

CALL TO ORDER

Mayor Marc Laul called the meeting to order at 7:00 p.m. and stated that in compliance with the "Open Public Meeting Act" this is a Regular Meeting of the Township Committee as published in the Hunterdon Review, the agenda has been posted at the Municipal Building and distributed to the Hunterdon Review, Courier News, the Express Times, the Hunterdon County Democrat and the Star Ledger.

FLAG SALUTE

Mayor Laul asked everyone to please stand for the Flag Salute and for a Moment of Silence.

ROLL CALL

Present - Marc Laul Thomas McKee Ronald Milkowski Mike Schmidt

Absent- Brian Wunder

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 17 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of December 16, 2015

Motion by Mr. McKee, seconded by Mayor Laul and carried by favorable roll call vote, the Township Committee approved minutes of the regular meeting of December 16, 2015. AYES: McKee, Laul, Milkowski ABSTAIN: Schmidt

Minutes of the Executive Session of December 16, 2015

Motion by Mr. McKee, seconded by Mr. Milkowski and carried by favorable roll call vote, the Township Committee approved minutes of the executive session of December 16, 2015. AYES: McKee, Laul, Milkowski ABSTAIN: Schmidt

Minutes of the Reorganization Meeting of January 6, 2016

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Reorganization meeting of January 6, 2016.

PUBLIC COMMENTS – for agenda items only.

Motion by Mr. Schmidt, seconded by Mr. McKee 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 Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting.

RESOLUTION

Resolution No. 19-2016 – Amending Resolution No. 18-2016 – Appoint OEM Coordinator

Motion by Mr. Milkowski, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 19-2016 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 19-2016
A RESOLUTION AMENDING RESOLUTION NO. 18-2016
OF THE TOWNSHIP OF LEBANON,
COUNTY OF HUNTERDON, STATE OF NEW JERSEY,
APPOINTMENT – EMERGENCY MANAGEMENT COORDINATOR**

WHEREAS, the Township of Lebanon is currently in need of an Emergency Management Coordinator;
and

WHEREAS, Alan Goracy is qualified for this position;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon to appoint Alan Goracy to the position of Emergency Management Coordinator for a 3 year term beginning on, **October 18, 2015, ending December 31, 2018.**

OLD BUSINESS

DPW Manager Correspondence – Township Garage Matters

As requested by the Township Committee, the DPW Manager, Warren Gabriel drafted a letter to inform the Committee of the unresolved issues with the Township Garage. Two of the chimneys in the mechanics bay and one in the storage bay are leaking. Mr. Gabriel was asked to contact Intermark, who installed the roof, to have the leaks corrected. The roof has a life time guarantee so hopefully there will not be a problem. Water is also entering the building from under the front door. The general contractor has been back a few times to adjust the sill and put a weather stripping over the previous strip; however, the water is still leaking under the door and the weather stripping is now coming off. Mr. Gabriel will contact Cecil Burd to fix the problem.

The mechanics bay floor is still a problem also. Mr. McKee stated that the idea of putting a curtain drain in was discussed but it does not meet the satisfaction of Mr. Gabriel or the mechanic as the water will still travel from the center of the floor, out. Mr. McKee noted that the design of the mechanics bay was to have a level floor. Mr. McKee stated that unfortunately the floor pitches to the perimeter but it is probably considered level in an AIA Contract. Mr. McKee said that he does not believe that the floor

drain was meant to drain water; he believes that the drain is for spilled fluid that would be squeegeed to it. The fluid is then collected in a tank that is connected to the drain and pumped out by a company as needed. Mr. McKee stated that he is not happy with the idea of completely removing the concrete floor. There have been thoughts of grinding the floor to lower it or putting grooves in the floor as a means for the water to flow toward that drain. He is not happy with the idea of grooves as they may clog. Mr. McKee stated that the mechanic cannot be working on a wet floor so the trucks need to be stored somewhere else so they can dry. Mr. McKee noted that this is up to the DPW Manager and his staff to decide. Mr. Milkowski stated that the architect informed him that the floor was installed as designed. A level floor was requested because of the jacking system that is used for raising the trucks. Mr. Milkowski stated that the trucks should be dried off before pulling them into the bay and that the mechanic should not be welding on a wet floor. Mr. Schmidt noted that the water is beginning to do damage to other parts of the building and although the floor was built to design it is not working with the DPW's needs, so a plan must be developed. Mayor Laul stated that the catch basin needs to be considered also.

