



LEBANON BOROUGH COMMON COUNCIL  
July 15, 2015

The Regular Meeting of the Lebanon Borough Common Council was called to order by Mayor Reino at 7:30 pm.

The meeting was convened in compliance with the Open Public Meeting Act of 1975; notice was sent to three local newspapers and posted on the bulletin board at Borough Hall.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Mayor Reino.

**MOMENT OF SILENCE:**

As of today a total 8279 of American Service Members have given their lives for our Country in the war against terrorism, New Jersey total remains at 128. Mayor Reino requested a moment of silence in remembrance of all the service men and women who have paid the ultimate sacrifice. On behalf of a grateful nation, they are truly heroes.

**ROLL CALL:**

Present: Mayor Reino, Council President Burton, Councilman Berger, Councilwoman Schmidt, Councilman Pittinger and Councilman Junge

Absent: Councilman Knoble

Also Present: Administrator /Clerk Karen M Romano RMC, CMR, and Attorney Joseph Novak Esq.

**RESOLUTION # 84-2015:**

**Council President Burton made a motion to approve Resolution 84-2015 the Consent Agenda with a second by Councilwoman Schmidt.**

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

**RESOLUTION # 84-2015**

**CONSENT AGENDA**

**July 15, 2015**

All matters listed under the Consent Agenda are considered to be routine by the Governing Body of Lebanon Borough and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired that item may be removed from the Consent Agenda and considered separately.

1. Tax Rate
2. Grist Mill Thank You
3. Clinton First Aid and Rescue Squad, Inc
4. Budget Trial Balance
5. Tax Assessor Report

Introduced and adopted: July 15, 2015:

Ayes: 5  
Nays: 0  
Absent: 1

\_\_\_\_\_  
Richard J. Burton, Council President

ATTEST: \_\_\_\_\_

**CERTIFICATION**

I, Karen M. Romano, Lebanon Borough Administrator/ Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the July 15, 2015 force and effect as of the date I have subscribed my signature.

Date: July 15, 2015

\_\_\_\_\_  
Karen M. Romano, RMC  
Borough Administrator/Clerk

**The motion was passed by the following vote:**

YES: Council President Burton, Councilman Berger, Councilwoman Schmidt,  
Councilman Pittinger and Councilman Junge

NO: None

ABSTAIN: None  
ABSENT: Councilman Knoble

**APPROVAL OF MINUTES:**

**Councilman Junge made a motion to accept the Regular and Executive Meeting Minutes of June 2015 and July 1, 2015. With a second by Councilwoman Schmidt.**

**The motion was passed by the following vote:**

YES: Council President Burton, Councilman Berger, Councilwoman Schmidt, Councilman Pittinger and Councilman Junge

NO: None

ABSTAIN: None

ABSENT: Councilman Knoble

**APPROVAL OF EXPENDITURES:**

**Councilman Berger made a motion to approve the bill list for July 2015. Councilman Knoble seconded the motion.**

Report Printed 2015-07-14 16:10:02 Lebanon Borough List of Bills - (All Funds)

