



LEBANON BOROUGH COMMON COUNCIL
November 22, 2016

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 8330 of American Service Members have given their lives for our Country in the war against terrorism, New Jersey total remains at 152. 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 Piagentini,
Councilman Berger, Councilwoman Schmidt, and Councilman Junge
Absent: Councilman Pittinger
Also Present: Attorney Joseph Novak Esq. and
Administrator/Clerk Karen M Romano

RESOLUTION #108-2016:

Councilman Berger made a motion to approve Resolution 10-2016 the Consent Agenda with a second by Councilman Piagentini.

**RESOLUTION # 108-2016
CONSENT AGENDA
November 22, 2016**

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. MCCPC Letter
2. HC Municipal Alliance
3. Tax Assessor Report
4. Clinton Rescue Newsletter
5. Thank you from Joe Hauck
6. Recreation Resignation
7. NJDOT Grant Freeze lifted
8. NJDEP -Green Acres

Introduced and adopted: November 22, 2016

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 November 22,2016 force and effect as of the date I have subscribed my signature.

Date: November 22, 2016

Karen M. Romano, RMC
Borough Administrator/Clerk

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger

APPROVAL OF MINUTES:

Council President Burton made a motion to accept the Regular Meeting minutes of October 2016. With a second by Councilwoman Schmidt.

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger

APPROVAL OF EXPENDITURES:

Councilman Berger made a motion to approve the bill list for November 2016. Council President Burton seconded the motion.

Report Printed 2016-11-18 16:06:52 Lebanon Borough

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
Current Fund			
555 - A. PATULLO POWER WASH INC.	PO 7892 BOROUGH LEAF REMOVAL, INV 847439	2,058.17	2,058.17
712 - ALPHA DOG SOLUTIONS, INC.	PO 7775 WEBSITE MAINTENANCE	1,200.00	1,200.00
247 - COMCAST	PO 7893 INTERNET/PHONE SVC FOR NOVEMBER 201	434.75	434.75
247 - COMCAST	PO 7894 INTERNET/PHONE SVC FOR 96 MAIN ST,	128.93	128.93
652 - CONSTELLATION NEWENERGY INC	PO 7886 ENERGY SVC, ACCT 1-DHUSOH/1-DHUSOY/	639.74	639.74
46 - FERRIERO ENGINEERING	PO 7895 ENGINEERING SVCS,OCTOBER 2016 CLIEN	715.00	715.00
670 - HARRY HAUSHALTER	PO 7801 TAX COUNSEL FOR JULY & AUGUST 2016,	2,254.50	2,254.50
83 - HORIZON BLUE CROSS BLUE SHIELD NJ	PO 7588 DENTAL INSURANCE FOR DECEMBER 2016,	245.81	245.81
54 - NJ ADVANCE MEDIA	PO 7897 LEGAL AD - BID NOTICE, ACCT ASB-203	116.80	116.80
717 - HUNTERDON COUNTY MUNICIPAL CLERK'S	PO 7906 MEETING 12-07-2016	64.00	64.00
16 - JCP&L	PO 7888 6 HIGH ST ELECTRIC SVC, ACCT 200000	526.19	526.19
16 - JCP&L	PO 7908 STREET LIGHTING, ACCT 100002994224/	147.12	147.12
597 - JERSEY ELEVATOR COMPANY INC.	PO 7457 ELEVATOR MAINTENANCE, ACCT 5487A-MN	137.63	137.63
401 - JOINT COURT BETHLEHEM/BLOOMSBURY	PO 7593 MUNICIPAL COURT SERVICES, 4TH QTR,	3,402.00	3,402.00
167 - KAREN ROMANO	PO 7437 CELL PHONE REMBURSEMENT- NOVEMBER	100.00	100.00
167 - KAREN ROMANO	PO 7887 REIMBURSEMENT FOR BONFIRE PERMIT	42.00	42.00
167 - KAREN ROMANO	PO 7915 REMBURSEMENT FOR MILEAGE & MEALS	1,378.42	1,378.42
167 - KAREN ROMANO	PO 7916 MILEAGE REMBURSEMENT-	118.80	118.80
557 - LANDMARK FIRE PROTECTION, INC.	PO 7638 3RD QTR FIRE TESTING AND INSPECTION	437.50	437.50
559 - LANZA & LANZA LLP	PO 7757 LEGAL SVCS FOR JULY 2016, ACCT 1323	3,935.31	3,935.31
559 - LANZA & LANZA LLP	PO 7803 LEGAL SVCS FOR JUNE/AUGUST 2016, AC	1,816.36	1,816.36
559 - LANZA & LANZA LLP	PO 7847 LEGAL SVCS FOR SEPTEMBER 2016, ACCT	928.00	928.00
559 - LANZA & LANZA LLP	PO 7896 LEGAL SVCS FOR OCTOBER 2016, ACCT 1	880.00	880.00
724 - LSA&C Attorney Trust Account	PO 7884 SPECIAL MASTER FOR COAH-VICINAGE 13	1,500.00	1,500.00
59 - LEBANON BOROUGH BOARD OF EDUCATION	PO 7761 2016 SCHOOL TAX FOR DECEMBER 2016	260,277.70	260,277.70
253 - NEW JERSEY STATE POLICE	PO 7875 POLICING SVCS FOR SEPTEMBER 2016, I	4,695.36	4,695.36
31 - NOVAK & NOVAK LLC	PO 7447 LEGAL SERVICES NOVEMBER 2016	3,350.00	3,350.00
233 - FITZNEY BOWES	PO 7898 POSTAGE MACHINE LEASE, ACCT 1596021	75.00	75.00
737 - NORTH JERSEY NEWSPAPERS	PO 7907 NEWSPAPER SUBSCRIPTION, ACCT 17100-	49.99	49.99
28 - PREMIER DISPOSAL, INC	PO 7485 TRASH REMOVAL SVC FOR OCTOBER 2016,	4,843.57	4,843.57
476 - R & L DATA CENTERS, INC.	PO 7899 PAYROLL SVC FOR OCTOBER 2016, ACCT	271.96	271.96
68 - READY REFRESH	PO 7889 BOTTLED WATER, ACCT 0430758649	34.21	34.21
176 - SHOPRITE OF HUNTERDON COUNTY	PO 7901 HALLOWEEN SUPPLIES, CUST 20457	58.24	58.24
522 - TREASURER, STATE OF NJ	PO 7914 ANNUAL ELEVATOR INSPECTION FEE, REG	409.00	409.00
369 - STICKEL KOENIG & SULLIVAN & DRILL L	PO 7913 AFFORDABLE HOUSE FILE 16.5001	49.50	49.50
736 - SUE SABOL	PO 7891 REFUND AMOUNT RECEIVED FOR A BANNER	70.00	70.00

