

CALL TO ORDER

Mayor Marc Laul called the meeting to order at 7:15 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 the Cub Scouts to lead 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, CFO Greg DellaPia, Clerk Karen Sandorse and 37 members of the public.

PRESENTATION OF MINUTES

Minutes of the Regular Meeting of October 19, 2016

Motion by Mr. McKee, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Regular meeting of October 19, 2016.

Minutes of the Executive Session Meeting of October 19, 2016

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved minutes of the Executive Session meeting of October 19, 2016.

PUBLIC COMMENTS – limited to agenda items only.

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

Oath of Office – Police Sergeants

Mayor Laul administered the Oath of Office to Erik Rautenberg and Chris Gurneak for the position of Police Sergeants.

ORDINANCES

Ordinance No. 2016-08 - Public Hearing

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2016-08 was opened.

There were no comments from the public.

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the public hearing for Ordinance No. 2016-08 was closed.

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee adopted Ordinance No. 2016-08 as written below.

**ORDINANCE NO. 2016-08
TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
AN ORDINANCE TO
REVISE, AMEND AND SUPPLEMENT
THE CODE OF THE TOWNSHIP OF LEBANON
CHAPTER 400, TITLED “ZONING”, SPECIFICALLY
SECTION 400-4, TITLED “DEFINITIONS”**

WHEREAS, the Township Committee of the Township of Lebanon, Hunterdon County, New Jersey has reviewed the Township Code and believes that an amendment to a Zoning Ordinance definition is necessary; and,

WHEREAS, the Township Committee believes such amendments are necessary to clarify the intent of the Ordinance relative to the conditional permitted use "Animal Farms".

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that Chapter 400, titled “Zoning” of the Code of the Township of Lebanon is hereby amended, revised and supplemented as follows:

Section 1. Section 400-4, Definitions, is hereby amended to read as follows ([Brackets] identify deletions):

ANIMAL FARM - A farm or ranch where keeping, boarding, breeding, raising, training and using [indigenous and/or] exotic animals for sale, lease, personal or business use is conducted, but not including a "kennel" as defined in this chapter, or properties used for agricultural or horticultural

purposes as defined in this chapter.

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. All ordinances or portions of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.
2. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.

Ordinance No. 2016-09 – Introduction

Mr. Schmidt stated that Ordinance No. 2016-09 relates to 97 Red Mill Road. The property is approximately 9.6 acres with one of its boundaries running along the Spruce Run Creek for 2700 linear feet. Red Mill Road is the other side of the boundary. Mr. Schmidt noted that the Highlands Council has determined that the property is a high priority for conservation purposes and that the New Jersey Water Supply Authority has designated the property in their Spruce Run protection area. It is believed that the property offers substantial passive recreation opportunities for fishing and hiking. The Committee is working to obtain 50% of the funding through a Highlands Council grant opportunity. The Raritan Headwaters Association is applying for a grant for 20% of the cost and Lebanon Township is seeking the remainder of the funding through the Township's Hunterdon County Open Space Grant option. The New Jersey Water Supply Authority will also be providing a grant for 50% matching funds on the soft costs.

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Ordinance No. 2016-09 on first reading as entitled below.

TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 2016-09
AN ORDINANCE AUTHORIZING THE PURCHASE OF
PROPERTY DESIGNATED AS BLOCK 35, LOT 88

Public Hearing to be held on December 7, 2016

RESOLUTIONS

Resolution No. 68-2016 - Tax Exempt Fully Disabled Veteran

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 68-2016 as written below.

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

RESOLUTION NO. 68-2016

TAX EXEMPT FULLY DISABLED VETERAN

WHEREAS, N.J.S.A. 54:4-3.30-34 grants an exemption from local property taxes for the dwelling house of a qualified permanently and totally disabled veteran; and

WHEREAS, James O'Connor, a veteran, was declared to be permanently and totally disabled by the Department of Veteran's Affairs ("Veteran Affairs") effective April 21, 2010; and

WHEREAS, on July 19, 2016 James O'Connor purchased certain real estate in the Township of Lebanon, County of Hunterdon, State of New Jersey known as Block 37, Lot 3 located at 551 East Hill Rd; and

WHEREAS, James O'Connor made application for and was granted exemption from taxes; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.31, such exemption shall be effective as of the date of purchase, July 19, 2016;

WHEREAS, in this case, the Tax Collector deems that the total 2016 tax on this property is \$8,378.74 and \$3,787.74 of that amount must be cancelled, thereby an overpayment was made in the amount of \$1,601.49. Mr. O'Connor should receive a refund on tax overpayment paid in the year 2016 prorated to July 19, 2016,

NOW THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, to hereby authorize a Veteran's Property Tax Exemption discharge of debt for the 2016 taxes in the amount of \$3,787.74 and a refund in the amount of \$1,601.49 payable to James O'Connor.