List of Bills - (All Funds)				
Vendor	Description	Payment	Check Total	
<b>Current Fund</b>				
555 - A. PATULLO POWER WASH INC.	FO 6956 MULCHING AT THE MUNICIPAL BUILDING	1,110.00	1,110.00	
674 - ACE OFFICE SOLUTIONS LLC	FO 6921 COLOR COPY FEE, ACCT AC11383	1,635.96	1,635.96	
320 - APGAR POWER SWEEPING CORP	FO 6938 STREET SWEEPING FOR JULY 4TH PARADE	750.00	750.00	
589 - AUTOMATIC TEMPERATURE CONTROL SVCS,	FO 6939 HVAC SERVICE, 3RD QTR - CUST L-3049	805.00	805.00	
202 - CENTURYLINK	FO 6952 TELEPHONE SERVICE, ACCT 310227467/3	344.11	344.11	
247 - COMCAST	FO 6922 TELEPHONE SVC, ACCT 849905295001391	296.62	296.62	
652 - CONSTELLATION NEWENERGY INC	FO 6923 ELECTRIC SVC, ACCT 1-DHUSOH/DHUSOY/	90.59	90.59	
652 - CONSTELLATION NEWENERGY INC	FO 6924 ENERGY SVC FOR HIGH ST., ACCT 1-DHU	613.22	613.22	
39 - ELIZABETHTOWN GAS	FO 6903 NATURAL GAS SVC FOR 6 HIGH ST., ACC	154.46	154.46	
39 - ELIZABETHTOWN GAS	FO 6904 NATURAL GAS SVC FOR 96 MAIN ST., AC	16.40	16.40	
681 - ERCOLANO'S NURSERY LLC	FO 6925 MULCH, INV 118	348.00	348.00	
46 - FERRIERO ENGINEERING	FO 6941 ENGINEERING SVCS FOR JUNE 2015, INV	2,867.75	2,867.75	
153 - HOME DEPOT CREDIT SVCS	FO 6927 PARK SCHOOL SUPPLIES	36.61	36.61	
153 - HOME DEPOT CREDIT SVCS	FO 6942 MISC SUPPLIES, ACCT 603532254090973	371.29	371.29	
83 - HORIZON BLUE CROSS BLUE SHIELD NJ	FO 6554 DENTAL INSURANCE FOR AUGUST, ACCT 1	245.81	245.81	
215 - HUNTERDON COUNTY CLERKS OFFICE	FO 6905 PRIMARY ELECTION EXPENSES	882.90	882.90	
54 - NJN PUBLISHING	FO 6906 LEGAL ADS, ACCT 1160904	113.32	113.32	
54 - NJN PUBLISHING	FO 6943 LEGAL ADS, ACCT 1160904	80.37	80.37	
684 - HUNTERDON COUNTY SHERIFFS OFFICE	FO 6944 JULY 4TH SHERIFFS SERVICE	1,820.00	1,820.00	
16 - JCP&L	FO 6907 ELECTRIC SVC, ACCT 100064143512/140	98.41	98.41	
16 - JCP&L	FO 6908 STREET LIGHTING, ACCT 100002994182/	689.07	689.07	
16 - JCP&L	FO 6929 HIGH ST. ELECTRIC SVC, ACCT 20000000	484.10	484.10	
685 - JEFFREY R SURENIAN & ASSOC.LLC	FO 6953 EXPERT RETENTION FOR COAH-DECLARATO	2,000.00	2,000.00	
597 - JERSEY ELEVATOR COMPANY INC.	FO 6522 ELEVATOR MAINTENANCE, account # 548	135.00	135.00	
264 - JOSEPH S. NOVAK	FO 6721 LEGAL SVCS FOR JULY 2015	3,250.00	3,250.00	
167 - KAREN ROMANO	FO 6730 CELL PHONE REMBURSEMENT FOR JULY	100.00	100.00	
559 - LANZA & LANZA LLP	FO 6945 LEGAL SVCS, LEBANON VS T.M. BRENNAN	288.00	288.00	
608 - LOWES	FO 6909 PARK/RECREATION MULCH, ACCT 0992	63.20	63.20	
253 - NEW JERSEY STATE POLICE	FO 6910 POLICING SVCS FOR MAIL 2015, INV 1	3,499.60	3,499.60	
31 - NOVAK & NOVAK LLC	FO 6954 FILING FEE FOR COAH MATTER-DECLARAT	250.00	250.00	
37 - PITNEY BOWES - RESERVE ACCOUNT	FO 6912 POSTAGE FOR THE MAILING MACHINE	200.00	200.00	
37 - PITNEY BOWES - RESERVE ACCOUNT	FO 6913 POSTAGE FOR THE MAILING MACHINE	200.00	200.00	
28 - PREMIER DISPOSAL, INC	FO 6742 ROLL OFF SVC FOR JUNE 2015, ACCT 99	259.23	259.23	
28 - PREMIER DISPOSAL, INC	FO 6743 TRASH REMOVAL SVC FOR JUNE 2015, AC	4,576.00	4,576.00	
20 - QUILL CORPORATION	FO 6889 OFFICE SUPPLIES, ACCT C3816685	473.47	473.47	
	FO 6916 CLEAN COMMUNITIES RECYCLING GRANT,	199.98		
	FO 6946 CLEANING SUPPLIES, ACCT C671593	83.91	757.36	
476 - R & L DATA CENTERS, INC.	FO 6947 PAYROLL SVC FOR 6/15-6/30/15, ACCT	337.26	337.26	
176 - SHOPRITE OF HUNTERDON COUNTY	FO 6917 KITCHEN SUPPLIES, CUSTOMER 20457	54.18	54.18	
664 - STANDARD TILE EDISON-CORP.	FO 6932 96 MAIN ST. SUPPLIES, INV 21991	58.80	58.80	
676 - SUNSHINE TREE AND LANDSCAPE	FO 6851 TREE REMOVAL SERVICES,	4,650.00	4,650.00	
390 - TELE-DATA SOLUTIONS, INC.	FO 6647 MAINTENANCE CONTRACT FOR JULY 2015,	98.33	98.33	
43 - TOWN OF CLINTON	FO 6948 2ND QTR PAYMENT - FIRE HYDRANTS, ID	6,287.25	6,287.25	
560 - TREASURER-STATE OF NJ	FO 6949 MARRIAGE LICENSE FEES FOR APRIL, MA	50.00	50.00	
348 - VAIL ENERGY SERVICES, LLC	FO 6696 MAINTENANCE CONTRACT FOR JULY 2015,	308.00	308.00	