390 - TELE-DATA SOLUTIONS, INC.	PO 7467	MAINTENANCE CONTRACT FOR DECEMBER 2	116.67	116.67
43 - TOWN OF CLINTON	PO 7903	WATER BILL FOR ID 1773 & 811	91.63	91.63
633 - TREASURER - STATE OF NJ	PO 7902	BFCE REGISTRATION RENEWAL FEE, CUST	397.00	397.00
348 - VAIL ENERGY SERVICES, LLC	PO 7336	2016 SERVICE & PREVENTIVE MAINTENAN	308.00	308.00
348 - VAIL ENERGY SERVICES, LLC	PO 7890	SERVICE CALL 11-7-16	105.00	105.00
718 - VIKING PEST CONTROL	PO 7904	PEST CONTROL SERVICES, ACCT 1217337	48.00	48.00
27 - WASTE MANAGEMENT OF NJ INC	PO 7905	WASTE REMOVAL SVC FOR OCTOBER 2016,	3,364.00	3,364.00
GENERAL CAPITAL FUND				
46 - FERRIERO ENGINEERING	PO 7911	MAPLE STREET DRAINAGE-OCTOBER	211.77	211.77
46 - FERRIERO ENGINEERING	PO 7912	2016 INLET REPAIR PROGRAM -OCTOBER	2,007.50	2,007.50
384 - WILENTZ GOLDMAN & SPITZER PA	PO 7909	BOND COUNSEL SERVICES, FILE 128658.	2,743.98	2,743.98
SENIOR CITIZEN FUND				
398 - SOUTH BOUND BROOK SENIOR CLUB	PO 7910	TRIP TO MT AIRY LODGE 11-14-16	793.00	793.00
DEVELOPERS ESCROW				
735 - VICTORIA ZILLI	PO 7885	REFUND AMOUNT RECEIVED FOR A BANNER	70.00	70.00
TOTAL				307,648.11
Total to be paid from Fund 01 Current Fund			301,821.86	
Total to be paid from Fund 04 GENERAL CAPITAL FUND			4,963.25	
Total to be paid from Fund 13 SENIOR CITIZEN FUND			793.00	
Total to be paid from Fund 14 DEVELOPERS ESCROW			70.00	
			=====	
			307,648.11	
Checks Previously Disbursed				
99999	NJ STATE HEALTH BENEFITS PLAN		4,287.72	11/15/2016
9809	LEBANON BOROUGH BOARD OF EDUCATION	PO# 7760	260,277.70	11/11/2016
9808	COUNTY OF HUNTERDON- OPEN SPACE TAX	PO# 7840	17,451.10	11/11/2016
9807	COUNTY OF HUNTERDON - LIBRARY TAX	PO# 7839	18,305.15	11/11/2016
9806	COUNTY OF HUNTERDON - COUNTY TAX	PO# 7838	183,553.61	11/11/2016
99999	CTS		23.46	12/15/2016
99999	CTS		23.46	11/08/2016
99999	LEBANON BOROUGH PAYROLL		14,007.03	11/15/2016
9805	NO HUNTERDON-VOORHEES REG HS DIST	PO# 7667	254,979.17	11/01/2016
9804	LSA&C Attorney Trust Account	PO# 7653	3,500.00	10/21/2016
9803	JCP&L	PO# 7883	707.08	10/21/2016
9802	IIMC	PO# 7882	160.00	10/21/2016

