 as written 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.

BE IT ORDAINED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, as follows:

Section 1. The Township of Lebanon, in the County of Hunterdon, State of New Jersey (the "Township") is hereby authorized to undertake the Road Resurfacing Program and to acquire new automotive vehicles, including original apparatus and equipment, in, by and for said Township, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective

amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking the Road Resurfacing Program at various locations in the Township, as set forth on a list on file or to be placed on file with the Township Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Township Committee, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$280,000
Down Payment Appropriated	\$ 13,400
Bonds and Notes Authorized	\$266,600
Period of Usefulness	10 years

B. Acquisition of new automotive vehicles, including original apparatus and equipment, consisting of dump trucks for the use of the Department of Public Works - Streets and Roads.

Appropriation and Estimated Cost	\$235,000
Down Payment Appropriated	\$ 11,600
Bonds and Notes Authorized	\$223,400
Period of Usefulness	5 years

Aggregate Appropriation and Estimated Cost	\$515,000
Aggregate Down Payment Appropriated	\$ 25,000
Aggregate Amount of Bonds and Notes Authorized	\$490,000

Section 5. The cost of such purposes, as hereinbefore stated, does not include any amount to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$25,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$25,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$490,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$490,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such

form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 7.72 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$490,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Hunterdon, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

RESOLUTIONS

Resolution No. 88-2015 - Cancel 2015 Delinquent Taxes

*Motion by Mr. Laul, seconded by Mr. Cryan and carried by favorable roll call vote, the Township Committee approved Resolution No. 88-2015 as written below. AYES: Wunder, McKee, Laul, Cryan
ABSTAIN: Milkowski*

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 88-2015
CANCEL DELINQUENT TAXES 2015

WHEREAS N.J.S.A. 40A: 5-17.01 allows for amounts of \$5.00 and less of delinquent taxes to be cancelled, and,

WHEREAS the following amounts are open and due for 2015, and

WHEREAS it is the desire of the Tax Collector to clear these amounts,

THEREFORE, BE IT RESOLVED that the following balances be cancelled:

Block/Lot	Amount
1/3	.40
10/26	.40
10/33	.42
12/28	.01
12/49.08	.01
16/17.01	.30
17/31	.18
29/17	.72
29/33.01	.07
30/31	.01
30/48	.02
36/28.01	.07
36/28.02	.04
37/32	.06
37/42.01	.27
37/42.07	.45
38/2	.04
38/5.03	.41
38/7.06	.02
38/19	.20
38/104	.04
41/16.07	.01
46/36	.01

49/29	.03
61/35.01	.22
61/44	.32
65/2.01	.02
68/3	.09
TOTAL : 4.84 (BILL ADJ)	

Resolution No. 89-2015 - Cancel 2015 Tax Credits

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 89-2015 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 89-2015
CANCEL OVERPAID TAXES 2015

WHEREAS N.J.S.A. 40A: 5-17.01 allows for amounts of \$5.00 and less of overpaid taxes to be cancelled, and,

WHEREAS the following amounts are overpaid for 2015, and

WHEREAS it is the desire of the Tax Collector to clear these amounts,

THEREFORE, BE IT RESOLVED that the following credits be cancelled to surplus:

Block/Lot	Amount
10/3	.61
16/2	.46
16/68	.25
17/3	.01
18/2	.15
30/37	.01
35/40.03	.01
37/35	.05
41/2.02	.02
49/40.01	.01
51/17.01	.01
51/14.01	1.00
56/25	.01
57/22	.01
65/8.01	.03
70/14	.20
72/18	.17
24/2	1.00
TOTAL: 4.01	

Resolution No. 90-2015 – Redemption of Tax Sale Certificate

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 90-2015 as attached.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 90-2015
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201506 on October 23rd 2015 to Leed Capital and,

WHEREAS the amount of \$300.64 has been collected from Elsie Janusz, owner of this property known as Block 61, Lot 36, Lebanon Township for the redemption of Tax Sale Certificate # 201506.

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign a check in the amount of \$300.64 and,

BE IT FURTHER RESOLVED that a check for the premium paid for this certificate in the amount of \$2400.000 also be prepared and that these checks be mailed to:

Leed Capital
946 Main Street
Hackensack, NJ 07601

Resolution No. 91-2015 – Return Overpayment of Taxes

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 91-2015 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 91-2015
RETURN OVERPAYMENT 2015 TAXES

WHEREAS there exists an overpayment of \$1,099.14 for fourth quarter 2015 taxes due to a duplicate payment for Block 40, Lot 11, 465 Route 513, and,

WHEREAS this amount has been requested for refund by Provident Funding, for their clients Lisbeth Koch and Guy Pajunas,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign this refund check to:

Provident Funding
Attn: Tax Department
PO Box 5914
Santa Rosa CA 95402

Resolution No. 92-2015 – Return Overpayment of Taxes

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 92-2015 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 92-2015
RETURN OVERPAYMENT 2015 TAXES

WHEREAS there exists an overpayment of \$1,946.11 for fourth quarter 2015 taxes due to a duplicate payment for Block 48, Lot 3, 84 Sliker Road, and,