348 - VAIL ENERGY SERVICES, LLC	PO 6951	HVAC SERVICE/REPAIR, INV 1895	2,998.00	2,998.00
27 - WASTE MANAGEMENT OF NJ INC	PO 6950	WASTE REMOVAL SVC FOR JUNE 2015, CU	5,172.00	5,172.00
89 - WILLIAM M. COLANTANO JR. CPA PC	PO 6920	PROF. SVCS. STATUTORY AUDIT FOR YEA	21,000.00	21,000.00
89 - WILLIAM M. COLANTANO JR. CPA PC	PO 6934	AUDIT SERVICES	400.00	400.00
<b>TRUST FUNDS</b>				
683 - ENTERTAINMENT WITH SOPHISTICATION	PO 6940	SENIOR HOLIDAY PARTY - DEPOSIT	100.00	100.00
140 - HUNTERDON HILLS PLAYHOUSE	PO 6957	RESERVATION FOR 7-21-2015 TWIST & S	2,928.00	2,928.00
<b>GENERAL CAPITAL FUND</b>				
659 - BECKAGE SEALCOATING	PO 6955	INFRARED ASPHALT REPAIR	7,890.00	7,890.00
<b>DEVELOPERS ESCROW</b>				
46 - FERRIERO ENGINEERING	PO 6935	JUNE 2015 FREEDMAN	325.00	325.00
46 - FERRIERO ENGINEERING	PO 6936	JUNE 2015 ROLLIN PAST CYCLES	260.00	260.00
46 - FERRIERO ENGINEERING	PO 6937	JUNE 2015 GLADSTONE EQUITIES	552.50	552.50
TOTAL				82,901.70
Total to be paid from Fund 01 Current Fund		70,846.20		
Total to be paid from Fund 03 TRUST FUNDS		3,028.00		
Total to be paid from Fund 04 GENERAL CAPITAL FUND		7,890.00		
Total to be paid from Fund 14 DEVELOPERS ESCROW		1,137.50		
		82,901.70		Checks Previously Disbursed