			757,275.48	
Total paid from Fund 01 Current Fund			757,275.48	
Total for this Bills List: 1,064,923.59				

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger

OPEN PUBLIC SESSION:

Councilman Junge made a motion to open the public session. Council President Burton 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.

OPEN PUBLIC SESSION ORDINANCE 2016-04:

Councilman Junge made a motion to open the public session For Ordinance 2016-04. Council President Burton 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.

ORDINANCE 2016-04:

Councilman Burton made a motion to Adopt Ordinance 2016-04 with a second by Councilman Junge

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger

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

ORDINANCE NO. 2016-04

**AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE
BOROUGH OF LEBANON TO UPDATE SUBMISSION REQUIREMENTS FOR
APPLICATIONS FOR DEVELOPMENT**

WHEREAS, the Highlands Water Protection and Planning Act (“Highlands Act,” N.J.S.A. 13:20-1 et seq.) was enacted by the State Legislature on August 10, 2004 for the purpose of protecting, enhancing, and restoring the natural resources of the New Jersey Highlands Region, in particular the water resources, which provide drinking water to over 5 million New Jersey residents; and

WHEREAS, the Highlands Act created the Highlands Water Protection and Planning Council (the “Highlands Council”) and charged it with crafting a comprehensive master plan for the New Jersey Highlands Region; and

WHEREAS, the Highlands Regional Master Plan was adopted by the Highlands Council through the adoption of Resolution 2008-27 on July 17, 2008, and became effective on September 8, 2008 as the product of a long-term, participatory, and region-wide planning effort; and

WHEREAS, Resolution 2008-27 included the adoption of Highlands Regional Master

Plan as well as the adoption of various technical reports and guidelines that accompanied the Plan including the 2008 Plan Conformance Guidelines; and

WHEREAS, the Plan Conformance Guidelines provide an overview of the Highlands Act's bifurcated system for municipal conformance with the Highlands Regional Master Plan – mandatory Plan Conformance for any portion (or if applicable, the whole) of a municipality located within the Preservation Area and voluntary Plan Conformance for any portion (or if applicable, the whole) of a municipality lying within the Planning Area; and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may at any time voluntarily revise and conform its local master plan and development regulations, as related to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan; and

WHEREAS, the Plan Conformance Guidelines detail the requirements for Plan Conformance including amendments to both the State's and Borough's Environmental Resource Inventories, Master Plan, and Land Use Ordinance, which together are intended to achieve conformance with the Regional Master Plan and provide immediate protections to vital Highlands Resources; and

WHEREAS, the Plan Conformance Guidelines require conforming municipalities to adopt Initial Revisions as a first step of Plan Conformance; the initial revisions are revisions of the existing master plan and development regulations which are deemed necessary by the Highlands Council for prompt enactment by a petitioning local government in order to ensure the protection and enhancement of the resources of the Highlands Region; and

WHEREAS, the Plan Conformance Guidelines include the adoption of a Development Application Referral Ordinance as an Initial Revision in order to ensure that any Application for Development not be deemed complete until such time as certain documents have been submitted by the Applicant and to ensure that Applications for Development are consistent or revised to be consistent with the Regional Master Plan; and

