

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 in honor of our Servicemen and Women.

ROLL CALL

Present -	Marc Laul	Thomas McKee	Ronald Milkowski
	Brian Wunder	Mike Schmidt	

Absent-

Also Present - Attorney Dick Cushing, Clerk Karen Sandorse and 8 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of June 1, 2016

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the regular meeting of June 1, 2016.

Minutes of the Regular Meeting of June 15, 2016

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by favorable roll call vote, the Township Committee approved minutes of the regular meeting of June 15, 2016. AYES: Schmidt Laul, McKee ABSTAIN: Wunder, Milkowski

Minutes of the Executive Session of June 15, 2016

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the executive session of June 15, 2016. AYES: Schmidt, Laul, McKee ABSTAIN: Wunder, Milkowski

PUBLIC COMMENTS – limited to agenda items only.

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

RESOLUTIONS

Resolution No. 51-2016 – Extension of License to Executrix

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by favorable roll call vote, the Township Committee approved Resolution No. 51-2016 as written below. AYES: Schmidt, Laul, McKee, Milkowski ABSTAIN: Wunder

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 51-2016
RESOLUTION FOR EXTENSION OF LICENSE
TO EXECUTRIX

WHEREAS, an application has been filed for the extension of Plenary Retail Consumption License No. 1019-33-007-001 to the Executrix of the Estate of Ledyard B. Schuyler, Jr., sole proprietor owner of the license;

WHEREAS, the submitted application form is complete in all respects, including proof of appointment to act as the Executor;

NOW, THEREFORE BE IT RESOLVED that the Lebanon Township Governing Body does hereby approve, effective July 20, 2016, the extension of the aforesaid Plenary Retail Consumption License to Linda C. Schuyler to retain the license under the privileges, terms, and conditions of the license as Executrix of the estate of Ledyard B. Schuyler, Jr. for the benefit of the estate until such time as the license may be transferred in compliance therewith and directs the Township Clerk to endorse the License Certificate as follows: “This license is hereby extended, subject to all its terms and conditions to Linda C. Schuyler, Executrix, until December 31, 2016.”

**Resolution No. 52-2016 – Liquor License Renewal – Estate of Ledyard B. Schuyler Jr. –
River Styx Inn**

Motion by Mr. Milkowski, seconded by Mr. Schmidt and carried by favorable roll call vote, the Township Committee approved Resolution No. 52-2016 as written below. AYES: Schmidt, Laul, McKee, Milkowski ABSTAIN: Wunder

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON

STATE OF NEW JERSEY
RESOLUTION NO. 52-2016
RESOLUTION RENEWING PLENARY
RETAIL CONSUMPTION LICENSES

WHEREAS, the Lebanon Township Governing Body has approved the Extension of Plenary Retail Consumption License No. 1019-33-007-001 to Linda C. Schuyler the Executrix of the Estate of Ledyard B. Schuyler, Jr; and

WHEREAS, the license has been inactive since September 28, 2006 and on July 20, 2015 the licensee petitioned the Director of the Division of ABC for a Special Ruling pursuant to the provisions of N.J.S.A. 33:1-12.39; and

WHEREAS, the Director granted a Special Ruling on September 3, 2015 for the 2015-16, 2016-17 and 2017-18 license terms; and

WHEREAS, the below listed Plenary Retail Consumption Licensee's Executrix has submitted a renewal application to the State of New Jersey Division of ABC; and

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

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

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 Executrix of the Estate of Ledyard B. Schuyler, Jr., is hereby granted a license renewal for the 2016-2017 year:

1019-33-007-001 ESTATE OF LEDYARD B. SCHUYLER, JR - RIVER STYX INN –
374 Vernoy Road

OLD BUSINESS

Assistant Library Clerk Position

Tabled until the CWA Contract has been finalized.

Musconetcong Watershed Association – Engineer Steve Risse

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved entering into the Musconetcong Watershed Association at the municipal price of \$250.00 per year as suggested by the Flood Plain Administrator/Township Engineer Steve Reiss.

Quest Environmental - Fire Station No. 1 Well Abandonment Cost Estimate

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved Quest Environmental's Proposal for the Well Abandonment at Fire Station No. 1 in an amount not to exceed \$7,760.