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99999	LEBANON BOROUGH PAYROLL	PAYROLL 6-30-15	15,466.20	6/30/2015
99999	LEBANON BOROUGH PAYROLL	PAYROLL 7-15-15	11,186.78	7/15/2015
99999	NJ STATE HEALTH BENEFITS PLAN	JULY 2015	3,948.17	7/15/2015
99999	WALMART BUSINESS	PO# 6933 WEED CONTROL, ACCT 4081	12.84	6/29/2015
99999	HUSTON LUMBER AND SUPPLY CO	PO# 6928 HARDWARE FOR 96 MAIN ST.	72.27	7/01/2015
99999	POSTMASTER OF LEBANON BORO	PO# 6931 POSTAGE	96.44	6/26/2015
99999	FIVE BELOW	PO# 6926 PARK SCHOOL SUPPLIES	67.50	6/23/2015
99999	ORIENTAL TRADING CO. INC	PO# 6911 SUMMER REC SUPPLIES - CUSTOMER 517	65.51	6/25/2015
9018	HUNTERDON COUNTY MUNIC CLERK'S ASSO	PO# 6901 CLERKS MEETING/LUNCHEON - REGISTRA	58.00	6/23/2015
			30,973.71	
Total paid from Fund 01 Current Fund		30,973.71		
		30,973.71		

Total for this Bills List: 113,875.41

**The motion was passed by the following vote:**

**YES:** Council President Burton, Councilman Berger, Councilwoman Schmidt, Councilman Pittinger and Councilman Junge

**NO:** None

**ABSTAIN:** None

**ABSENT:** Councilman Knoble

**OPEN PUBLIC SESSION:**

**Councilman Berger made a motion to open the public session. Council President Burton seconded the motion with the unanimous approval of Council the floor was opened.**

Bonnie Wagner of Westbrook Volunteer CAPIC Cats presented a Trap and Release plan for feral cats. The presentation is available for review in the clerk's office.

**There being no further public comment Councilman Junge made a motion to close the public session. Councilman Berger seconded the motion with the unanimous approval of Council the floor was closed.**

**RESOLUTION 85-2015:**

**Councilman Berger made a motion to approve Resolution #85-2015 with a second by Council President Burton.**

**BOROUGH OF LEBANON**

**COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**RESOLUTION #85-2015**

**LIQUOR LICENSE  
69 MAIN STREET LLC**

**WHEREAS**, an application for Plenary Retail Consumption License has been made by 69 Main Street LLC, Trade name being FOX AND HOUND TAVERN AT THE LEBANON HOTEL, located at 69 Main Street, Lebanon NJ.; and

**WHEREAS**, the submitted form is complete and the appropriate checks are attached;

**BE IT RESOLVED** that Plenary Retail Consumption License No. 1018-33-001-008 be issued to The Fox and Hound 69 Main Street LLC at 69 Main Street Lebanon, New Jersey for a fee of \$2,000.00 and to become effective 12:00 a.m. July 1, 2015 and to expire midnight, June 30, 2016.

**NOW, THEREFORE BE IT RESOLVED** by the Lebanon Borough Common Council to approve the above named application and authorize the Borough Clerk to sign said application and file it with the NJ Division of Alcoholic Beverage Control.

Introduced and adopted: July 15, 2015:

Ayes: 5  
Nays: 0  
Absent: 1

\_\_\_\_\_  
Richard J. Burton, Council President

ATTEST: \_\_\_\_\_

**CERTIFICATION**

I, Karen M. Romano, Lebanon Borough Administrator/ Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the July 15, 2015 force and effect as of the date I have subscribed my signature.

Date: July 15, 2015

\_\_\_\_\_  
Karen M. Romano, RMC  
Borough Administrator/Clerk

**The motion was passed by the following vote:**

YES: Council President Burton, Councilman Berger, Councilwoman Schmidt,  
Councilman Pittinger and Councilman Junge

NO: None  
ABSTAIN: None  
ABSENT: Councilman Knoble

**RESOLUTION 86-2015:**

**Councilman Berger made a motion to approve Resolution #86-2015 with a second by Council President Burton.**

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

**RESOLUTION #86-2015**

LIQUOR LICENSE  
ROCK U LLC

**WHEREAS**, an application for Plenary Retail Distribution License has been made by Rock U LLC, Trade name being BOURBON STREET LIQUORS, located at 1243 Hwy 22 E, Lebanon NJ.; and

**WHEREAS**, the submitted form is complete and the appropriate checks are attached;

**BE IT RESOLVED** that Plenary Retail Consumption License No. 1018-44-002-004 be issued to Rock U LLC, Bourbon Street Liquors Lebanon, New Jersey for a fee of \$2,000.00 and to become effective 12:00 a.m. July 1, 2015 and to expire midnight, June 30, 2016.

