

CALL TO ORDER

Mayor McKee called the meeting to order at 7:04 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 stand for the Flag Salute and for a Moment of Silence.

ROLL CALL

Present - Thomas McKee Patricia Schriver
 Bernard Cryan Ronald Milkowski

Absent- Brian Wunder

Also Present - Attorney Dick Cushing, Deputy Clerk Kimberly Jacobus and 12 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of April 16, 2014

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 April 16, 2014. AYES: Schriver, McKee, Milkowski ABSTAIN: Cryan

Minutes of the Executive Session of April 16, 2014

Motion by Ms. Schriver, seconded by Mr. Milkowski and carried by favorable roll call vote, the Township Committee approved minutes of the executive session meeting of April 16, 2014. AYES: Schriver, McKee, Milkowski ABSTAIN: Cryan

PUBLIC COMMENTS Limited to 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 –Buffalo Hollow Road Mr. Hoffman stated that under new business there is a request for re-bidding of a pick-up truck for the DPW. Mr. Hoffman wondered if that was something that they could forego this year due to the budget.

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.

PROCLAMATION

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the Relay for Life Proclamation as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RELAY FOR LIFE OF HUNTERDON PROCLAMATION

WHEREAS, Relay For Life is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to come together to recognize and fight back against cancer; and
WHEREAS, money raised during Relay For Life of Hunterdon supports the American Cancer Society's mission of saving lives and creating a world with less cancer and more birthdays – by helping people stay well, by helping people get well, by finding cures for cancer and by fighting back; and
WHEREAS, Relay For Life helped fund more than \$150 million in cancer research last year;
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Lebanon does hereby proclaim June 13th and 14th of 2014 as,
"RELAY FOR LIFE DAYS"
in Hunterdon County and encourage citizens to participate in the Relay For Life event at Hunterdon Central High School on June 13th to 14th, 2014.

RESOLUTION NO. 41-2014 – Redemption of Tax Sale Certificate

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 41-2014 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 41-2014**

REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201305 on October 11th 2013 to US Bank Cust for Pro Capital III, LLC, and,

WHEREAS the amount of \$852.33 has been collected from Citi Financial, for redemption of this lien on this property, known as Block 29, Lot 19, 104 Hidden Hollow Lane, Lebanon Township, for Tax Sale Certificate #201305,

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 \$852.33 and,

THEREFORE BE IT FURTHER RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign a check in the amount of \$1,800.00 for the premium paid for Tax Sale Certificate #201305, and that these checks be mailed to the lien holder:

US Bank Cust for Pro Capital III, LLC
US Bank Corp TLSG
50 S 16th Street Suite 1950
Philadelphia PA 19102

OLD BUSINESS

Electronics Collection Event – JoAnn Fascenelli

Ms. Fascenelli was present to provide the Committee with information regarding an electronic collection event that she wanted to hold for Township residents. Newtech was the company she suggested using. Alan Johnson of Hunterdon County Solid Waste & Recycling has used them as well as Warren County. There is money in the Recycling Tonnage Grant account and this is the kind of event that the money is to be used for.

Motion by Ms. Schriver, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved using Newtech for an Electronics Collection Event in the amount of \$1250.00.

Veterans Exemption Request – Mark Petrowski

Mayor McKee stated Mark Petrowski has requested a veteran's exemption. It had been brought before the Committee on June 13, 2013 when he was deemed exempt with disabilities for his honorable service in the army. Since that exemption, he has been re-evaluated and found to be unemployable and exempted back to 2010. He is now seeking relief in the amount of \$29,678.88, for property taxes that he has paid from 2010 through June, 2013. It has been a policy to honor the veterans in the past. At this time it is very hard to come up with that amount of money due to the budget, but the mayor would like to strike a balance between the taxpayers and the veterans. Ms. Schriver stated that she felt that he should be paid, but does not know where the money would come from. Attorney Cushing has done research on how other townships have handled this issue. Mr. Cryan stated that this has placed the township in a difficult position given the past practice. He suggested that maybe they could pay a portion, not all of it. Going forward, Mr. Cryan stated that the Committee should establish a policy for future Committees with guidelines to go by. Mr. Milkowski stated that it was a tough question, his heart says one thing but his head goes in another direction. He wanted more time to think about it.

Mayor McKee stated that the Committee needs to do more research, talk to the CFO and see how to approach this. For now, this is tabled to a later date; Ms. Schriver will talk to the CFO. The CFO is to inform Committee of options.

Township Volunteer Appreciation Event

The Committee had canceled the Volunteer Appreciation dinner. Now they are considering holding one in conjunction with the Friends of Memorial Park. Charlie Fortenbacker stated that this had been discussed at the park meeting and they are willing to pay for some of the expenses. Jen Matyas was looking into prices for a BBQ. She found that the Q Crew was willing to work with us price wise. There are a variety of menus to choose from. They are available Sunday afternoons. They bring everything to the party, they do all the cooking on premise and they have servers. There was discussion as to whether to make it a family event or keep it for the volunteers and spouse. It was decided to keep it for the adults. September 7th is the tentative date.

