

**Lebanon Township Committee  
June 21, 2017**

**Minutes of Regular Meeting**

**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 Meetings 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 in honor of our Servicemen and Women.

**ROLL CALL**

Present -                    Marc Laul                    Thomas McKee                    Brian Wunder  
   Mike Schmidt                    Beverly Koehler

Absent-

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 9 members of the public.

**PRESENTATION OF MINUTES**

**Minutes of the Regular Meeting of June 7, 2017**

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee approved minutes of the Regular Meeting of June 7, 2017 with Committeewoman Koehler’s amendments.*

**Minutes of the Executive Session Meeting of June 7, 2017**

*Motion by Ms. Koehler, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Executive Session of June 7, 2017.*

**PUBLIC COMMENTS – for agenda items only.**

*Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting.*

Ms. Gail Glashoff, Shop Steward for the CWA Local 1040, stated that she noticed on the posted agenda that the Committee will be considering an agreement, with a candidate, for Tax Assessment in the Township. Ms. Glashoff stated that she submitted an OPRA request to obtain a copy of the agreement but has not received it. Ms. Glashoff reminded the Committee that, under the conditions in the CWA Contract, for anyone who works under 20 hours per week, they are not eligible for prorated time off, etc. Ms. Glashoff stated that she is aware that, years ago, the Committee provided such benefits to certain employees who were not entitled. The Union was not aware of this, at the time, and when the Committee tried to correct it, the prorated time was taken from the employees. The Township then became embroiled in a lawsuit. The employee was granted the benefits in the end. Ms. Glashoff asked if the candidate is aware that the position is covered by the Union contract. Mayor Laul stated that he believes that she does.

Ms. Glashoff read aloud, CWA Local 1040 Senior Staff Representative Robert Yaeger's, June 17, 2017 correspondence, which was addressed to the Clerk. The letter reminded the Township Committee that the Tax Assessor's position is represented by the Union and that the Union intends to continue representing the position pursuant to PERC certification.

Ms. Glashoff stated that the last time the Committee hired someone she wrote a letter asking for the contract to be followed, which it was, and the employee was hired without prorated time off. Ms. Glashoff told the Committee that if they want the CWA to follow the contract, they must also.

Attorney Cushing asked Ms. Glashoff if there is a reason why the Union would not want the new Assessor to receive vacation time, other than them wanting the Committee to follow the contract. Ms. Glashoff stated that employees who work under 20 hours per week are not eligible for paid time off in the contract and the Union would like the contract to be followed.

Mayor Laul stated that the Committee did receive the draft agreement but has not had the time to review it.

*Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting.*

**ORDINANCE**

**Public Hearing**

*Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2017-03 was opened.*

There were no comments from the public.

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2017-03 was closed.*

*Motion by Ms. Koehler, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2017-03 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
ORDINANCE NO. 2017-03  
AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 125, ARTICLE II CONCERNING THE LICENSING OF KENNELS OF THE CODE OF  
THE TOWNSHIP OF LEBANON

WHEREAS, N.J.A.C. 8:23A-1.1 *et seq.* sets forth certain sanitation and operational requirements for kennels, pet shops, animal shelters, and pounds; and

WHEREAS, the Township of Lebanon issues licenses for kennels and requires inspections be conducted by the Hunterdon County Board of Health to ensure compliance with N.J.A.C. 8:23A-1.1 *et seq.*; and

WHEREAS, the Township of Lebanon does not require pet shops, animal shelters, or pounds to be licensed; and

WHEREAS, by memo dated April 12, 2017, the County Board of Health has requested that the Township review its licensing ordinance for compliance with N.J.A.C. 8:23A-1.1 *et seq.* and advises that it will be inspecting such facilities in June and July of each year;

WHEREAS, in order to ensure consistency with applicable law and the above-referenced memo, the Township Committee has determined that it is in the best interest of the Township to amend Section 125-9 of the Township's ordinances.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Lebanon, in the County of Hunterdon and State of New Jersey, that the following provisions of the Code of the Township of Lebanon are amended as follows:

SECTION 1. Chapter 125, Article II of the Code of the Township of Lebanon entitled "Kennels" is hereby deleted in its entirety and replaced with the following:

Article II: Kennels, Pet Shops, Animal Shelters, and Pounds

§125-9 Application for license; fee; safe control required"

A. DEFINITIONS

KENNEL

Any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop. This definition shall not include persons or entities breeding dogs for show, breeding dogs to be kept as pets, or breeding dogs to give away without charge.