AND BE IT FURTHER RESOLVED, that a properly executed copy of this resolution be forwarded to the Tax Collector and Treasurer for the records.

Resolution No. 79-2016 – Hunterdon County Open Space Trust Fund Grant Application

Motion by Mr. McKee, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 79-2016 as written below.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 79-2016
HUNTERDON COUNTY OPEN SPACE TRUST FUND
MUNICIPAL GRANT APPLICATION**

WHEREAS: The Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide County Funds in connection with preserving open space, natural areas, farmland and historic sites; to acquire, develop, improve and maintain county and municipal lands for recreation and conservation purposes; and preservation of historic structures, properties, facilities, sites, areas, or objects; or for the payment of debt service or indebtedness issued or incurred by the municipality for any of the purposes described above; and

WHEREAS, the Township of Lebanon desires to further the public interest by obtaining funding in the amount of \$ 122,360.00 from the County of Hunterdon to fund the following

project: Acquisition of 97 Red Mill Road for passive recreation, environmental conservation and open space preservation at a cost of \$149,200.00, including estimated closing costs; and WHEREAS, the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan established a Nonprofit Grants Program to provide Open Space Trust Funds to qualifying charitable conservancies for the acquisition of lands for public recreation, conservation and general open space purposes in Hunterdon County; and WHEREAS, Raritan Headwaters Association is a qualifying charitable conservancy and will apply for such a Nonprofit Grant to partner with Lebanon Township for the project: Acquisition of 97 Red Mill Road.

NOW, THEREFORE, the governing body resolves that Committeeman Mike Schmidt is hereby authorized to:

- (a) make application for such County Open Space Trust Funds,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named Municipality; and

WHEREAS, the County of Hunterdon shall determine if the application is complete and in conformance with the scope and intent of the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, applicable Freeholder Board Policies and the Procedures Manual for the Municipal Grant Program adopted thereto, and notify the Municipality of the amount of the funding award; and

WHEREAS, the Municipality is willing to use the County funds in accordance with such adopted Policies and Procedures, and applicable state and local government rules, regulations and statutes;

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Township Committee of the Township of Lebanon,

1. That Committeeman Mike Schmidt of the above named Municipality is hereby authorized to execute any documents and agreements with the County of Hunterdon for the project known as 97 Red Mill Road Acquisition;
2. That the Municipality has its share of funds, if required, in the amount of \$ 175,207.47;
3. That, in the event the County of Hunterdon's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

Resolution No. 80-2016 – Agreement of Sale for 97 Red Mill Road

Motion by Mr. Wunder, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 80-2016 as written below.

Mayor Laul designated Mr. Schmidt as the individual who will work with the Township Attorney in the process of acquiring 97 Red Mill Road.

**TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 80-2016
RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT OF SALE FOR**

97 RED MILL ROAD (BLOCK 35 LOT 88)

WHEREAS, the Township of Lebanon(the “Township”) wishes to acquire approximately 9.6 acres of land designated as Block 35, Lot 88 on the Township Tax Map, located at 97 Red Mill Road; and

WHEREAS, according to the Highlands Council, the Property is categorized as Critical Wildlife Habitat and creates a key linkage in a Wildlife corridor;

WHEREAS, the Highlands Council further categorizes approximately 80% of the Property as a High Conservation Priority Area; and

WHEREAS, the Property is adjacent to the Spruce Run Creek, which is a clear running rock bottom creek that flows into Spruce Run Reservoir and is a Category One trout production stream and is trout stocked by the New Jersey Department of Fish & Wildlife; and

WHEREAS, the Property is also adjacent to other preserved properties, such as the 50 acre Hendra Property and 101 acre preserved Hall Tree Farm; and

WHEREAS, the Property offers attractive recreational uses and environmental preservation benefits, including water quality and supply protection and habitat conservation, owing to its proximity to the Spruce Run Creek and other preserved properties; and

WHEREAS, the New Jersey Highlands Water Protection and Planning Council is offering matching grants up to 50% funding for acquisitions of property for any passive recreation or conservation purposes through the Highlands Open Space Partnership Program; and

WHEREAS, the Township has applied for such grant; and

WHEREAS, Hunterdon County is also offering grants to non-profit organizations for open space acquisition;