**NOW, THEREFORE BE IT RESOLVED** by the Lebanon Borough Common Council to approve the above named application and authorize the Borough Clerk to sign said application and file it with the NJ Division of Alcoholic Beverage Control.

Introduced and adopted: July 15, 2015:

Ayes: 5  
Nays: 0  
Absent: 1

\_\_\_\_\_  
Richard J. Burton, Council President

ATTEST: \_\_\_\_\_

**CERTIFICATION**

I, Karen M. Romano, Lebanon Borough Administrator/ Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the July 15, 2015 force and effect as of the date I have subscribed my signature.

Date: July 15, 2015

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Karen M. Romano, RMC  
Borough Administrator/Clerk

**The motion was passed by the following vote:**

YES: Council President Burton, Councilman Berger, Councilwoman Schmidt,  
Councilman Pittinger and Councilman Junge

NO: None

ABSTAIN: None

ABSENT: Councilman Knoble

**RESOLUTION 87-2015:**

**Councilman Berger made a motion to approve Resolution #87-2015 with a second by Council President Burton.**

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

**RESOLUTION #87-2015**

**LIQUOR LICENSE  
COURTYARD MANAGEMENT CORPORATION**

**WHEREAS**, an application for Plenary Retail Consumption License has been made by Courtyard Management Corporation, Trade name being COURTYARD BY MARRIOTT, located at 300 Corporate Drive, Lebanon NJ.; and

**WHEREAS**, the submitted form is complete and the appropriate checks are attached;

**BE IT RESOLVED** that Plenary Retail Consumption License No. 1018-36-003-001 be issued to Courtyard Management Corporation Lebanon, New Jersey for a fee of \$2,000.00 and to become effective 12:00 a.m. July 1, 2015 and to expire midnight, June 30, 2016.

**NOW, THEREFORE BE IT RESOLVED** by the Lebanon Borough Common Council to approve the above named application and authorize the Borough Clerk to sign said application and file it with the NJ Division of Alcoholic Beverage Control.

Introduced and adopted: July 15, 2015:

Ayes: 5  
Nays: 0  
Absent: 1

\_\_\_\_\_  
Richard J. Burton, Council President

ATTEST: \_\_\_\_\_

**CERTIFICATION**

I, Karen M. Romano, Lebanon Borough Administrator/ Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the July 15, 2015 force and effect as of the date I have subscribed my signature.

Date: July 15, 2015

\_\_\_\_\_  
Karen M. Romano, RMC  
Borough Administrator/Clerk

**The motion was passed by the following vote:**

YES: Council President Burton, Councilman Berger, Councilwoman Schmidt,  
Councilman Pittinger and Councilman Junge

NO: None

ABSTAIN: None

ABSENT: Councilman Knoble

**RESOLUTION 88-2015:**

**Councilman Berger made a motion to approve Resolution #88-2015 with a second by Council President Burton.**

**BOROUGH OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION #88-2015**

**A RESOLUTION AUTHORIZING THE CHIEF FINANCE  
OFFICER TO REFUND ESCROW BALANCES**

**BE IT RESOLVED**, by the Council of the Borough of Lebanon, County of Hunterdon, State of New Jersey that the CFO is hereby authorized to refund the following escrow accounts at the advice of the Borough Engineer.

7762413677 Fro 6 LLC close account \$ 4716.63  
479 Route 17 North  
Mahwah NJ 07430

Introduced and adopted:

LEBANON  
BOROUGH COUNCIL

Ayes: 5  
Nays: 0  
Absent: 1

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Council President, Richard Burton

Abstain: 0  
ATTEST:

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Karen M. Romano, RMC  
Lebanon Borough Clerk

### CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the July 15, 2015 that this resolution has not been amended or repealed; and that it remains in full force and effect as of the date I have subscribed my signature.