Mayor Laul stated that the recycler is still a problem. Mr. Gabriel stated that there is no way to have the salt removed from the recycled water other than to have it pumped out a few times a year. Mr. Gabriel stated that it is not cost effective to have the system. Mr. Gabriel is looking into other vendors to see if the system can be more effective.

The air compressor has been an ongoing problem since day one and the system is being bypassed. Mr. McKee suggested going back to the installer or the supplier. Mr. Milkowski suggested getting a price on upgrading the compressor and to then see if any money can be recovered from the contractor. Mr. Gabriel will talk to Airomatics to see what they recommend.

Mr. Milkowski and Mr. Wunder will meet with Mr. Gabriel to discuss options for the floor.

DPW Manager Correspondence – Ordered 2016 Dump Truck

Mr. Gabriel sent a letter to the Township Committee to inform them that the new dump truck is due to be delivered in the next week or so. The Township will be receiving a \$3000 credit from the trade in of the 1997 Ford F-800. Mr. Gabriel is asking for the Committee's approval for the Clerk to sign the title over to Browns Mack once the new truck is delivered and inspected.

Motion by Mr. Milkowski, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee authorized the Clerk to sign over the Title of the 1997 Ford F-800 truck to Browns Mack once the new truck is delivered and inspected.

Mr. McKee asked Mr. Gabriel if the backhoe is coming up for replacement. Mr. Gabriel stated that it will be in 2017.

LTVFD – Request to Purchase a Command Vehicle and a BLS Ambulance

The Fire Department has asked for a new Command Vehicle and a new BLS Ambulance. Mr. McKee reminded the Committee that they also need to fund the \$280,000.00 road improvements for 2015. It is anticipated that the road work will be done in July or August. Mr. Milkowski stated that the Fire Department is against a time line for the purchase of the ambulance. In order to purchase the vehicle that they want, it will have to be done soon. Deputy Fire Chief James Crampton stated that they are

working with the supplier that the Township purchased the 2010 ambulance from. GMC is discontinuing that particular chassis in a diesel platform; however, the supplier does not know when this will happen exactly. The chassis with the gas platform is not a good alternative because it is not suitable for the terrain in the Township. To get a suitable diesel chassis they would have to move to an F-550 which would increase the cost by \$15,000.00 and would make it more difficult to maneuver around the Township.

Mr. Schmidt asked if there was a change in the status of the other BLS units. Mr. Crampton stated that there is an increase in the maintenance needs for the 2005 vehicle. Last year the Fire Department put \$9000 into motor work. Mr. Schmidt asked if there are month to month issues with the vehicle. Mr. Crampton stated that there are none that they are aware of. CFO Greg Della Pia noted that it was stated in the Fire Department's request that they need to purchase newer updated medical supplies. Mr. Della Pia informed the Fire Department that these items would be considered consumables and they cannot be included in the Bond. Mr. Crampton stated that the Fire Department was referring to the need to purchase a new stretcher; however, the 2010 vehicle was purchased at \$224,000 so this request would not allow for the purchase of a new stretcher. Mr. McKee asked what the Fire Department's plans are for the use of three ambulances. Mr. Crampton stated that one would be located at Station No. 1, permanently. Mr. McKee asked when the ambulance would be delivered. Mr. Crampton stated that there is a 6 – 9 month lead time overall with the chassis being 30-60 days. Mr. McKee asked if the ambulance is built to the Fire Department's specifications. Mr. Crampton stated that this ambulance will be built according to the specifications of the 2010 unit.