**PET SHOP**

Any person engaged in the ordinary course of business in the sale of dogs for profit.

**POUND**

An establishment for the confinement of dogs seized either under the provisions of this article or otherwise.

**SHELTER**

Any establishment where dogs are received, housed and distributed without charge.

B. Any person who keeps or operates or proposes to establish a kennel, pet shop, shelter or pound shall apply to the official of the Township of Lebanon designated to license dogs in the Township for a license entitling him/her to keep or operate such establishment.

C. The application shall describe the premises where the establishment is to be located or proposed to be located and the purpose or purposes for which it is to be maintained and shall be accompanied by the written approval of the Hunterdon County Board of Health, showing compliance with the local and state rules and regulations governing the locale and sanitation of such establishment.

D. The annual license fees for kennels and pet shops shall be as established in Chapter 205, Article II, Fee Schedule. No fee shall be charged for a shelter or pound. Said license shall expire on the 31st day of July of each year and shall be subject to revocation by the Township on recommendations of the Hunterdon County Board of Health for failing to comply with the applicable local and state rules and regulations governing the locale and sanitation of such establishment.

E. Prior to the issuance of a license under this Section or a final Certificate of Occupancy for a new kennel, pet shop, shelter, or pound, the Hunterdon County Board of Health must conduct a pre-operational inspection and issue written approval showing compliance with the local and state rules and regulations governing the locale and sanitation of such establishment.

F. No dog kept in a kennel, pet shop, shelter or pound shall be permitted off said premises except on a leash or in a crate or under safe control.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect upon final passage and publication according to law.

**RESOLUTIONS**

**Resolution No. 60-2017 - Award Bid for the Purchase of an Ambulance**

Mayor Laul stated that the Committee only received one bid for a new ambulance. The Committee has concerns with not doing their due diligence, for the taxpayers, if they do not have comparables. Mayor Laul stated that the Fire Department did put a lot of effort into the bid process to no avail.

Mayor Laul said that he reached out to the company that provided a bid to High Bridge in 2016 and he received a proposal that is \$30,000 less than the bid received by the Township. Mayor Laul said that he

understands that the Horton products, which are in BLS Unit 19-52 and the Fire Department would like to replicate, are proprietary items and may have incited a higher bid. Mayor Laul stated that with the bid he received, the manufacture can make the cabinetry identical to BLS 19-52. Items such as switches could be different but they would be in the same location in the ambulance. Mayor Laul suggested that the Fire Department view the High Bridge ambulance. Chief Crampton stated that he did look at the ambulance today and he does not feel that they are comparable. Chief Crampton stated that they will be losing a lot of compartment space. Chief Crampton stated that although the ambulance is not a rescue vehicle they do carry rescue equipment on it. The ambulance can also be used as fire apparatus if there is no driver for an engine. Mayor Laul stated that he is not aware of the box detail but the comparison with the High Bridge unit is just an example of the quality of their product. Chief Crampton stated that High Bridge is happy with the quality of their unit. Mayor Laul stated that he will ask the manufacture to provide a sketch of the box.

Mayor Laul stated that he wanted to obtain an additional quote, based on the Fire Department's requirements, so the Committee has an equivalent to consider.

Mayor Laul said that the ambulance would be purchased through Houston-Galveston Coop so there would be no need to rebid. Chief Crampton noted that this would be if the box is in HGAC with the chassis combination. Mayor Laul stated that he will reach out to the representative to see how the boxes match up. The Committee can then feel confident that they made the appropriate decision.