WHEREAS, the Borough of Lebanon is located in the Highlands Region with lands lying within the Planning Area only, as defined by section 7 of the Highlands Act; and

WHEREAS, the Governing Body of the Borough of Lebanon has, on behalf of the municipality, petitioned the Highlands Council for Plan Conformance with respect to Borough lands located within the Planning Area portion of the Highlands Region; and

WHEREAS, the Petition filed with the Highlands Council contains proposed amendments to the municipal planning program, including amendments to the Environmental Resource Inventory, Master Plan, and Land Use Ordinance, which together are intended to achieve conformance with the Regional Master Plan and provide immediate protections to vital Highlands Resources located within the Borough; and

WHEREAS, the Governing Body finds that the proposed changes to the municipal

planning program are of broad and significant effect, are vital to the protection of the Highlands resources of the municipal Highlands Area, and are compelling to the interests and general welfare of the community; and

WHEREAS, the Governing Body recognizes that the formal municipal adoption of each component of the revised planning program must take place, in sequential order in accordance with all statutory requirements, involving public hearings and deliberation by the Environmental Commission, Planning Board, and Governing Body; a process that will require an additional undetermined period of time; and

WHEREAS, the Governing Body is aware that lands within the Planning Area are not regulated by the New Jersey Department of Environmental Protection's Preservation Area Rules (N.J.A.C. 7:38-1 et seq.) and, with the exception of Wastewater Management Plans and Water Allocation Permits, would remain without the full suite of Highlands Regional Master Plan protections during the interim period between the date of filing of the Petition for Plan Conformance and the adoption of ordinances and regulations that will provide such protections; and

WHEREAS, an immediate level of protection to the resources located within the Highlands Region by adoption of revised submission requirements pertinent to Applications for Development therein is required by the Plan Conformance Guidelines; and

WHEREAS, the adoption of revised submission requirements pertinent to Applications for Development therein is essential to ensuring that Applicants achieve compliance with the standards and protections required under the Highland Regional Master Plan despite the interim status of the municipal Plan Conformance ordinances and regulations, this interim period not constituting an appropriate instance in which municipal approvals based upon existing municipal regulatory requirements, can appropriately be issued conditioned upon subsequent approval by the Highlands Council, as may occur under usual circumstances; and

WHEREAS, the Governing Body finds that the adoption of such submission requirements are important not only to provide such immediate resource protections, but to ensure the proper management of Applications for Development involving lands within the municipality; and

WHEREAS, the Highland Council deems the immediate protections ascribed by this Ordinance to lands in the Planning Area, which include the whole of the municipality, eligible for application of the provisions of the Highlands Act at N.J.S.A. 13:20-22 and N.J.S.A. 13:20-24 regarding legal representation to municipalities filing for Plan Conformance and regarding the strong presumption of validity and extraordinary deference afforded to such ordinances;

WHEREAS, the Highlands Act was adopted to assure the protection of a municipal water resource, any outside agency of the municipality shall be required to purchase that resource at an agreed to rate to offset costs to that water resource municipality.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Lebanon that the Land Use Ordinance of the Borough of Lebanon be and is hereby amended to incorporate the following provisions in a new Article, Article 21:

21.01 APPLICABILITY

This Ordinance shall apply to any Application for Development involving lands located within (or partially within) the Borough Highlands Area (as illustrated in Exhibit 1, “Borough of Lebanon Highlands Area”) that seeks approval of a site plan, subdivision, or change in use, where approval of such Application would: a) result in the ultimate disturbance of one (1) acre or more of land; b) produce a cumulative impervious surface area of one-quarter (1/4) acre, or more; c) in the case of residential development, create three or more dwelling units; or d) introduce or expand on any of the following land uses/facilities:

- A. Landfills;
- B. Permanent storage or disposal of hazardous wastes, industrial or municipal sludge or radioactive materials, including solid waste landfills;
- C. Collection and transfer facilities for hazardous wastes, solid wastes that contain hazardous materials, and radioactive materials;
- D. Industrial treatment facility lagoons; or
- E. Any Major or Minor Potential Contaminant Source (as identified in Appendix A and Appendix B of this Ordinance, respectively) on lands located within 200 feet of the wellhead of any public community well or public non-community well, as these are defined at Section 4 below.