Discussion was held on the method of financing the vehicle.

Mr. McKee asked the Fire Department if they feel that the new ambulance will provide additional security and safety for the Township residents and questioned if they feel under-equipped at this time. The Fire Department members present agreed.

The cost for the unit is \$225,000.00. No one is sure if there will be a deposit needed. Mr. Milkowski stated that he has been involved in purchasing fire equipment in the past and it is very seldom that there is a deposit needed upfront. Mr. Milkowski stated that possibly when the chassis comes in, if the Township pays for it, they may lower the total cost of the vehicle.

Mayor Laul stated that the Fire Department is also asking for a Command Vehicle at a cost of \$90,000.00 for a total amount of \$315,000.00 for the two vehicles. The cost of \$60,000.00 for the museum restroom needs to be considered also.

Discussion was held on the way in which to finance the vehicles and restroom facility.

Mr. McKee asked the Fire Department if there are any new vehicles they will need in the next few years. Mr. Crampton stated that Engine 19-65 will need to be replaced in a year or so. The Fire Department is currently trying to apply for a grant for the purchase. Mr. Crampton stated that the new engine may cost approximately \$600,000.00.

Mr. McKee stated that it does make sense to move forward now if this is the chassis that the Fire Department wants and it will be discontinued. Also, they have had good success with the one that they own. Mr. McKee suggested bonding for the purchases. Mr. Laul said that due to the length of the useful life of the items, he agrees that bonding is the best option. Mr. Milkowski stated that he would like to

move away from bonding but the items being purchased will last for years and the cost will be spread amongst those who will benefit from them through the years.

Mr. McKee asked Mr. Crampton how many incident vehicles the Fire Department has. Mr. Crampton stated that the Fire Department has two Command Vehicles and one First Response Vehicle which is used by the EMS Deputy Chief. The new Command Vehicle will be for Fire Department use. Mr. McKee asked if there is a need to have so many vehicles. Mr. Crampton stated that he personally believes so due to the size of the Township. Mr. Crampton stated that 99.9% of the time the Chief or one of the Deputy Chiefs are the first to arrive at a medical emergency or a fire in one of these vehicles. Mr. McKee asked if each of the vehicles that are added to the Township's insurance policy are additionally insured or is there blanket coverage for all of the vehicles. Mr. Warren Gabriel stated that if a vehicle is added there is a change in the premium cost. The changes take effect the following year. Mr. McKee stated that the older vehicles are also costing the Fire Department for repairs and questioned the number that is truly needed. Mr. Schmidt asked if there are any police vehicles that are reaching the end of the Police Department use. Mr. Milkowski stated that the last vehicle was the one with the bad motor which was sold. Mr. Milkowski stated that typically the Police Department drives the cars close to their end. Mr. Milkowski would like to see the Police Department rotate the vehicles out sooner so they can be moved on. Mr. Milkowski stated that he spoke to the Chief about this and was informed that the vehicles are on a cycle of "so many years, so much usage". Also, the radios and such are built into the car for the length of time that they are used. The cost to upgrade sooner would not be beneficial. Mr. Crampton stated that when they removed the cage from the police vehicle they had to remove the back seat also as it is one unit. This limited the Fire Department's use of the vehicle also. Mr. Laul asked if there are any pressing issues with the Command Vehicle such as the chassis issue with the ambulance. Mr. Crampton stated that it is "not as pressing" because they are looking to purchase through the State Contract and there is no bidding required. Mr. Milkowski stated that "times are changing" there are so many more requirements that the Fire Department needs to follow. Unfortunately, they need to keep in compliance and that is what they are trying to do. It will protect the Township from any lawsuits. Mr. Laul asked if the Township is out of compliance at this time with the vehicles that they have. Mr. Milkowski stated that he is not sure but they are moving in the right direction.

