

**Lebanon Township Committee
July 1, 2015**

Minutes of Regular Meeting

CALL TO ORDER

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

FLAG SALUTE

Mayor McKee asked everyone to please stand for the Flag Salute and for a Moment of Silence in honor of our servicemen and women.

ROLL CALL

Present - Thomas McKee Ronald Milkowski Bernard Cryan
 Brian Wunder Marc Laul

Absent-

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 3 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of June 17, 2015

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of June 17, 2015.

PUBLIC COMMENTS – for agenda items only.

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

There were no comments from the public

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

ORDINANCES

Ordinance No. 2015-02 Recreation Commissioners

Public Hearing

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2015-02 was opened.

There were no comments from the public.

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2015-02 was closed.

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2015-02 as written below.

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 2015-02
ORDINANCE AMENDING CHAPTER 85 ENTITLED “RECREATION COMMISSIONERS,
BOARD OF” OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF LEBANON,
COUNTY OF HUNTERDON,
AND THE STATE OF NEW JERSEY**

WHEREAS, the Board of Recreation Commissioners has recommended certain changes to its composition and powers in order to accommodate the formation of a Parks Advisory Committee.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Lebanon, the County of Hunterdon, that Chapter 77 entitled “Recreation Commissioners, Board of” of the Code of the Township of Lebanon (“Code”) is hereby amended as follows:

SECTION 1. Section 85-2 of the Code of the Township of Lebanon entitled “Composition; terms” is hereby renamed “Composition; terms; removal / resignation” and is deleted in its entirety and replaced with the following:

The Board shall consist of seven members, designated as Commissioners, and not more than two alternate members. Such members shall be appointed by the Mayor of the Township of Lebanon for terms of five years. Terms shall commence on January 1 and end on December 31 or until a successor is appointed and qualifies. The Commissioners first appointed, however, shall serve as follows:

- A. Member No. 1 shall serve a term of one year;
- B. Member No. 2 shall serve a term of two years;
- C. Member No. 3 shall serve a term of three years;
- D. Member Nos. 4 and 5 shall serve a term of four years; and
- E. Member Nos. 6 and 7 shall serve a term of five years.
- F. Alternate No. 1 shall serve a term of 3 years;
- G. Alternate No. 2 shall serve a term of 2 years; and

One member shall be selected by the Commission to be the Committee Liaison to Standing Committees.

Removal of any appointee shall be for cause, only on written charges and after a hearing before the Mayor and Township Committee.

In addition to resignation or death of an appointee or an appointee's moving his or her residence to outside of the Township, any appointee who shall fail to attend three successively called meetings of the Board shall be deemed to have vacated his or her appointment to the Board, at the discretion of the Township Committee.

An alternate member may participate in discussions of the proceedings before the Board, but may not vote except in the absence or disqualification of a regular member.

In the event of any vacancies on the Board of regular or alternate members, the Mayor may, with the approval of the Township Committee, fill such vacancies for the unexpired portion of the term only.

SECTION 2. Section 85-4 of the Code of the Township of Lebanon entitled "Control of lands delegated" shall be deleted in its entirety and replaced with the following entitled "Meetings":

Meetings of the Board shall be held monthly on such dates as determined by the Board at its annual reorganization meeting. At the reorganization meeting, the Commission shall elect a Chairman, Vice Chairman, and secretary from its members.

SECTION 3. Section 85-5 of the Code of the Township of Lebanon entitled "Rules, regulations, and bylaws" shall be deleted in its entirety and replaced with the following entitled "Powers":

Pursuant to the policies and directives set by the Board, the Board shall manage all recreation activities under the Board's control or placed under its jurisdiction by the Township Committee. The Board shall provide oversight, organize and coordinate recreation activities as it deems necessary to meet the needs of the community. Activities shall be tailored to the needs of all age groups and should include both athletic and non-athletic activities. The Board shall maximize the use of all recreation property in the Township. The Board shall coordinate with the Parks Advisory Committee and Board of Education in this regard. The Board shall interact and assist with the coordination of recreation with other organizations within the community. The Board shall regularly evaluate the scope of activities to assure that they are organizing public recreation of the highest standard and optimal value to the Township.

