

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 Francis Morrison

Absent-

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 7 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of December 4, 2013

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by favorable roll call vote, the Township Committee approved minutes of the regular meeting of December 4, 2013 as corrected. AYES: Schriver, McKee, Milkowski, Cryan ABSTAIN: Morrison

Minutes of the Executive Session of December 4, 2013

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by favorable roll call vote, the Township Committee approved minutes of the executive session of December 4, 2013. AYES: Schriver, McKee, Milkowski, Cryan ABSTAIN: Morrison

PUBLIC COMMENTS – for agenda items only.

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

Mr. Victor Hoffman wished all a Merry Christmas thanked Mr. Morrison for service and dedication during the time he served on the Committee. Mr. Hoffman asked what the Committee is requesting the Open Space Trust Funds be reserved for. Mayor McKee stated that the Committee is considering trail

connectivity, possible use in the park and possibly historic buildings. Mr. Hoffman requested that the Committee consider some of the funds for a bathroom at the museum.

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

Public Hearing

Ordinance 2013-11 Authorizing Sunday Raffles

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2013-11 was opened.

There were no comments from the public.

Motion by Ms. Schriver, seconded by Mr. Morrison and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2013-11 was closed.

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

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

Statement of Purpose. It is the purpose of this Ordinance to assist charitable, civic and serve organizations including volunteer fire companies, first aid squads, church organizations, school groups, veteran's organizations and senior citizen's clubs by permitting Sunday raffles to raise funds for educational, charitable, patriotic, religious and public spirited purposes.

BE IT ORDAINED by the Township Committee of the Township of Lebanon that the following is hereby enacted:

§ 1.0.

This Ordinance supplements N.J.S.A. 5:8-50, the Raffles Licensing Law.

§ 2.0.

The Legalized Games of Chance Control Commission shall promulgate the applicable regulations governing the advertising of any raffle occurring in the Township.

§ 3.0. Authorization.

Pursuant to N.J.S.A. 5:8-31, raffles are authorized to any organization qualified herein to be conducted on Sundays.

§ 4.0. Number.

The number of Sunday raffles as permitted shall be unlimited provided the tickets are sold only on premises and on the day of the drawing. In the event tickets for raffles are sold or offered for sale any day prior to the event, the number of Sunday raffles shall be limited to one (1) per month.

§ 5.0. Application.

Each applicant for a Sunday raffle license shall file with the Municipal Clerk a written application therefor in the form prescribed by the rules and regulations which shall be duly executed and verified and in which shall be stated the name and address of the applicant together with sufficient facts relating to its incorporation or organization in order to enable the Township Committee to determine whether or not the applicant is a bonafide organization or association as defined herein.

Repealer. All Ordinances or parts of Ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

Effective Date. This Ordinance shall take effect following final passage and publication in accordance with law.

RESOLUTIONS

Resolution No. 92-2013 - Refund for Overpayment of Taxes – United Telephone

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee approved Resolution No. 92-2013 as written below. AYES: Schriver, McKee, Milkowski, Morrison ABSTAIN: Cryan

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 92-2013

WHEREAS there exists an overpayment of 2013 taxes for the following property, and,
WHEREAS there will be no further billing for the following property,
THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor,
Treasurer and Clerk be authorized to sign a refund check for the following property:

Block/Lot	Owner:	Amount:
555/1	United Telephone- NJ	\$16,096.03

Resolution No. 93-2013 - Refund for Overpayment of Taxes - State of NJ – DEP

Motion by Mr. Milkowski, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 93-2013 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 93-2013

WHEREAS there exists an overpayment of 2013 taxes for the following property, and,
WHEREAS there will be no further billing for the following property, as it has now become tax exempt,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor,
Treasurer and Clerk be authorized to sign a refund check for the following property:

Block/Lot	Owner:	Amount:
19/16	State of NJ- DEP	\$ 414.82

Resolution No. 94-2013 - Refund for Overpayment of Taxes - Leizer/Michels/Papantonis/Quinn

Motion by Mr. Schriver, seconded by Mayor McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 94-2013 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 94-2013

WHEREAS there exists an overpayment of 2013 taxes for the following properties, and,
WHEREAS these amounts have been requested for refund by the homeowners
THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor,
Treasurer and Clerk be authorized to sign a refund check for the following properties:

Block/Lot	Owner:	Amount:
24/5.12	Cary Leizer	\$3,400.07
24/32.06	Ronald & Christine Michels	\$5,356.65
57/21	Perry Papantonis & Siobhan Quinn	\$3,620.43

Resolution No. 95-2013 - Cancel 2013 Delinquent Taxes

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by favorable roll call vote, the Township Committee approved Resolution No. 95-2013 as written below. AYES: Schriver, McKee, Milkowski, Morrison ABSTAIN: Cryan

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 95-2013

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 2013, 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
2/2.01	.91
10/8.01	.01
10/56	.06
12/1.01	.01
19/4	.44
19/12	.01
21/32	.25
24/8.03	.10

29/32 Q0053	.41
30/48	.01
34/2 Q0061	.50
37/22.04	.65
38/79	.01
41/16.10	.01
48/6	.02
49/7	.37
49/70	.27
49/81	.30
58/5	.84
59/7.01	.02
59/7.02	.02
60/15.01	.46
60/47	.02
69/47	.03
77/6	.01

TOTAL : 5.74 (BILL ADJ)

Resolution No. 96-2013 - Cancel 2013 Tax Credits

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by favorable roll call vote, the Township Committee approved Resolution No. 96-2013 as written below. AYES: Schriver, McKee, Milkowski, Morrison ABSTAIN: Cryan

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 96-2013

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 2013, and

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

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

Block/Lot	Amount
10/39 Q0005	.97
10/54	.01
21/6.01	.01
24/32.02	.01
33/5.01	.08
36/43	.25
37/35	.03
37.02/5	.10
38/109	.02
49/16	.02
51/13 Q0217	.01

51/14.05	.13
53/11	.20
57/32.01	.44
61/23.07	.06
65/13	.09

TOTAL : 2.43-(PAY ADJ)

Resolution No. 97-2013 - Request to Reserve Open Space Trust Funds

Motion by Mr. Milkowski, seconded by Mayor McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No.97 -2013 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 97-2013
REQUEST TO RESERVE OPEN SPACE TRUST FUNDS

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

WHEREAS, the Township of Lebanon does not have immediate plans to use its portion of the Open Space Trust Funds, however; are researching options relative to improvements to the Lebanon Township Memorial Park, Trail Systems and the Lebanon Township Museum; and

WHEREAS, the Township of Lebanon wishes to reserve its FY 2012 share of the Fund 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 the Town's share in the amount of \$28,253.01, of the Hunterdon County Open Space Trust Fund collected in 2012 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. 98-2013 - Chapter 159 – Body Armor

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 98-2013 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 98-2013
CHAPTER 159

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

SECTION 1,

NOW, THEREFORE BE IT RESOLVED that the Township of Lebanon, Hunterdon County, hereby requests the Director of the Division of Local Government Services to approve the increase of \$ 1,527.49 for an item of revenue in the budget of the year 2013 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations – Body Armor Grant
Total with increase to be \$ 1,527.49

SECTION 2,

BE IT FURTHER RESOLVED that a like sum of \$ 1,527.49 be and the same is hereby appropriated under the caption of:

General Appropriations -
Public & Private Programs Offset by Revenues – Body Armor Grant
State/Federal Share \$ 1,527.49
Non State Share \$
Total with increase to be \$ 1,527.49

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

Resolution No. 99-2013 - Transfers

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 99-2013 as attached.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 99-2013
TRANSFERS

OLD BUSINESS

DPW Dump Truck Purchase

Mayor McKee stated that the Committee had received bids for a new dump truck. Mid-Atlantic Truck Service sent a letter to the Township requesting a hearing to demonstrate their equivalency to Brown's proposal, at a substantially lower price, before the contract is awarded. A hearing took place at the November 6, 2013 Township Committee meeting and ultimately the bid was awarded to Mid-Atlantic Truck Service. A dispute was then raised by Brown's Trucking. The Committee was to follow up with a letter to Brown's stating that the Township will proceed with the low bidder, however; it did not receive three Committee approvals for a letter to be sent. At the December 4, 2013 meeting, the Committee discussed rejecting all bids and seeking new bids for the truck. Mr. Morrison was absent

from the meeting so the Committee held the matter over to this meeting for a final vote. Discussion was held on rebidding for the dump truck.