Mr. McKee asked if the Fire Department is willing to assist in the funding or are they asking the Township to fund the vehicles entirely? Mr. Crampton stated that based on the discussions had at their business meeting the cost will be funded solely by the Township.

Mayor Laul stated that the Township Committee approved the Museum restroom facility last year so it should be included in the Bond. He feels that the ambulance should also be included in it because many things can happen to the current ambulances during the nine months it may take for the new ambulance to be built. Mayor Laul stated that he is not sure about the Command Vehicle. Mr. Milkowski stated that at this time the Fire Department has three vehicles with one being in rough shape. Possibly, with the two new vehicles they can phase out one of the Command Vehicles. Mr. Milkowski suggested that the Fire Department can restructure their operating procedures and see if it will work better with a vehicle that they can rely on. Mr. Schmidt asked of the lead time in receiving the new Command Vehicle. Mr. Crampton stated that it would probably be under six months. Mr. Schmidt asked if the current Command Vehicle would be taken off the road if it were to be replaced. Mr. Crampton stated that would be something that can be discussed. Mr. McKee stated that his concern is that the Engine will need to be replaced in the near future at a cost of \$600,000.00. Mr. Milkowski asked how often the Engine is used at this time. Mr. Crampton stated that it is not used very often because the 2007 Engine, which is housed at Station No. 1, has been converted to a rescue engine. It is not designed for this

purpose or to handle the amount of equipment it has. Mr. Crampton stated that the Township covers a portion of Route 31 and responds to quite a few motor vehicles accidents annually.

Motion by Mr. Milkowski, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee authorized the CFO to have a \$400,000.00 Bond Ordinance drafted to cover the cost of the Museum restroom facility, a new BLS ambulance and a new Command Vehicle.

Museum Restroom Facility Funding

See above.

LOSAP

Mayor Laul provided the Township Committee with copies of a spreadsheet listing all members of the Fire Department, during 2000-2010, who were in LOSAP and who were subject to the qualifying year contributions. This list would make everyone whole for the qualifying year. The total amount of \$10,800.00 will come out of the 2016 budget. The list also includes any members who have withdrawn from the program or who passed away and a relative has withdrawn the funds. The Township will also need to budget, in 2016, for contributions due for the 2011-2016 years.

Mr. Laul stated that he confirmed through the State, that contributions are not a matter of being vested. It is actually the number of active service years. This needs to be considered when reviewing the members vesting and contributions.

Mayor McKee recommended that the list be posted for all appropriate individuals viewing.

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by favorable roll call vote, the Township Committee authorized the Clerk to post the LOSAP list so it may be reviewed by all appropriate individuals and for comments to come back to the Committee so they may decide how it will be funded. The total amount of \$10,800.00 is correct in the Committees opinion. AYES: Schmidt, Laul, McKee ABSTAIN: Milkowski

OEM Grant

Mayor Laul stated that the OEM Coordinator, Alan Goracy, received a grant for putting generators in the Fire Houses. Mayor Laul said that he needs to get paperwork from Mr. Goracy stating that the State has authorized the grant so the CFO can put it on the books as revenue. The Township will have to pay for the generators up front. Mr. McKee suggested scheduling a meeting with the OEM Coordinator, the Deputy OEM Coordinators and the Mayor to move the process forward. Mayor Laul told the Fire Department that Mr. Goracy informed him that the past Fire Chief, Edd Schaffer, has quotes for the generators. The Fire Members said that Mr. Goracy should have them. Mayor Laul will ask Mr. Goracy about the quotes.