SECTION 4. Section 85-6 of the Code of the Township of Lebanon entitled "Additional assistance" shall be deleted in its entirety.

SECTION 5. Section 85-7 of the Code of the Township of Lebanon entitled "Annual appropriations for recreational areas; vouchers" shall be designated as Section 85-6 and is hereby deleted in its entirety and replaced with the following:

The Township Committee shall annually fix, determine and appropriate a sum sufficient for the Board to carry out its programs. Expense vouchers shall be presented to the Township Chief Financial Officer/Treasurer by 4:00 p.m. on the Friday preceding the regular Township Committee meeting.

SECTION 6. Section 85-8 of the Code of the Township of Lebanon entitled "Fund to defray costs" shall be designated as Section 85-7 and is hereby deleted in its entirety and replaced with the following:

For the purpose of providing a fund to defray, in whole or in part, the costs of the recreation programs, the Board may:

- (1) Provide for the giving of exhibitions, plays, concerts, games and contests.
- (2) Charge and collect a reasonable admission fee for each person entering the recreation place in use for such purposes, but no admission fee shall be charged or collected from children under 12 years of age.

SECTION 7. Section 85-8 of the Code of the Township of Lebanon entitled “Records; annual report” is hereby added as follows:

The Board shall keep records of its meetings and activities and shall make an annual report to the Lebanon Township Committee.

SECTION 8. Section 85-9 the Code of the Township of Lebanon entitled “Maintenance of special fund” is hereby deleted in its entirety and replaced with the following entitled “Dissolution”:

This Commission may be dissolved at any time by the majority vote of the Township Committee.

SECTION 9. Section 85-10 the Code of the Township of Lebanon entitled “Acquisition of lands” is hereby deleted in its entirety.

SECTION 10. Section 85-11 the Code of the Township of Lebanon entitled “Purchase of lands” is hereby deleted in its entirety.

SECTION 11. Section 85-12 the Code of the Township of Lebanon entitled “Other provisions for monies to purchase or equip lands” is hereby deleted in its entirety.

SECTION 12. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 13. 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 14. This Ordinance shall take effect upon final passage and publication according to law.

ORDINANCES

Ordinance No. 2015-03 – Parks Committee

Public Hearing

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2015-03 was opened.

There were no comments from the public.

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2015-03 was closed.

Motion by Mr. Cryan, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2015-03 as written below.

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 2015-03
ORDINANCE ADDING CHAPTER __ ENTITLED “PARKS COMMITTEE” OF THE
GENERAL ORDINANCES OF THE TOWNSHIP OF LEBANON, COUNTY OF
HUNTERDON, AND THE STATE OF NEW JERSEY**

WHEREAS, the Board of Recreation Commissioners has recommended certain changes to its composition and powers in order to accommodate the formation of a Parks Committee;

WHEREAS, pursuant to N.J.S.A. 40A:63-7(d), the Mayor and Committee desires to form a Parks Committee to maintain and operate Memorial Park located in the Township;

WHEREAS, the Parks Committee will work collaboratively with a non-profit group named "Friends of Memorial Park" that currently maintains and operates Memorial Park;

WHEREAS, the Friends of Memorial Park have been unable to charge rental fees for the use of park facilities and only requested donations;

WHEREAS, the Mayor and Committee desire to set up an entity, the Park Committee, that is empowered to charge and collect rental fees for use of park facilities on behalf of the Township so that there are adequate funds to maintain Memorial Park for the residents of the Township;

WHEREAS, Friends of Memorial Park will still aid the Township in operating and maintaining Memorial Park and will hold fundraising events to raise monies that the non-profit will hold in its own bank account, to provide for the continued operation and maintenance of Memorial Park; and