Ms. Schriver moved and Mr. Cryan seconded motion to rebid for a new dump truck.

AYES: Schriver, Cryan NAYS: McKee, Milkowski, Morrison Motion Failed.

Reorg changed to 6pm

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee moved the Reorganization Meeting from 7 p.m. to 6 p.m. on January 7, 2014.

NEW BUSINESS

Joint Planning Board/Committee/EOS Meeting

The joint Planning Board/Township Committee and EOS meeting, regarding the Quarry, will be held on January 21, 2014 at 7:00 p.m.

Gail Glashoff, MHL – COAH Rehabilitation Application

Ms. Glashoff stated that she has received another COAH Rehab application. The applicant received a Rehab loan, earlier in the year, for the replacement of the roof on their mobile home. They are now applying to replace the skirting around the house. Mr. Charlie Rogers, the Construction Code Official, informed Ms. Glashoff that the skirting is in need of replacement. Mr. Glashoff has received three quotes and discussed them with Mr. Rogers. Attorney Cushing has also reviewed the quotes. Ms. Glashoff stated that the lowest quote is providing the most efficient work with vinyl skirting. The contract will be between the homeowner and the contractor. Ms. Glashoff is to obtain certificate of insurance naming the Township as additionally insured.

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved B & L Home Improvements Services in the amount of \$4800.00 with an additional amount not to exceed \$500.00 for permits.

LTEOS Resignation – Gregory Cahill

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee accepted Mr. Cahill's resignation with regret.

Animal Control Officer

Discussion was held on the need for Animal Control services in the Township. Deputy Clerk Kim Jacobus is looking into possible options.

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 18, 2013 bill list in amount of \$1,097,804.96 with the addition of:

FEMA Reimbursement to Slowinski/Koch - \$ 63,236.26
2012 Snow Reserve Transfer to Savings - \$39,741.28
Lebanon Township Reimbursement to Budget from Snow Reserve - \$26,369.40
Lebanon Township Accumulated Leave Act - \$37,000.00 to Savings

CORRESPONDENCE

- a. Tax Collector's Report for the Month of November 2013

Mr. Morrison Acknowledgement

Mayor McKee acknowledged Mr. Morrison for his service to the Township. Mayor McKee stated that the Committee appreciates Mr. Morrison's long service and what he has done for the Township. The Committee thanked Mr. Morrison.

Clinton First Aid and Rescue – 27 Truck Agreement

Mayor McKee stated that the Township received the proposed Clinton First Aid and Rescue – 27 Truck Agreement last night at 5:00 p.m. The present contract expires on January 10, 2014. There are no changes from the prior contract, with the exception of it being a one year contract; 2014-2015. Mayor McKee stated that the overall cost to the Township can be no more than \$17,500.00. Mayor McKee noted that the current contract was for 18 months and the Township is not even close to the \$17,500.00 limit. The final cost is yet to come, however; he thinks that it may be \$6000 to \$6600. Mayor McKee stated that the Committee attempted to have holidays covered in the new agreement though it did not work out. The Committee decided to hold on taking action on the agreement until after the public comment portion of the meeting.

PUBLIC COMMENTS

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 at 7:48 p.m.

Mr. Victor Hoffman questioned the time frame in approving the Clinton 27 Truck contract.

Mr. Brian Wunder stated that he is planning on recusing himself from the Clinton 27 Truck issue in January 2014 so the Committee might want to vote this evening.

Ms. Annette LeMenze asked if the Township has looked into other outside agencies to cover the EMS for the Township for comparison purposes.

Motion by Mr. Milkowski, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:56 p.m.

The Committee decided that discuss the Clinton 27 Truck Agreement in Executive Session.

Resolution No 91-2013 –Executive Session

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 100-2013 and convened in executive session at 8:01 p.m.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 100-2013
RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Committee find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Committee will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon:

_____);

A matter where the release of information would impair a right to receive funds from the federal government;

A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

A collective bargaining agreement, or the terms and conditions thereof (Specify contract: _____);

A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions

Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

Investigations of violations or possible violations of the law;

Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is:

Professional 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;

LTCM

12/18/2013

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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 8:25 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: January 15, 2013

Thomas McKee, Mayor