WHEREAS, the Township is partnering with the Raritan Headwaters Association, a non-profit, to apply for such grant; and

WHEREAS, the application for the Hunterdon County grant must include an executed sale agreement for the Property, a draft of which is attached hereto; and

WHEREAS, the due date of the application to Hunterdon County will occur prior to the next regular governing body meeting, therefore, the governing body must authorize execution of such an agreement as soon as possible; and

WHEREAS, Lebanon Township has dedicated fund balances from previously collected Open Space taxes both at the County and local level that can be used as matching funds for the Highlands Open Space Partnership Program; and

WHEREAS, Lebanon Township will endeavor to leverage its dedicated fund balances through additional partnerships with open space conservancy organizations, if possible; and

WHEREAS, the form of agreement attached hereto is being reviewed by the seller’s attorney so there may be some technical language changes to the form of the agreement, but not to the material terms.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, hereby authorizes the execution of an Agreement of Sale to acquire the property designated as Block 35, Lot 88 on the Township Tax Map, located at 97 Red Mill Road pursuant to an Agreement of Sale in similar form as attached hereto, subject to final review of the Township Attorney and a Committee person designated by the Mayor.

BE IT IS FURTHER RESOLVED that counsel and all other appropriate Township officials and personnel are authorized to prepare any and all related documents and perform all tasks, which will effectuate the purposes of this Resolution.

Resolution No. 81-2016 – Cellco Partnership d/b/a/ Verizon Wireless

Ms. Kathryn Windsor of Tilson Technology stated that Tilson is a representative of Cellco Partnership d/b/a Verizon Wireless. Ms. Windsor stated that Verizon is looking to place small network nodes on wooden utility poles in public right of way. The nodes are 20 inches wide by 55 inches tall. Ms. Windsor stated that Verizon feels strongly about reliable network and coverage and in analyzing their network they have discovered gaps in coverage due to many users draining the system. All applications put a strain on the sector and calls may not connect. Verizon feels that this can be a problem in an emergency situation. Ms. Windsor stated that Verizon is looking to place the network nodes strictly in the right of way and is looking for consent to do so. The Committee's consent does not permit Verizon to construct or build anything it just authorizes Verizon to work in the right of way. Ms. Windsor informed the Committee that Verizon will be working with the building department and will obtain all applicable permits. Site specific plans will be provided to the building department and the Township Engineer for review.

Mayor Laul asked if the nodes will minimize the need for the macros in the area. Ms. Windsor stated that the nodes are not intended to replace the macros they are meant to compliment them. Mr. Milkowski asked if the nodes will be mounted on existing poles. Ms. Windsor stated that they will be mounted on existing or new poles. Verizon prefers to use existing poles, but unfortunately there are many restrictions on poles so it may become necessary to install new poles. Mr. Milkowski asked how high the nodes are on a pole. Ms. Windsor stated that they are placed 8 to 10 ft. high. Mr. Wunder asked how many nodes will be installed. Ms. Windsor stated that Verizon is in process of analyzing that at this time. The nodes will be placed location specific as needed. Mr. McKee asked which utilities Verizon has agreements with for the use of the poles. Ms. Windsor stated that Verizon has agreements with JCP&L, PSE&G and Verizon Telephone which is a separate entity from Verizon Wireless. Ms. Windsor stated that if new poles need to be installed they will be consistent with the street scape in the Township and will be owned by Verizon Telephone. Ms. Windsor stated that Verizon is looking to deploy the project very soon and it is a statewide initiative. The Committee would like to know how many units Verizon would like to install. Ms. Windsor stated that she is not sure when she will have that information. Mr. McKee asked who will be responsible for the maintenance of the poles, such as tree trimming. Ms. Windsor will look into who will be responsible for the maintenance of the poles. The Committee decided that they would like the answers to their questions in writing prior to adopting Resolution No. 81-2016. The Township will need contact information if there should be a problem with a pole and a description of their maintenance procedures. The Committee also asked for the anticipated number of nodes that will be installed in the Township. Ms. Windsor will also provide the Committee with more detailed pictures of a network node.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 81-2016**

**AUTHORIZES VERIZON TO USE POLES ERECTED WITHIN THE PUBLIC RIGHT-
OF-WAY OF THE TOWNSHIP OF LEBANON BY PARTIES THAT HAVE THE
LAWFUL RIGHT TO MAINTAIN SUCH POLES**

Tabled to the December 7, 2016 meeting.