Chief Crampton will review the bid proposal and let the Committee know his thoughts and concerns.

**Resolution No. 65-2017 - Renewal of Plenary Retail Consumption License – New Hampton Inn**

*Motion by Mr. Schmidt, seconded by Ms. Koehler and carried by favorable roll call vote, the Township Committee approved Resolution No. 65-2017 as written below. AYES: Koehler, Laul, Schmidt, McKee ABSTAIN: Wunder*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 65-2017  
RESOLUTION RENEWING PLENARY  
RETAIL CONSUMPTION LICENSES

WHEREAS, each of the listed Plenary Retail Consumption Licensees have submitted application forms that have been completed in all respects; and

WHEREAS, the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, each have paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed Licenses be granted a renewal for the 2017-2018 year:

1019-33-005-002 THE NEW HAMPTON INN, INC. t/a New Hampton Inn  
23 Musconetcong River Road

**Resolution No. 66-2017 - Renewal of Plenary Retail Consumption License – The Rock Corp**

*Motion by Ms. Koehler, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 66-2017 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 66-2017  
RESOLUTION RENEWING A PLENARY  
RETAIL DISTRIBUTION LICENSE

WHEREAS, the listed Plenary Retail Distribution Licensee has submitted an application to the State of New Jersey Division of ABC; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory and local government ABC Laws and regulations; and

WHEREAS, the applicant has paid a filing fee of \$200.00 to the State of New Jersey and a Township License Fee of \$2,500.00.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that the listed License be granted a renewal for the 2017-2018 year:

1019-44-008-002 The Rock Corp. of Tewksbury t/a Bourbon Street Wine and Liquor  
425 Route 513, Califon, NJ

**Resolution No. 67-2017 - A & B Stainless – Request for Fireworks Permit**

*Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 67-2017 as written below.*

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 67-2017  
RESOLUTION GRANTING FIREWORKS  
PERMIT TO A&B STAINLESS VALVE  
AND FITTING COMPANY

WHEREAS, A&B Stainless Valve and Fitting Company has applied for a permit for public display of fireworks to be held on July 8, 2017 at 9:00 p.m.; and

WHEREAS, the Lebanon Township Fire Code Official has reviewed the application, investigated the area where the display will take place and recommends that the permit be granted; and

WHEREAS, the necessary bond and surety has been posted.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lebanon, in the County of Hunterdon and State of New Jersey that a fireworks permit be granted to A&B Stainless Valve and Fitting Company for the activity described in its application.

BE IT FURTHER RESOLVED that the Township Fire Official file copies of this Resolution and any other pertinent document with the appropriate New Jersey agency.

**Resolution No. 68-2017 – Appointing a Fire Official**

Mayor Laul thanked Sue Schlesinger the six months of service that she provided to the Township in serving as Temporary Acting Fire Official. Ms. Schlesinger assisted while the Committee worked through the interviewing process and determining the needs for the community.

*Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 68-2017 as written below.*

TOWNSHIP OF LEBANON  
HUNTERDON COUNTY, NEW JERSEY  
RESOLUTION NO. 68-2017  
RESOLUTION APPOINTING A FIRE OFFICIAL

WHEREAS, Lebanon Township is in need of a Fire Official; and  
WHEREAS, it has been determined by the Township Committee that Gary Apgar is qualified to hold the position of Fire Official.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, that Gary Apgar be appointed as Fire Official at the hourly rate of \$25.19.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Chief Financial Officer, Clerk/Administrator, Payroll Clerk, and the New Jersey Department of Community Affairs.

**Resolution No. 69-2017 - TWA Application – Block 38 Lot 28**

Dan Parker of Parker Engineering present.

Mr. Parker stated that they are looking to do a repair to the current septic pipes. The current laterals, that run under the building, will be abandoned and new laterals will come out of the back of the building and around to the septic tank. Since the flow exceeds 2000 gallons a day, the Hunterdon County Health Department does not have jurisdiction over the project, the State DEP does. The TWA application must have a signature of consent from the Township and will then be filed with the State.