WHEREAS, Friends of Memorial Park will make recommendations to the Parks Committee regarding improvements and maintenance of Memorial Park to be paid for with the funds raised by Friends of Memorial Park and such recommendations will be communicated to the Township Committee.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Lebanon, the County of Hunterdon, that Chapter ___ entitled "Parks Committee" of the Code of the Township of Lebanon ("Code") is hereby added as follows:

SECTION 1. Section ___-1 of the Code of the Township of Lebanon entitled "Established; purpose" is hereby added as follows:

- a. A Parks Committee for the Township of Lebanon is hereby established.
- b. The purpose of the Township of Lebanon's Memorial Park is to provide a location for township residents and guests to share meaningful and worthwhile experiences by taking part in a variety of outdoor activities that will improve the quality of life for all involved as well as serving as a memorial for those who have departed but are remembered.

SECTION 2. Section ___-2 of the Code of the Township of Lebanon entitled "Composition; terms" is hereby added as follows:

The Advisory Council shall consist of eleven members, designated as Commissioners. Such members shall be appointed by the Mayor of the Township of Lebanon for terms of one year. Terms shall commence on January 1 and end on December 31 or until a successor is appointed and qualifies.

In addition to resignation or death of an appointee or an appointee's moving his or her residence to outside of the Township, any appointee who shall fail to attend three successively called meetings of the Board shall be deemed to have vacated after review of the situation and discretion of the Parks Committee.

Removal of any appointee shall be for cause, only on written request from the Parks Committee and after a hearing before the Mayor and Township Committee.

In the event of any vacancies on the Parks Committee of regular or alternate members, the Mayor may, with the approval of the Township Committee, fill such vacancies for the unexpired portion of the term only.

SECTION 3. Section ___-3 of the Code of the Township of Lebanon entitled "Compensation" is hereby added as follows:

Members of the Parks Committee shall serve without compensation.

SECTION 4. Section ___-4 of the Code of the Township of Lebanon entitled "Meetings; officers; rules; quorum" is hereby added as follows:

- a. Meetings of the Parks Committee shall be held monthly on such dates determined by the Parks Committee at its annual reorganization meeting.
- b. At the reorganization meeting the Parks Committee shall elect a Chairman, Vice Chairman, and secretary from its members for one year terms.
- c. The Parks Committee shall have the power to establish its own bylaws.
- d. A majority of the Parks Committee shall constitute a quorum. Passage of any motion requires an affirmative vote by a majority of the members present.

SECTION 5. Section ____-5 of the Code of the Township of Lebanon entitled “Powers” is hereby added as follows:

Pursuant to the bylaws set by the Parks Committee, the Parks Committee shall manage the Lebanon Township Memorial Park. The Parks Committee shall be responsible for providing guidance and direction concerning the following matters:

- a. Comprehensive park planning;
- b. The acquisition of facilities for Memorial Park;
- c. Development, design, and operation of Memorial Park and its facilities;
- d. Establishment of fees and rules of use for Memorial Park;
- e. Maintenance of Memorial Park and maintenance and replacement of its equipment;
- f. Capital improvement planning for Memorial Park and any other public parks established within the Township;
- g. Management of concessions at Memorial Park;
- h. Contracts, interlocal agreements, and lease agreements regarding Memorial Park and its fields;
- i. Recommendations for the annual budget for utilizing the Memorial Park Maintenance Fund
- j. Establishment of a schedule of rental costs for the use of Memorial Park facilities;

SECTION 6. Section ____-6 of the Code of the Township of Lebanon entitled “Maintenance fund” is hereby added as follows:

All monies receive from the rental or leasing of Memorial Park facilities shall be kept in a special fund created by the Township Chief Financial Officer, designated as the Memorial Park Maintenance Fund. This fund shall be used for the purpose of defraying operating expenses of Memorial Park, limited to electrical utility costs, garbage removal, and bathroom cleaning. Any other maintenance or repair costs to be paid out of the fund must be approved by the Parks Committee. Any balance in the fund at year’s end will be carried over into the fund for the next calendar year.