Date: July 15, 2015

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Karen M. Romano, RMC  
Lebanon Borough Clerk

**The motion was passed by the following vote:**

YES: Council President Burton, Councilman Berger, Councilwoman Schmidt,  
Councilman Pittinger and Councilman Junge

NO: None

ABSTAIN: None

ABSENT: Councilman Knoble

**RESOLUTION 89-2015:**

**Councilman Berger made a motion to approve Resolution #89-2015 with a second by Councilwoman Schmidt.**

**BOROUGH OF LEBANON**

**COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**RESOLUTION #89-2015  
Park School Counselors**

**BE IT RESOLVED**, by the Lebanon Borough Common Council that the following are appointed as Park School Counselors:

Casey Durange

**BE IT FURTHER RESOLVED** by the Lebanon Borough Council that the salary range for the Park School Counselor having been established and set forth in Ordinance #2014-04, the following salary is hereby granted to the employee for the year 2015:

Casey Durange           \$ 8.50

Introduced and adopted: July 15, 2015           LEBANON BOROUGH COUNCIL

Ayes:           5

Nays:           0

Absent:         1

Abstain:        0

\_\_\_\_\_  
By: Richard J. Burton, Council President

**CERTIFICATION**

I, Karen M. Romano, Lebanon Borough Clerk, hereby certify that this resolution was duly adopted by the Borough of Lebanon Common Council at a meeting duly held on the 15th day of July 2015; that this Resolution has not been amended or repealed; and that it remains in full force and effect as of the date I have subscribed my signature.

Dated: June 17, 2015

\_\_\_\_\_  
Karen M. Romano, RMC  
Borough Administrator/ Clerk

**The motion was passed by the following vote:**

YES: Council President Burton, Councilman Berger, Councilwoman Schmidt,  
Councilman Pittinger and Councilman Junge

NO:           None

ABSTAIN: None

ABSENT: Councilman Knoble

**RESOLUTION 90-2015:**

**Councilwoman Schmidt made a motion to approve Resolution #90-2015 with a second by Councilman Junge.**

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

**RESOLUTION # 90-2015**

**RESOLUTION REQUESTING APPROVAL OF  
ITEMS OF REVENUE AND APPROPRIATION  
NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Lebanon in the County of Hunterdon, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$7274.75, which is now available from 2015 Open Space Grant in the amount of \$7,274.75.

**BE IT FURTHER RESOLVED**, that the like sum of \$7,274.75 is hereby appropriated under the caption 2015 Open Space Grant; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from Hunterdon County Open Space Committee in the amount of \$7,274.75.

Introduced and adopted: July 15, 2015

LEBANON BOROUGH COUNCIL

Ayes: 5  
Nays: 0  
Absent: 1

\_\_\_\_\_  
Richard J. Burton,  
Borough, Council President

ATTEST:

\_\_\_\_\_  
Karen Romano, RMC  
Borough Clerk

**CERTIFICATION**

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Common Council at a meeting duly held on the 15th of July 2015; that this resolution has not been amended or repealed; and that it remains in full force and effect as of the date I have subscribed my signature.

Date: July 15, 2015

\_\_\_\_\_  
Karen M. Romano, RMC  
Borough Clerk

**The motion was passed by the following vote:**

YES: Council President Burton, Councilman Berger, Councilwoman Schmidt,  
Councilman Pittinger and Councilman Junge

NO: None

ABSTAIN: None

ABSENT: Councilman Knoble

**RESOLUTION 91-2015:**

**Councilman Berger made a motion to approve Resolution #91-2015 with a second by Council President Burton.**

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

**RESOLUTION #91-2015**

**AUTHORIZING AN APPLICATION FOR DECLARATORY JUDGMENT OF  
THIRD ROUND CONSTITUTIONAL COMPLIANCE AND REPOSE WITH  
REGARD TO LEBANON BOROUGH'S MOUNT LAUREL OBLIGATIONS**