*Motion by Ms. Koehler, seconded by Mr. Schmidt and carried by favorable roll call vote, the Township Committee approved Resolution No. 69 -2017 as written below. AYES: Koehler, Laul, Schmidt, McKee ABSTAIN: Wunder*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 69-2017  
RESOLUTION IN SUPPORT OF TWA APPLICATION**

WHEREAS, Route 513 at Sliker, LLC, owns a property in Lebanon Township known as Block 28, Lot 38;

WHEREAS, certain issues exist with respect to septic conditions on the property; and

WHEREAS, the Property Owner has requested that the Township express its support by authorizing a Statement of Consent that authorizes certain improvements to the septic system in order to cure the concerns on the property, and

WHEREAS, the Township supports efforts of the Property Owner to improve the septic system.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Lebanon, County of Hunterdon, hereby authorizes the Mayor and Clerk to execute the Statement of Consent for a Treatment Works Approval Application submitted by Route 513 at Sliker, LLC, to the Department of Environmental Protection.

**Resolution No. 70-2017 – Appointing a Tax Assessor**

Held for executive session.

**Resolution No. 71-2017 – Overpayment of Taxes**

*Motion by Mr. Schmidt, seconded by Mayor Laul and carried by favorable roll call vote, the Township Committee approved Resolution No. 71-2017 as written below. AYES: Koehler, Laul, Schmidt  
ABSTAIN: Wunder, McKee*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 71-2017  
RETURN OVERPAYMENT 2017 TAXES**

WHEREAS there exists an overpayment of \$1,619.97 for second quarter 2017 taxes due to a duplicate payment for Block 26, Lot 13, 403 North Road, assessed to Dale P & Tammy L Grover and,

WHEREAS this amount has been requested for refund by Green Tree c/o Corelogic Real Estate Tax Service,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare and the Mayor, Treasurer and Clerk be authorized to sign this refund check in the amount of \$1,619.97 to:

Corelogic Real Estate Tax Service  
Attn: Refund Department  
3001 Hackberry Road  
Irving TX 75063-0156

## **OLD BUSINESS**

### **DPW Manager Memo – Temporary Employee Extension**

The DPW Manager sent a letter to the Township Committee to request an extension of the temporary appointment for James Kilhullen, until September 6, 2017. Mr. Gabriel noted that James needs to obtain his air brake endorsement in order to be appointed to the full time permanent position. He is scheduled to take the test on August 29, 2017.

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the DPW Manager's request to extend the temporary appointment of James Kilhullen until September 6, 2017, as outline in his June 15, 2017 correspondence.*

### **DPW Manager Memo – Summer Help**

Mr. Gabriel sent a letter to the Township Committee to inform them that he only received one application in response to the newspaper ad seeking summer help; however, the applicant was not fully qualified for the position. Mr. Gabriel informed the Committee that due to the late date he has decided to hold off on summer help this year. He feels that the department will be able to complete the work this year and will be sure to provide the Committee with his request earlier next year.

### **Roadway Concerns**

Mayor Laul stated that he emailed Mr. Gabriel because he has noticed that there are drop offs along the edge of some of the roadways due to repaving . The edges of the roadway seem to be breaking off in locations also. Mr. Gabriel informed the Mayor that he has concerns with filling in the low lying areas because he has had issues with property owners and the DEP in the past. Mayor Laul stated that he feels that the drop offs can be dangerous and he would like to see them filled in.

### **Museum Lavatory Addition**

Mr. Schmidt stated that he spoke to the CFO and he will be adding the \$65000 to the Capital Ordinance, for the Museum addition, just in case the Committee decides to go out for bid again. The Committee can then decide if they want to leave the \$65000 in the ordinance or remove it.

Mr. Schmidt noted that the realistic price for the proposed lavatory addition would be approximately \$140,000, including the septic system

Ms. Laurie Hoffman asked if volunteers can do some of the work. Attorney Cushing said that there are limitations in public construction contracts with respect to separating work out of the bid.