WHEREAS this amount has been requested for refund by Sunrise Title Services, for their clients Timothy and Laura Jaw,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign this refund check to:

Timothy and Laura Jaw
84 Sliker Road
Glen Gardner NJ 08826

Resolution No. 93-2015 - Hunterdon County Open Space Funds

Motion by Mr. Laul, seconded by Mayor McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 93-2015 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 93-2015
REQUEST TO RESERVE OPEN SPACE TRUST FUNDS

WHEREAS, ten percent of the Hunterdon County Open Space Trust Fund raised from the Open Space Taxes collected annually in each municipality is available for municipal open space purposes each year; and

WHEREAS, the Township Committee does not have immediate plans to use its portion of the Open Space Trust Funds they will be working with the EOSC on continuing the trail projects they started and developing a stewardship program for the maintenance of open space and recreation lands in the Township; and

WHEREAS, the Township of Lebanon wishes to reserve the balance of its Municipal Grant allocation for use in a forthcoming year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lebanon, County of Hunterdon and State of New Jersey that it hereby asks the Hunterdon County Board of Freeholders to reserve and bank the Township's existing balance of the Hunterdon County Open Space Trust Funds for use in the forthcoming year.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Hunterdon County Board of Freeholders and the County Open Space Coordinator.

Resolution No. 94-2015 - Transfers

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 94-2015 as attached.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 94-2015**

OLD BUSINESS

Concrete Bin Blocks

Mayor McKee stated that East Amwell would like 48 out of the 50 bin blocks that are located at the DPW site. The Mayor has been speaking to Jason, the East Amwell DPW Supervisor, and they are willing to bring a trailer to the Lebanon Township DPW to pick up the blocks. They would come and pick up 8 blocks at a time and the Township's DPW will load the blocks on to their trailer. Mayor McKee stated that he spoke to Warren Gabriel and was informed that it will take his department approximately 30 minutes per load to load the trailer. There would be six loads for a total of three hours. The estimated cost to the Township would be \$180.00 East Amwell has informed the Mayor that they will have the cost of coming to pick up the blocks and the cost of unloading them at their facility. Mayor McKee stated that he asked Mr. Gabriel what the cost would be for the Township to transfer the blocks to a recycling center. Mr. Gabriel put together a thorough analysis as to the cost and it is extreme. Mayor McKee noted that the Township does not have the ability to trailer the blocks to the recycling center because there is no guarantee that they can be unloaded once they arrive at the facility. Mayor McKee stated that there could be a substantial cost to the Township if the blocks are not purged at this time. Mayor McKee stated that the Township could hold an auction for the blocks; however, they are in very bad condition and he does not know if anyone would be interested in them. Mayor McKee recommended that the Township consider giving the blocks to East Amwell at a cost of \$3.80 each as opposed to \$230 each for them to be recycled. Mr. Wunder stated that he would like to negotiate a little more with East Amwell, possibly for \$500. Mr. Wunder stated that the Township already paid the DPW Garage project contractor to recycle the blocks and that never happened. Mr. Milkowski stated that the contractor never disposed of any of the blocks. Mayor McKee stated that he does not believe that East Amwell will be interested in paying \$500 for the blocks because they feel that the blocks are worthless. Mayor McKee stated that the blocks are in very poor condition. The lifting rods are missing, some are destroyed and the aggregate is showing through the sides. Mr. Wunder asked where the recycling facility is located. Mayor McKee stated that it is located in Oxford, 11 miles away. Mr. Wunder asked why the Committee didn't have Mr. Milkowski deliver the blocks to the recycling center as opposed to the DPW garage. Mayor McKee stated that the Committee voted to bring the blocks back into the possession of the Township as it was the proper thing to do. Mr. Cryan asked why East Amwell is not willing to pay for the blocks. Mayor McKee stated that he is not sure but he feels that they have other options. Mr. Wunder said that Mr. Milkowski placed the blocks neatly at the DPW garage and they are not in the way; maybe Lebanon Township will find a use for them in the future. Mayor McKee stated that he does not think that the Township should charge East Amwell for the blocks. Mr. Laul does not think that they should be charged for the block either. Mayor McKee stated that in the future, Lebanon Township may be able to work out arrangements with East Amwell for other services, such as

borrowing their scavenge vac. Mr. Wunder suggested asking \$250.00 for the blocks. Mayor McKee recommended that the Township accept a \$180 loss and give the blocks to East Amwell at no cost. Mr. Laul stated that the Township has no real need for the blocks and East Amwell will be taking them off of Township property. Also, they are not in great condition so he feels that there should be no cost for East Amwell to take them. Mr. Cryan stated that he understands both sides of the issue and agrees with Mr. Wunder but if the Township does not make an agreement with East Amwell the Township's liability is much greater.

Attorney Cushing suggested a small price of possibly \$1.00 per block to avoid the need for him to have to research giving away Township property to another municipality at no cost.