Funds in this account may not be used for any other Township expenses without the consent of a majority of the Park Committee.

Donations made to the Friends of Memorial Park and designated for a specific Park use or monies received from fund raising events of the Friends of Memorial Park will not be put into this Maintenance Fund.

The Township CFO will provide the Parks Committee with a quarterly accounting of the fund and monthly income and expense statements of the fund.

SECTION 7. Section ____-7 of the Code of the Township of Lebanon entitled “Scheduling use of Memorial Park” is hereby added as follows:

A municipal employee shall be empowered by the Township Committee to schedule use of Memorial Park facilities. This employee will distribute the schedule of rental costs to be determined by the Parks Committee. The employee will receive the rental money and reserve the requested dates. The employee will provide the Parks Committee with a monthly rental calendar in paper or electronic

format. The monies received will be provided to the Township CFO for deposit into the Memorial Park Maintenance Fund.

SECTION 8. Section ____-8 of the Code of the Township of Lebanon entitled “Records; annual report” is hereby added as follows:

The Parks Committee shall keep records of its meeting and activities and shall make an annual report to the Township Committee.

SECTION 9. Section ____-9 of the Code of the Township of Lebanon entitled “Dissolution” is hereby added as follows:

The Parks Committee may be dissolved at any time by a majority vote of the Township Committee.

SECTION 10. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 11. 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 12. This Ordinance shall take effect upon final passage and publication according to law.

Introduction

Ordinance No. 2015-04 Public Utilities for Emergency Communication Purposes

Motion by Mr. Wunder, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee approved Ordinance No. 2015-04 on first reading as entitled below. AYES: Wunder, McKee, Milkowski, Laul ABSTAIN: Cryan

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 2015-04
ORDINANCE REQUIRING THE REGISTRATION OF PUBLIC UTILITIES FOR
EMERGENCY COMMUNICATION PURPOSES AND TO PROTECT THE PUBLIC
INTEREST IN EMERGENCIES**

RESOLUTIONS

Resolution No. 51-2015 – Extend Tax Grace Period

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 51-2015 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 51-2014**

WHEREAS the certified 2015 tax rate may be delayed from the Tax Board of Hunterdon County, and

WHEREAS this amount is needed for the property tax bills to be printed, and

WHEREAS there must be twenty-five days from the date of mailing for the return of the quarterly payment before interest is charged,

THEREFORE BE IT RESOLVED, that pursuant to N.J.S.A. 54:4-66 et seq., the payment without interest for the third quarter 2015 taxes will be extended to at least twenty-five days from the mailing of the tax bills, after which time all receipts for the third quarter shall be deemed delinquent with interest accruing from August 1st, 2015.

Resolution No. 52-2015 – Plenary Retail Distribution License Renewal

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 52-2015 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 52-2015
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 2015-2016 year:

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

Resolution No. 53-2015 – Plenary Retail Consumption License Renewal

*Motion by Mr. Milkowski, seconded by Mr. Laul and carried by favorable roll call vote, the Township Committee approved Resolution No. 53-2015 as written below. AYES: McKee, Milkowski, Laul, Cryan
ABSTAIN: Wunder*

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 53-2015
RESOLUTION RENEWING PLENARY
RETAIL CONSUMPTION LICENSES

WHEREAS, the below listed Plenary Retail Consumption 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, said Licensee 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 Licensee is hereby granted a renewal for the 2015-2016 year:

1019-33-001-002 A T K Inc. t/a Tony's Restaurant & Pub, Califon, NJ

OLD BUSINESS

Police Officer Replacement

Mr. Milkowski stated that he spoke to the Police Chief and he would like to advertise for the position of patrolman to fill the vacant position in the Police Department. Chief Mattson informed Mr. Milkowski that it can possibly take 10 months to get a new officer on the road independently. Chief Mattson has also requested that the Township Committee consider naming a replacement for his position prior to his retirement. He feels that it will help in a smooth transition and will avoid haste at the time of his departure.