Ms. Hoffman stated that the Museum averages approximately 100 visitors per month, with the same individuals, possibly, visiting monthly. The museum is open 3 days a week; a total of 20 hours per week. Ms. Hoffman said that there seems to be more interest in the Museum since the scavenger hunt.

Ms. Koehler asked that with the hope for increase interest in the Museum, have the Historians ever considered increasing the parking? The parking could be located where the septic would be and an upscale port-a-john could be placed there, instead of the lavatory addition. Ms. Hoffman stated that in the past there were engineered plans for increased parking but there would no longer be parking in the front and side of building so only a few spots were gained.

Mr. Schmidt said that the addition is not only for a restroom as it will also provide indoor plumbing and storage. Ms. Koehler said that if there is a need to withhold money on the Township's infrastructure spending in order to construct the addition, there is no choice for her in that situation.

Mr. Schmidt stated that at this time the Committee is not in the position to make a choice but it needs to be determined if it is a priority and if it is a good investment to move forward with the addition. Mr. Schmidt noted that there is capital reserve for the financing. Ms. Koehler stated that she is concerned with how the schools State Aid will be affecting the Township in the near future. Mr. Schmidt said that as time progresses there will be less interest in using the building without plumbing. Mr. Schmidt said that the Committee needs to consider that, if the addition is built; it will enhance the use of the building. There can be more art exhibits and community affairs. If the Committee decides not to build the addition they need to consider why they should maintain the building with less usefulness.

Mr. Victor Hoffman wants to sustain a building as it will hold the history for the Township.

Ms. Koehler suggested holding a fundraiser to raise money to help with the cost for the addition. The question would have to be raised to the Township Auditor.

Discussion was held on rebidding the project with a longer submission time.

## **NEW BUSINESS**

### **Historian's Memo – Request for Appointment**

*Motion by Ms. Koehler, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee appointed Maria Naccarato to the Historians.*

### **Recycling Coordinator Memo – Free Town Wide Paper Shredding Event**

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the Town Wide Paper Shredding event to be held on October 7, 2017, from 9:00 a.m. – 12:00 p.m., at the Municipal Building.*

### **CWA Request to Close Municipal Office and DPW – July 3, 2017**

*Motion by Mr. Wunder, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved the CWA's request to close the Municipal Office and the DPW on July*

3, 2017 provided that there is unanimous agreement among the employees and that the employees use their own time.

## **PRESENTATION OF VOUCHERS**

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

*Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by favorable roll call vote, the Township Committee approved the June 7, 2017 bill list, in amount of \$ 2,669,931.86. AYES: Wunder, Laul, Schmidt, McKee ABSTAIN: Koehler*

## **CORRESPONDENCE**

- a. Recreation Commission's May 4, 2017 Meeting Minutes

## **PUBLIC COMMENTS**

*Motion by Ms. Koehler, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 8:21 p.m.*

Ms. Hoffman said that she is confused because she thought that, at the last meeting, the Committee entered into an agreement with Readington Township for Tax Assessor services.

*Motion by Mr. Schmidt, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:22 p.m.*

## **EXECUTIVE SESSION**

Action will most likely be taken when the meeting reconvenes.

### **Resolution No. 72-2017 –Executive Session**

*Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 72-2017 and convened in executive session at 8:55 p.m.*

Action may or may not be taken when the Public Meeting is reconvened.

TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 72-2017  
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: **Mid American Salt/Morris County Coop**

Contracts Negotiations. 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 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: **Tax Assessor Position**

LTCM

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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.

The Township Committee reconvened the public meeting at 11:15 p.m. No action was taken.

## **ADJOURNMENT**

Having no further business to come before the Committee a motion was made by Mr. Wunder, seconded by Ms. Koehler, and carried by unanimous favorable roll call vote, to adjourn the meeting at 11:16 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: July 5, 2017

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Marc Laul, Mayor