Motion by Mr. Cryan, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee adopted Resolution No. 95-2015 as written below. AYES: McKee, Laul, Cryan NAYS: Wunder ABSTAIN: Milkowski

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 95-2015**

WHEREAS, the Township has approximately 50 concrete bin blocks that are used and have been tortured by salt; and

WHEREAS, some of the bin blocks do not have the metal handles that are used to lift them, which would make it more difficult to move them; therefore, making them less attractive to potential purchasers; and

WHEREAS, there is not a tremendous demand for bin blocks; and

WHEREAS, the cost to move and recycle the bin blocks has been estimated by the DPW Manager to be in excess of \$11,000.00; and

WHEREAS, East Amwell Township apparently has a need for bin blocks and can make use of the blocks; and

WHEREAS, it has been suggested that at some point in the future, East Amwell may be able to help Lebanon Township out with the loaning of equipment in an emergency situation; and

WHEREAS, good will may result from the sale of bin blocks to East Amwell at a possible discounted rate; and

WHEREAS, the sale of the bin blocks to East Amwell Township is permitted without public bidding because the sale is to another municipally.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee that the Township is authorized to sell the bin blocks to East Amwell Township at a cost of \$1.00 per block.

Clothing Allowance

Mr. Cryan stated that at the last meeting the Township Committee discussed holding the purchase orders for the DPW's clothing allowance for the 2016 year. This pertains to the effected employees in the CWA bargaining unit. Mr. Cryan asked the Committee to authorize the DPW Manager to issue purchase orders in the amount of \$300.00 each, effective January 1, 2016. Mr. Cryan stated that this will satisfy the Committee's bargaining obligations until the agreement is settled. Mr. Cryan stated that the contract states \$300.00 so that is all that will be issued.

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee authorized the DPW Manager to approve the clothing allowances of \$300.00 each for the CWA -DPW employees effective January 1, 2016.

NEW BUSINESS

Raffle Application – Voorhees Viking Booster Club – Various Dates

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 various 2016 events.

Planning Board Clerk Memo- Joint Meeting

Motion by Mr. Milkowski, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee scheduled a joint meeting with the Planning Board to be held on Tuesday, February 2, 2016 at 7:00 p.m. and authorized the Clerk to publish the notice. The purpose of the meeting is to discuss Affordable Housing.

Employee Theft Blanket Crime Bond

Motion by Mr. Laul, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee canceled the Selective Employee Theft Blanket Crime Bond as it is covered in the Statewide Policy.

Planning Board and Board of Adjustment

Mr. Milkowski stated that he would like the Committee to consider looking into combining the Board of Adjustment and the Planning Board and to form a Land Use Board. Mr. Milkowski noted that there is less activity on both Boards now so he feels that one Board can handle it. This will be discussed early in the New Year.

PRESENTATION OF VOUCHERS

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

Mr. Cryan stated that now that the Food Pantry is no longer using the old Squad Building and the Fire Department is leasing it, the electric bill should be turned over to the Fire Department for payment. Mr. Cryan stated that it should be a Fire Department bill. Mr. Milkowski stated that the Township does not turn the electric bill over to the library either. Mr. Cryan stated that the Fire Department has always paid their own electric bills. Mr. Milkowski stated that the Township has cut back on the funding they give to the Fire Department. Mr. Cryan stated that the Fire Department pays for the electric at Station 2. Mr. Milkowski asked if it is mentioned in the lease. Mr. Cryan stated that he did not believe so. Mr. Milkowski noted that if the Fire Department pays for the electric they will just ask for a larger contribution from the Township and ultimately the Township will still be paying for it. Either way, the Food Pantry name needs to be removed from the bill.

Mr. Cryan questioned a voucher for \$575.00 which is for the clothing allowance for an employee of the DPW. Mr. Cryan asked if the allowance was for 2015 or 2016. Mr. Cryan stated that he is concerned because the DPW Manager approved clothing allowances for 2015 in December of 2014. He noted that when he challenged the 2015 allowances he was told that they were already finalized and sent to Flemington Department Store. The Clerk verified with the DPW Manager that the allowance in question was for the 2015 year.

Motion by Mr. Laul, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved the December 16, 2015 bill list in the amount of \$546,996.74 subject to clarification of Purchase Order No. 1501112, by Mr. Wunder, that the charges are for 2015.

CORRESPONDENCE

- a. Tax Collector's Report for the Month of November 2015
- b. Gail Glashoff – Planning and Zoning Memo
- c. Statewide Insurance –Loss Control Service Visit Correspondence
- d. Library Committee's November 11, 2015 Meeting Minutes
- e. Recreation Committee November 15, 2015 Meeting Minutes

Mr. Cryan

Mayor McKee thanked Mr. Cryan for the three years he sat on the Township Committee and stated that it was an honor to work with him.

PUBLIC COMMENTS

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 7:44 p.m.

There were no comments from the public

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:45 p.m.

Resolution No. 96-2015 –Executive Session

Motion by Mr. Milkowski, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 96-2015 and convened in executive session at 7:46 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. 96-2015
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 was reconvened at 8:14 p.m.

During Executive Session the Township Committee spoke of the Police Chief's health benefits upon retirement and the status of CWA negotiations.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Milkowski seconded by Mr. Cryan and carried by unanimous favorable roll call vote to adjourn the meeting at 8:14 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: January 20, 2016

Thomas McKee, Mayor