NEW BUSINESS

JCP & L – Stan Prater - Maintaining a Safe and Reliable Transmission System

Mr. Stan Prater, the area representative for JCP & L, stated that he spoke with Mr. McKee about transmission tree trimming that JCP & L has planned in the Township. Mr. Prater noted that tree trimming is nothing new and has been conducted on 4 year cycles in the past; however, the process will be somewhat different the next cycle. Mr. Prater stated that when he spoke to Mr. McKee he raised some concerns with the new process, specifically the use of herbicides. Mr. McKee stated that there were residents who had strong apprehensions with aerosol herbicide applications that took place at the Melick Farm in the past. Due to the sensitive subject Mr. McKee thought it would be a good idea to invite JCP & L to a meeting to inform the public of the tree trimming process.

Mr. Prater stated that joining him at the meeting is Scott Weirs and Joe Lapacka who are from the Transmission Forestry Department and are responsible for the work that will be done in Lebanon Township. Mr. Weirs stated that the BPU mandates that the corridors are cleared once every four years. The large transmission power line corridor that goes through the Township begins at the Glen Gardner Substation and travels to the Tewksbury substation and then finally to the Chester substation. The lines are 230kv and are under both federal and state regulation. This area was trimmed in 2008 and 2012 making 2016 the third cycle through for the Transmission Vegetation Management Program. Mr. Weirs stated that the corridor is 150 ft. in width and they have cleared the corridor as wide as possible. In 2012 they conducted a “round the sky trimming” which is when they cut straight up from the 150 ft. area. This was done manually. This year, the crown will be cut with a helicopter and an aerial saw which is new technology. The trimming will not be conducted within 150 ft. of a home.

Mr. Weirs stated that the JCP & L herbicide treatments have been conducted the past two cycles so there is a limited amount of vegetation that is on the ground at this time. Due to this, less herbicides are needed each cycle through. Mr. Weirs stated that they do not project the application of herbicides to be what they have done before; it will be mostly spot treatments. Mr. Weirs stated that they will either use a low volume mix with a backpack or they will apply another mix to specific plants. Mr. McKee asked if the area has steep slopes. Mr. Weirs stated that in Lebanon Township there are some 100 ft. zones. Mr. Weirs stated that the herbicides that they use typically attach themselves to the soil so there should not be a lot of runoff. Mr. McKee stated that his concern is that when the ground is barren there is a risk that the stormwater will runoff and noted that there is a problem on Poplar and Buffalo Hollow Road with severe runoff. Mr. McKee stated that at one time hay bales were placed in the area but he is not sure of who placed them there. Mr. Weirs stated that they will be happy to look at the steep slope runoff issues. Mr. McKee stated that he will try to coordinate a meeting. Mr. Weirs informed the Committee that their program looks at trees beyond the 150 ft. area that are dead, dying, diseased or encroaching. There is a bug called the Emerald Ash Borer which could be a significant issue. JCP & L may have to remove ash trees outside 150 ft. area to prevent the trees from falling on the lines. This would need to be done by ground crews. Property owners may have a problem with the trees being removed but there is a reason for it to be done. Mr. Weirs stated that they sent certified letters to all property owners whose property is associated with the transmission lines.

Mr. Weirs stated that the work planning, identifying what is on the properties, is going to begin in the next couple of weeks. The aerial saws will be in the first or second in March, tree work may begin in June or July, herbicide applications begin on June 1st through mid-September. Tree crews are then heavily back to tree work and all should be done by November. Mr. Schmidt asked about the cleanup of

the cut trees. Mr. Weirs stated that it all depends on the property owner. On maintained properties, with the exception of the stump, the wood and debris will be removed. If the property owner wants the wood they are welcome to it. In a more rural area the brush and debris would be diced down onto the side of the road and the wood would be left for the property owner. If the property owner would like the wood removed, JCP & L will remove it.

Retirement – Patrolman Dennis Smith

Motion by Mr. McKee, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee accepted Patrolman Dennis Smith's letter of resignation with regret and appreciation for his service to the Township.

Memorial Park Committee Resignation – Wayne Maurer

Motion by Mr. McKee, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee accepted Mr. Maurer's resignation with deep regrets and appreciation for all of his efforts in the park. He will be greatly missed by the Township.