Resolution No. 82-2016 – Redemption of Tax Sale Certificate

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 82-2016 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 82 -2016
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201403 on October 10th 2014 to US Bank Cust for PC5 Sterling and,

WHEREAS the amount of \$7,016.44 has been collected from Kathy Kollmar, the owner of this property, known as Block 17, Lot 19.01 Lebanon Township for the redemption of Tax Sale Certificate # 201403.

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 \$7,016.44 for the redemption of this lien, and,

BE IT FURTHER RESOLVED that the premium of \$9,100.00 paid for Tax Sale Certificate #201403 also be returned, and that these checks be delivered to the lien holder:

US Bank Cust for PC5 Sterling
50 south 16th Street-Suite 1950
Philadelphia PA 19102

Resolution No. 83-2016 – Redemption of Tax Sale Certificate

Motion by Mr. Schmidt, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 83-2016 as written below.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 83 -2016
REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS the Tax Collector did sell a Tax Sale Certificate #201610 on October 14th 2016 to C&E Tax Lien Fund 1 and,

WHEREAS the amount of \$7,678.85 has been collected from Ocwen Bank for the owner of this property, known as Block 61, Lot 23.13 Lebanon Township for the redemption of Tax Sale Certificate # 201610.

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 \$7,678.85 for the redemption of this lien, and,

BE IT FURTHER RESOLVED that the premium of \$48,500.00 paid for Tax Sale Certificate #201610 also be returned, and that these checks be delivered to the lien holder:

C&E Tax Lien Fund 1
PO Box 9
Short Hills NJ 07078

Resolution No. 84-2016 – Appointment of Temporary Acting Fire Official

Motion by Mr. Milkowski, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 84-2016 as written below.

TOWNSHIP OF LEBANON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 84-2016
RESOLUTION APPOINTING TEMPORARY ACTING FIRE OFFICIAL

WHEREAS, Lebanon Township is in need of a Fire Official; and
WHEREAS, it has been determined by the Township Committee that Sue Schlesinger is qualified to hold the position of Temporary Acting Fire Official until such time that a permanent Fire Official is appointed.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey, that, that Sue Schlesinger be appointed as Temporary Acting Fire Official at the hourly rate of \$25.19 on a part-time basis, as needed, with no benefits.

BE IT FURTHER RESOLVED that said appointment is temporary only, such that no rights attendant to permanent appointments shall attach or inure to the benefit of Ms. Schlesinger.

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.

OLD BUSINESS

Quest Environmental – Draft Remedial Action Report – Fire Station No. 1

Motion by Mr. McKee, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved the Fire Station No. 1 Draft Remedial Action Report, dated November 11, 2016, as submitted by Quest Environmental and authorized the Mayor to sign.

Shared Service Agreement – Lebanon Township and the Lebanon Township Board of Education

Mr. Schmidt stated that at a School Board meeting the Board announced that they will be entering into a Shared Services Agreement with the Township for including, but not limited to, mowing, snow removal, miscellaneous pothole repair, grading, equipment hauling, and loaning equipment.

Mr. Schmidt stated that it is understood by the Township Committee and the Board that the taxpayers pay for all of the services; however, this is a way to formalize the relationship by placing the work and equipment provided into the Board's budget. A payment of \$5000 will be paid to the Township each quarter and the agreement will be renewed annually.

Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee approved a Shared Services Agreement with the Lebanon Township School District and authorized the Mayor and Clerk to sign.

Fire Department Ordinance

Mr. Schmidt asked what the status is of the Transportation ordinance for the Fire Department. Deputy Chief Crampton stated that he thought that the Township was going to send a letter to the facilities informing them of the ordinance. Mayor Laul stated that the Fire Department should write the letter and he will send it with the ordinance to the facilities in the Township.

Fire Stations - Generators

Mr. Milkowski asked about the status of the generators for the Fire Department buildings. Mayor Laul stated that the Zoning Officer gave his approval two or three weeks ago. The company was waiting for Zoning approval before they ordered the generators. Once the order was placed it will be six to eight weeks before they will be delivered.

Employment Advertisements

Mr. Schmidt asked if the DPW positions have been advertised and posted yet. The Clerk informed Mr. Schmidt that the positions have been advertised and posted. The DPW Manager has received a good number of applications. The Committee would like to address them at the December 7, 2016 meeting. Mayor Laul asked if Gary Apgar has returned the advertisement for the Fire Official position which he was reviewing for accuracy. The Clerk informed Mayor Laul that he had not but it is expected shortly.