DPW Building Floor

Mr. Wunder asked what the status is of the bid packet for the DPW floor modifications that Attorney Tara St. Angelo was supposed to be preparing. Attorney Cushing stated that it was his understanding that they are waiting on the Engineer but he will speak with Attorney St. Angelo. Mr. Wunder stated that there was one small modification that needed to be made and the specifications should request that the bid include a cost with or without the epoxy coating.

Fire Department Ordinances

Mr. Milkowski stated that the Committee has not moved forward with the Fire Department Ordinances that were drafted in 2015. He would like for the Committee and the Fire Department to review them again and to discuss any problems or concerns. The Clerk will request that the Fire Department be in attendance at the August 17, 2016 meeting to discuss.

Social Media Ordinance

Mayor Laul stated that he would like to invite all of the Boards, Committees and Commissions of the Township to attend the August 17, 2016 Committee meeting to discuss Social Media. Mayor Laul will ask Attorney Tara St. Angelo to be present to discuss Social Media as she is most familiar with the topic.

Duty Weapon Donation to a Retiring Police Officer

Attorney Cushing stated that it had originally appeared that the Committee may have to adopt a special ordinance in order to confer a duty weapon to a retiring police officer. Attorney Cushing stated that it has now been found that N.J.A.C. exempts municipalities from the prohibition of giving a firearm as a gift to a retired officer, subject to the officer having all required permits. Moreover, there does not appear to be any ethical problems in giving a firearm as a gift under the State Ethics Code. Attorney Cushing stated that he can draft a resolution awarding the duty weapon to the officers. Mr. Milkowski stated that he feels that there should be a requirement that an officer must have a minimum of 20 years of service in order to qualify for the firearm.

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee authorized Attorney Cushing to draft a resolution establishing the policy to be followed in awarding a firearm to a retired officer with a minimum of 20 years of service and a second resolution awarding duty weapons to Retired Chief Chris Mattson and Retired Officer Denny Smith.

Private Roads

Mr. Milkowski stated that Skinner Road and Sanatorium Road were on a list of Township roads. Mr. Milkowski stated that they are State roads and should be removed from the Township roads list so there is no confusion.

Mold Issue in Storage room

Mr. Wunder asked about the status of the mold remediation in the downstairs file room. There has been no movement.

LOSAP

Mr. Wunder asked about the status of LOSAP. Mayor Laul stated that he is in process of reaching out to the prior squad members but they are not responding to him. Mayor Laul stated that he is just left with closing out the dormant accounts which there are not many of.

NEW BUSINESS

Mr. Steven Krevsky – 63 Bunnvale Road - Homeowner Hardship

Mr. Steven Krevsky is requesting approval to place a camper on his property, temporarily, with an electric hookup. Mr. Krevsky is totally disabled and in July of 2010 his home was damaged in a fire. He has been in a legal battle with his insurance company since that time and has medical problems. Mr. Krevsky is asking for consent to live in the camper for 24 months so he can work to get the insurance issues resolved and his home restored. Mr. Krevsky lives in Florida during the winter months.

*Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved Mr. Krevsky's request to reside in a camper on his property for **12 months** with a consent renewal required for the additional 12 months if necessary.*

Social Affair Permit – St John Neumann – December 2, 2016

Motion by Mr. Milkowski, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved a Social Affair Permit for St. John Neumann for an event to be held on December 2, 2016.

Charles Nunn – Retirement

The DPW Manager sent a letter to the Committee to inform them of employee Charles Nunn's retirement. Mr. Gabriel is requesting to hire two fulltime DPW employees in the near future to fill the vacancies in the department.

Tabled until the CWA Contract has been finalized.

Raffle Application – Voorhees Viking Victory Club – Various Dates

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved a Raffle Application for Voorhees Viking Victory Club for various events.

NJ League of Municipalities Conference

Mr. Milkowski stated that each year there is the League of Municipalities Conference. He would like to see the Conference made available to the Committeeman Elect each year. Mr. Schmidt stated that in 2015 he registered through the Clerk under the title of Committeeman Elect and the League recognized the position. Mr. Milkowski stated that he would like the guidelines for attending the League reevaluated, such as, the daily conference cost reimbursements and return travel time. The employees should not be paid for Friday morning return trips. The Committee will look into establishing a policy and put it into writing.