Mr. Milkowski stated that in the hiring of a new Police Chief the Township's process is very cumbersome. Mr. Milkowski looked into the hiring procedures in Tewksbury Township and High Bridge. He feels that the process that they follow is more streamline. Mr. Milkowski stated that he would like to see the Township's procedures restructured to something similar to the other municipalities.

Motion by Mr. Laul, seconded by Mr. Wunder and carried by favorable roll call vote, the Township Committee authorized the Police Chief to advertise for a patrolman.

Supervisor Raises

Mr. Wunder reminded the Committee that there has been no discussion on the Supervisor's raises. Mayor McKee stated that the subject needs to be addressed in the near future.

Bin Block Location

Mr. Wunder asked if the bin blocks have been returned to the Township yet. Mayor McKee stated that the bin blocks were scheduled to be placed at the Glass property on Newport Road; however, the DPW Manager had cleared an area at the DPW garage site for the blocks to be stored. The Mayor asked the Clerk to send an email to Mr. Milkowski asking for him or his brother to meet with Warren Gabriel to see where the blocks should be placed at the site. Mr. Milkowski stated that his email has been down due to the weather and will reach out to the DPW Manager.

Food Pantry

Mr. Cryan stated that he and Ruth from the Food Pantry met with representatives from Hagedorn to discuss the possibility of the Food Pantry relocating to a location on their facility. They found a nice place at the site. Mr. Cryan stated that since the Food Pantry receives food from Norwescap, they must inspect the site and give approval on the use of the location. Ruth was notified by Glen Gardner Borough that they may have another possible location for the Food Pantry to reside. Mr. Cryan stated that he is not sure if the Food Pantry will be interested in the site due to a steep rent. There will be no cost for the use of the Hagedorn facility and the State will be doing some minor repairs. Mr. Cryan stated that he spoke to Mr. Laul about requesting the help of the Boy Scouts to assist in the moving of the Pantry. Mr. Cryan will also be asking for the Fire Department's assistance. Mr. Cryan noted that the Food Pantry does have insurance but they are not an LLC so Ruth is not sure if she can sign an agreement on behalf of the Pantry. She will check into the matter.

NEW BUSINESS

Historians – Museum Maintenance

Mr. Laul stated that there is damage in the corners, roof and soffit area of the museum. Since there are gutters, as they were filled in, Mr. Laul asked the Historians what direction they would like to go. They are not interested in replacing the gutters but would like to repair the damage to the building. Mr. Laul had received a quote to fix the damage from Pt. Mountain Carpentry. They will fix the damage and the Township is to supply the paint.

Motion by Mr. Laul, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee approved the quote from Pt. Mountain Carpentry for the repair of the front and rear of the museum at a cost of \$1290.00 conditioned upon receipt of a Certificate of Insurance and a Business Registration Certificate. The total cost for the project is not to exceed \$1290.00 plus \$500 overage charges without Mr. Laul's approval.

PRESENTATION OF VOUCHERS

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

Motion by Mr. Laul, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved the July 1, 2015 bill list in the total amount of \$1,688,396.48.

CORRESPONDENCE

Ss. Peter & Paul R.C. Church – 4-Day Walking Pilgrimage – August 6, 2015

PUBLIC COMMENTS

Motion by Mr. Wunder, seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 7:46 p.m.

There were no comments from the public.

Motion by Mr. Wunder seconded by Mr. Cryan and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 7:46 p.m.

Resolution No. 54-2015 –Executive Session

Motion by Mr. Laul seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 54-2015 and convened in executive session at 7:47 p.m.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 54-2015
RESOLUTION AUTHORIZING EXECUTIVE SESSION**

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

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

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

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

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

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

_____);

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

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

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

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

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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. Laul seconded by Mr. Wunder and carried by unanimous favorable roll call vote to adjourn the meeting at 8:15 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: August 5, 2015

Thomas McKee, Mayor