**WHEREAS**, on March 10, 2015 the New Jersey Supreme Court issued an Order Enforcing Litigant's Rights effectively eliminating the COAH Administrative process authorized by the Fair Housing Act pending future corrective legislation or further Order of the Court; and

**WHEREAS**, the Borough of Lebanon and its Planning Board are presently in compliance with a prior Order of the Superior Court which granted Prior Round Declaratory Judgment of Compliance and Repose from Mount Laurel Litigation and a Stay of Third Round Obligations under Docket No. SOM-L-000624-04; and

**WHEREAS**, the New Jersey Supreme Court Order granting litigant's rights directs municipalities seeking further protection from the Courts to file an Application/Complaint for Declaratory Judgment with regard to Third Round Obligations for Constitutional Compliance with Mount Laurel Housing Obligations and further Repose.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Lebanon, County of Hunterdon and State of New Jersey as follows:

1. The Borough Attorney is hereby authorized to prepare and file an Application/Complaint for Declaratory Judgment and take all such other actions before the Court in support of the application to secure a final Order granting the Borough of Lebanon a Judgment of Compliance and Repose from Mount Laurel Litigation and Housing Obligations for a period of ten (10) years through December 31, 2025; and

2. The Borough Planner is hereby authorized to work in conjunction with the Governing Body and Planning Board to amend the Borough's Third Round Housing Element

and Fair Share Plan, to be completed within the time periods established by Court Order; and support the litigation efforts of the Borough Attorney as he may require, and

3. Provide Notice of the filing of the Declaratory Judgment Action shall be provided by the Borough Attorney and Clerk to those parties listed on the “2015 Supreme Court Service List” on Affordable Housing, the “Affordable Housing Provider’s List”, and the “Lebanon Borough Municipal Notice List”, as well as publishing the said Notice in the Hunterdon County Democrat and The Courier News.

4. This Resolution is adopted in conjunction with and as a supplement to Resolution #75-2015 authorizing the retention of Rutgers University and Dr. Robert Burchell to prepare a statewide “Fair Share” analysis to establish a rationable and reasonable methodology for determining a Municipality’s obligation for its fair share of the regions’ affordable housing needs in accordance with the Mount Laurel doctrine.

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 5

Nays: 0

Absent: 1

\_\_\_\_\_  
Richard Burton  
Borough Council President

ATTEST:

\_\_\_\_\_  
Karen M. Romano, RMC  
Borough Administrator/Clerk

### CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Borough Council at a meeting duly held on July 15, 2015, that this resolution has not been amended or repealed; and that it remains in full force and effect as of the date I have subscribed my signature.

\_\_\_\_\_  
Karen Romano  
Borough Administrator/Clerk

**The motion was passed by the following vote:**

YES: Council President Burton, Councilman Berger, Councilwoman Schmidt,  
Councilman Pittinger and Councilman Junge

NO: None

ABSTAIN: None

ABSENT: Councilman Knoble

**OPEN PUBLIC SESSION:**

**Councilman Berger made a motion to open the public session. Councilman Junge seconded the motion with the unanimous approval of Council the floor was opened.**

**There being no further public comment Councilman Junge made a motion to close the public session. Councilman Berger seconded the motion with the unanimous approval of Council the floor was closed.**

**MISCELLANEOUS:**

Karen requested permission to award the Counselors in Training at the Park School Program

**Councilman Berger made a motion to approve \$100 for the two CIT's with a second by Council President Burton.**

**The motion was passed by the following vote:**

YES: Council President Burton, Councilman Berger, Councilwoman Schmidt,  
Councilman Pittinger and Councilman Junge

NO: None

ABSTAIN: None

ABSENT: Councilman Knoble

**DISCUSSION:**

**COUNCIL COMMITTEES:**

**ADJOURN:**

**Councilman Pittinger moved and Councilwoman Schmidt seconded a motion to adjourn, there being no further** business to come before Council. The meeting was adjourned at 8:35 pm by unanimous vote.

Respectfully Submitted

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Karen M. Romano, RMC  
Borough Administrator/Clerk





LBCC  
7-17-13  
19

LBCC  
7-17-13  
20

LBCC

2-20-13

21