Recycling Documentation

Mr. Cryan stated that he was not at the last meeting and in reviewing the minutes and documentation; he had a few questions regarding the recycling services with Raritan Valley. In going through the paperwork and reading them, he saw that on one of the forms it listed Mark Laul as the Township Administrator as the authorized person and his email address as the main contact. Mr. Cryan did not understand this. Mr. Cryan feels that this needs to be cleaned up – the right contact name, address and number on the forms, this is how mistakes happen. Mayor McKee stated that it should come from the Township any time something is commissioned; it should be done by a Township employee.

NEW BUSINESS

Diane Glass – 332 Newport Road Donation

Mayor McKee received a letter from Diane Glass regarding a piece of property on Newport Road, just down from the DPW building. It is a summer cottage that is in a high water table and has been left in neglect. Ms. Glass has inherited this through an aunt and she would like to donate it to the Township. Having wetlands, it does not have a marketable value to sell for a new home, so she is asking the Township to consider it. There is a dwelling on the property that Ms. Glass is going to have demoed. It is one and three quarter acres. Mr. Cryan asked if there is a buried oil tank. It is unknown. Ms. Glass has been in contact with Construction Official Charlie Rogers regarding the demolition of the structure. Attorney Cushing stated that the Committee should consider sending it to the Planning Board for a review. The Planning Board, to some degree, gives recommendations to the Governing Body on capital acquisitions. They could advise if this fits with any open space programs or goals that the Township may have. Mr. Milkowski stated that it would be the procedure and right way to go. He will take it to the Planning Board secretary for the next agenda.

DPW Manager Request to Rebid for Pick-up Truck

Mr. Gabriel re-submitted his request to re-bid for a new 2015 pick up truck. This had been in the process last year but it was terminated. Mr. Cryan wanted to talk to Mr. Gabriel as to whether this needed to be done this year given the budget situation. Mr. Cryan suggested tabling it until he and Mr. Gabriel could discuss it. Mr. Milkowski thought that due to the loss of a 2006 dump truck, maybe they could get one vehicle to replace both. A few years ago they tried a smaller dump truck but larger than a

mason truck and from what he understood, it is working out well for them. Maybe one truck could do the job of both. The Committee decided to table the re-bid for now.

DPW Manager Request to Seek Bids for Black Top

Mr. Gabriel requested to seek bids for black top. Mayor McKee stated the Mr. Gabriel has been doing a very good job of conserving money for the Township in looking for the best prices. Attorney Cushing suggested looking into the co-ops as it is easier than putting bids together. Mr. Cryan stated that traditionally Mr. Gabriel has realized a significant cost savings by bidding. Mr. Cryan also stated that Mr. Gabriel checks on where he is at in relationship to the co-ops. Attorney Cushing wants to make sure that the bidding is done with the proper documentation.

Motion by Mr. Cryan, seconded by Mayor McKee and carried by unanimous favorable roll call vote, the Township Committee authorized the DPW Supervisor to seek bids for black top.

PRESENTATION OF VOUCHERS

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

Motion by Ms. Schriver, seconded by Mayor McKee and carried by unanimous favorable roll call vote, the Township Committee approved the bill lists for May 21, 2014 in the amount of \$75,529.76.

CORRESPONDENCE

None

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.

Mark Laul-3 Boulder Field Road- Mr. Laul explained that he would be confused too about the recycling paperwork. At the last meeting, he did not know that his name was still on the forms and would have asked for it to be corrected. The reason it came about was because of the budget meeting and the Committee had talked about dumpsters and all the options on how the Township can save money. Mr. Laul knew a person at Raritan Valley and called him and asked for some numbers to give to the Committee to see what could be done. He did not expect that his name would be on the documents. He was just looking for the money savings.

Erin Crail- 5 General Morgan Lane- Ms. Crail came to ask the Committee if there was any money in the budget for a resource officer for Voorhees High School. North Hunterdon has a full time officer in the school and he is paid for partially by the Board of Ed and partially by Clinton Township. Ms. Crail went to Voorhees Board of Ed meeting and she asked if they had any money in the budget. She found that they did have some money to be able to do it for Voorhees, but they challenged her to come and ask the Township for money. She asked the Committee if there was a creative way to give any assistance for a resource

officer to be at the school. She feels that it is really important to protect the students and to have the resource officer dedicated to the high school and not wait for someone to respond there. Mayor McKee stated that he did not think that the resource officer would be dedicated to the high school. He would have the ability to travel amongst all the schools in Lebanon Township. Mayor McKee stated that there is no money available right now.

Mr. Milkowski spoke to the police chief and was informed that one of the police cars has a blown engine so they are down a vehicle. This vehicle was due to be phased out next year, so they brought one back into service that was to be phased out this year and are using it.

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.

Motion by Mr. Cryan, seconded by Ms. Schriver and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 42-2014 and convened in executive session at 8:05 p.m.

EXECUTIVE SESSION

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**RESOLUTION NO. 42-2014
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 the 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; therefore this information will be withheld until such time as the matter 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: _____ Collective Bargaining _____

_____ 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:

_____ 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.

The Committee came out of the executive session, Attorney Cushing stated that he wanted to clarify that the Committee had gone into executive session regarding contract negotiations and collective bargaining.

Having no further business to come before the Committee a motion was made by Mr. Milkowski seconded by Mayor McKee and carried by unanimous favorable roll call vote to adjourn the meeting at 8:37 p.m.

LTCM
6/22/2014
Page 8 of 8

Respectfully submitted,

Kimberly S. Jacobus
Deputy Clerk

Approved June 18, 2014

Thomas McKee, Mayor