Raffle Application – PTSO Voorhees High School Inc.

Motion by Mr. Milkowski, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved a Raffle License Application for the PTSO Voorhees High School Inc.

Library Committee – Request for Approval of Nominations

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee accepted the Library Committee appointments of Barbara O'Rourke as Chairman, Jan Gibas as Assistant Chairman and Melanie Ryan as Secretary for the 2016 year.

Approve Junk Yard Application – Burd Salvage

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved a Junk Yard Application for Burd Salvage.

Approve Junk Yard Application – A.S. Milkowski & Sons

*Motion by Mr. McKee, seconded by Mr. Schmidt and carried by favorable roll call vote, the Township Committee approved a Junkyard Application for A.S. Milkowski & Sons. AYES: Schmidt, Laul, McKee
ABSTAIN: Milkowski*

Hunterdon Land Trust – Request for Contribution

Mayor Laul stated that he spoke to the CFO and there is no line item in the budget to make a donation out of at this time. Mayor Laul would like to table the request until the budget meetings. The Committee agreed.

Raritan Headwaters Association – Request for Support – 26th Annual Stream Cleanup

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved a donation to the Raritan Headwaters Association in the amount of \$300.00. The donation will be paid for out of the Clean Communities grant funds.

Approve Relief Association Application – LTVFD Member Tim Hinson

Motion by Mr. McKee, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved the New Jersey State Relief Association application for LTVFD member Tim Hinson.

PRESENTATION OF VOUCHERS

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

*Motion by Mr. Schmidt, seconded by Mr. McKee and carried by favorable roll call vote, the Township Committee approved the January 20, 2016 bill list in amount of \$ 64,960.72 with the removal of the Flemington Department Store voucher in the amount of \$1150.00. AYES: Schmidt, Laul, McKee
ABSTAIN: Milkowski*

CORRESPONDENCE

- a. Tax Collector's Report for the Month of December 2015
- b. Tax Collector's Annual Report
- c. Township Historian's Meeting Minutes of December 2, 2015
- d. Township Library Committee Meeting Minutes of December 9, 2015
- e. State of New Jersey Div. of Property Management & Construction – Hagedorn Property Lease

Mr. Schmidt requested for someone on the Committee to look into the scope of the program that is proposed at the Hagedorn Property and if there are any public safety concerns. Mayor Laul will call Mr. Wunder and ask him to contact the State to inquire on the operation.

PUBLIC COMMENTS

Motion by Mr. McKee, seconded by Mr. Schmidt, and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 9:08 p.m.

Ms. Sue Schlesinger thanked the Committee for approving the purchase of the vehicles for the Fire Department.

Mr. Anthony Casale stated that he thought that the Committee was very thorough this evening which he was happy to see. Mr. Casale asked about the status of the bin blocks going to East Amwell. Mr. McKee stated that the other township withdrew their interest. Mr. Casale said that in the recent past he

has seen other adjoining municipalities install bin blocks. He suggested putting the blocks out to bid. Mr. Casale also suggested that the Committee could use the bin blocks to divert stormwater in areas where stormwater runoff is a problem

Ms. Annette Lemenze asked for clarification on where JCP & L will be doing the tree trimming.

Motion by Mr. Milkowski, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 9:16 p.m.

Resolution No. 20-2016 –Executive Session

Motion by Mr. Schmidt, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 20-2016 and convened in executive session at 9:17 p.m.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 20-2016
RESOLUTION AUTHORIZING EXECUTIVE SESSION

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

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

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

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

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

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

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

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

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

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

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

_____ Investigations of violations or possible violations of the law;

_____ 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; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.

_____ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____

_____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: ___ Union Contract _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Committee hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Township Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Committee, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Milkowski, seconded by Mr. McKee and carried by unanimous favorable roll call vote to adjourn the meeting at 10:07 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: February 3, 2016

Marc Laul, Mayor