NEW BUSINESS

Accept Resignation – Robert A. Ballard, Jr. – Municipal Prosecutor

Motion by Mayor Laul, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee accepted Municipal Prosecutor Robert Ballard's resignation and wished him good luck in his new endeavors.

Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee appointed Katharine Errickson as Municipal Prosecutor until December 31, 2016.

Best Practices CY 2016/SFY 2017

CFO Greg DellaPia stated that the Best Practices report is on the agenda for the Committee's review. The State reduced the questions this year from 50 to 30. The Township scored 90% which was a result of 23 positive answers and 4 that do not apply. The Township needed a score of 22 positive answers to not have a reduction in State aid. Mr. DellaPia stated that the report has been submitted to the State and must be provided to the Committee prior to or after submission. Discussion was held on ways to improve the results as well as the possible need for a reevaluation.

Columbia Gas Transmission, LLC – Request to Conduct Routine Maintenance

The Township Committee received correspondence from Columbia Gas Transmission stating that a letter was sent to the NJDEP Division of Land Use Regulation to request approval to conduct routine maintenance within the regulated area along the pipeline area along the Columbia Trail.

DPW Manager – Request to Purchase a Plow

Motion by Mr. Wunder, seconded by Mr. Schmidt and carried by unanimous favorable roll call vote, the Township Committee approved the DPW Managers request to purchase an 8 ft. 6 in. snowplow from Westchester Machinery at a cost of \$4940.00.

Township Historians Request to Appoint Member

Motion by Mr. Schmidt, seconded by Mr. Milkowski and carried by unanimous favorable roll call vote, the Township Committee appointed Denise Schroeder to the Historians as requested by the Historians.

Purchasing Agent

Mr. Milkowski said that he would like to look into contracting a Purchasing Agent. Discussion was held on the need and possible options in retaining one.

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 November 2, 2016 bill list in amount of \$177,013.68.

CORRESPONDENCE

- a. Lebanon Township Park Committee – September 12, 2016 Meeting Minutes
- b. Hunterdon County YMCA Active Older Adult Center – Letter of Appreciation
- c. Raritan Headwaters – Letter of Appreciation
- d. Applied Earth Solutions Inc. – Monitoring Well Sealing – Bunnvale Library Property

PUBLIC COMMENTS

Motion by Mr. Milkowski, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 8:35 p.m.

Mr. Kenneth MacRitchie stated that he is the owner of Block 5, Lot 5, Buffalo Hollow Road. Mr. MacRitchie stated that he has owned the property for more than 30 years and purchased it from the Boy Scouts. The property was a portion of Camp Watchung and Mr. MacRitchie was the Commissioner of the Camp. Mr. MacRitchie stated that he is happy to maintain the property and cleans the property two or three times a year. Mr. MacRitchie stated that the property is in his will to be given to the Conservation Foundation. Mr. MacRitchie thanked former Chief Gus Hintz for paying the taxes on the property when the Boy Scouts did not pay them.

Mr. MacRitchie stated that on October 13, 2015 he sent a memo to the Township Committee about road issues in the Township and has not heard any response. Mr. MacRitchie stated that Boy Scout Road has been vacated on the west end and the easterly part; however, the center part, through the Miquin Woods, is an open public road. Mr. MacRitchie stated that it might be easier to police if the road were to be vacated. Mr. MacRitchie stated that Newport Road travels through three resident's back yards. Mr. MacRitchie asked the Committee to give him a call if they have any questions.

Ms. Laurie Hoffman stated that on behalf of the Historians she would like to thank Mr. Schmidt for all of his help during the 2016 year and presented him with a Museum Mug. Ms. Hoffman also showed the Township Committee the ornaments that the Historians have available for a fundraiser.

Motion by Mr. Schmidt, seconded by Mr. Wunder and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 8:38 p.m.

Resolution No. 85-2016 –Executive Session

Motion by Mr. Milkowski, seconded by Mr. McKee and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 85-2016 and convened in to Executive Session at 8:39 p.m.

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 85-2016
RESOLUTION AUTHORIZING EXECUTIVE SESSION**

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

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

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

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

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

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

_____);

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

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

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

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

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

_____ Investigations of violations or possible violations of the law;

_____ Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: Professional Service Contracts _____. The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

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

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

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

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

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

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

The Township Committee reconvened the Public Meeting at 9:04 p.m.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Milkowski seconded by Mr. Wunder and carried by unanimous favorable roll call vote to adjourn the meeting at 9:05p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: December 7, 2016

Marc Laul, Mayor