Veteran Haven

Mr. Wunder stated that he attempted to contact Veteran's Haven for an update but has not received a reply back.

Friends of Memorial Park

Mr. Wunder stated that the Friends of Memorial Park Committee are looking to refurbish the basketball courts with their own funds but they will also be looking at options to obtain grant money.

Food Pantry

Mr. Wunder stated that he spoke with Ruth from the Food Pantry and all is going well.

Attorney Cushing Billing

Mr. Wunder asked Attorney Cushing why the Township is billed for him to confer with another attorney when he is going to be absent from a meeting. Attorney Cushing stated that he consults with the attorney that will be attending the meeting to be sure that they are up to date on Township matters. Mr. Wunder asked Attorney Cushing to give his comments some consideration.

PRESENTATION OF VOUCHERS

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

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved the July 20, 2016 bill list in amount of \$244,747.97 plus \$1200.00 for tax bill mailing.

CORRESPONDENCE

- a. Tax Collector's Report for the Month of June
- b. The Mount Amwell Project, Inc. – Preserving and Protecting American Heroes Graves
- c. Ss. Peter & Paul R. C. Church – 4-Day Pilgrimage – Thursday, August 11, 2016

- d. Park Committee Meeting Minutes – January 2016 – May 2016
- e. Library Committee Meeting Minutes – June 8, 2016
- f. JoAnn Fascenelli Correspondence – Electronic Recycling Event

Mr. Schmidt stated that on Tuesday, July 25, 2016 at 6:00 p.m. the Hunterdon County Engineer's Office will be holding a Public Information meeting at the Lebanon Township Municipal Office. The purpose of the meeting is to inform the public of a future bridge project on County Road 513, the closure of the road and intended detours. Officer in Charge Jack Gale will be at the meeting to obtain information on detours, signage and intended dates as school buses will be a big factor. The project is due to take place during the summer of 2017.

PUBLIC COMMENTS

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 at 8:04 p.m.

Ms. Laurie Hoffman stated that The Mount Amwell Project meeting is being sponsored by the County's 300th Committee. They are inviting the Township Committee's because there will be an assemblyman present to encourage local governments to establish laws on preserving cemeteries.

Ms. Hoffman asked if the Park Committee can apply for funds, for maintenance in the Memorial Park, through the County Open Space Funds. Mayor Laul stated that they can; however, it is not as easily approved as the purchase of land. The application can be approved if there is a good plan that the County feels is sustainable. Ms. Hoffman noted her concern with losing the County funds, if they are not applied for.

Ms. Hoffman stated that some of the subcommittees do not meet during the summer months and she is concerned that they will not have time to discuss Social Media amongst themselves prior to meeting with the Committee. Mayor Laul stated that the August 17, 2016 meeting is just the beginning of the Social Media discussions. It will be a way for Attorney St. Angleo to understand how the subcommittees are looking to utilize it. She will then be able to draft an ordinance that will fit the needs of the Township's. Those in attendance can bring the items discussed back to the subcommittees for comments.

Ms. Hoffman stated that Skinner Road was vacated in 1984.

Mr. Gary Milkowski stated that he feels that limiting the closing of the wells to \$6000 could be problematic. If the contractor needs additional funds to complete the project, they will have to wait until the next Committee meeting to receive approval to complete the job. Mr. Gary Milkowski noted that it will probably cost the Township more for the equipment to be returned to the project. Mr. Gary Milkowski suggested authorizing the Mayor or a designee to approve overages.

Mr. Gary Milkowski stated that the DPW garage floor was built the way that it was supposed to be built. It is what the DPW employees wanted but now that they do not want to squeegee the floor the Township needs to pay thousands of dollars to have it redone. The floor should be left the way it is.

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:13 p.m.

Resolution No. 53-2016 –Executive Session

It is not anticipated that action will be taken when the public meeting is reconvened.

Motion by Mr. Milkowski, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 53-2016 and convened in to executive session at 8:15 p.m.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 53-2016**

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:;

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 **CWA Local 1040. 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.

The Township Committee reconvened the Public Meeting at 9:20 p.m.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Wunder seconded by Mr. Milkowski and carried by unanimous favorable roll call vote to adjourn the meeting at 9:21 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: August 17, 2016

Marc Laul, Mayor