For purposes of this Ordinance, the phrases “Application for Development,” “Highlands Area,” “residential development,” “ultimate disturbance,” and “cumulative impervious surface area” shall be defined as provided at Section 4 below.

21.02 ADMINISTRATIVE COMPLETENESS

A. CONSISTENCY DETERMINATIONS REQUIRED. No Application for Development included in Section 1 above, shall be deemed complete or considered for review by the applicable Borough land use Board until and unless the Applicant has obtained and provided a copy of:

- 1. A Consistency Determination from the Highlands Council indicating that the application is consistent with the Highlands Regional Master Plan; or
- 2. A Consistency Determination from the Highlands Council indicating that the application is not consistent with the Highlands Regional Master Plan, accompanied by a certification, as detailed in Section 1.B below, by the Applicant’s professional(s) that the application has been since review by the Highlands Council revised to achieve consistency with the Highlands Regional Master Plan.

B. FINDINGS OF INCONSISTENCY. Where a Highlands Council Consistency Determination indicates that an Application for Development is inconsistent with the Highlands Regional Master Plan, no such application shall be deemed complete or considered for review by the applicable Borough land use Board, until or unless the Applicant has obtained from the professional(s) responsible for preparation of the Applicant's plans, a certification indicating that to the best of the knowledge and abilities of such professional(s), the application has been revised to achieve consistency with the Highlands Regional Master Plan and specifically describing the revisions made to achieve such consistency.

C. COMPLETENESS WAIVER. The Borough may issue a waiver from the provisions of this Section where it can be established by the Applicant and can be verified by the designated representative(s) of the Borough that:

1. The activity, improvement or development proposed by the subject Application for Development has not yet been formally determined to be exempt from the Highlands Act (see Section 3.B, below), but eligibility for an exemption has been sufficiently established by the Applicant; or
2. The activity, improvement or development proposed in the Application for Development will neither encroach upon a Highlands Resource or Highlands Resource Area, nor be of detrimental impact to any Highlands resource or Highlands Resource Area as these are identified and delineated in the Highlands Regional Master Plan. The Applicant's professional(s) responsible for preparation of the Applicant's plan shall establish compliance of the above through a formal certification specifically addressing the Highlands Resources and Resource Areas and related policies and objectives as identified in Chapter 4 of the Highlands Regional Master Plan.

D. HIGHLANDS COUNCIL CALL-UP. All municipal waivers or findings of application completeness issued pursuant to this Section shall be issued in writing, inclusive of a statement indicating the rationale for the determination. All such determinations shall be subject to Highlands Council call-up review and shall specifically include conditions requiring same consistent with this paragraph. The municipality shall within five (5) calendar days of issuance of all such determinations, provide a copy of the decision to the Applicant and to the Highlands Council. The Highlands Council call-up review period shall expire 15 calendar days following its receipt of same. Upon determining to exercise this authority for call-up review, the Highlands Council shall transmit notice to the Applicant and the municipality. Absent any such notification from the Highlands Council within that timeframe, the application shall be considered complete, with the date of the waiver or application completeness to be as of the date of first issuance by the municipality.

21.03 EXCLUSIONS AND EXEMPTIONS

A. EXCLUSIONS. The following specific improvements and related applications shall be excluded from the provisions of this Ordinance:

1. The reconstruction, within the same footprint, of any building or other structure lawfully existing as of the effective date of this Ordinance, in the event of its destruction or partial destruction by fire, storm, natural disaster, or any other unintended circumstance.
2. Any improvement or alteration to a building or other structure lawfully existing as of the effective date of this Ordinance, where such improvement or alteration is necessary for compliance with the provisions of the Americans with Disabilities Act, or to otherwise provide accessibility to the disabled.
3. Any Agricultural or Horticultural Use or Development that would not result in either:
 - a. An increase, since the date of enactment of the Highlands Act (August 10, 2004), either individually or cumulatively, of new agricultural impervious cover of greater than three percent (3%) to the total land area of a Farm Management Unit. Solar panels shall not be included in any calculation of agricultural impervious cover (all terms as defined in Section 4, below); or
 - b. Construction of three (3) or more residential dwelling units (including accessory dwelling units) served by individual on-site septic system(s).

B. EXEMPTIONS. Any activity, improvement or development project listed and demonstrated to constitute a Highlands Act exemption shall be exempt from the provisions of this Ordinance. Formal demonstration of a Highlands Act exemption for an Application for Development involving lands located (or partially located) in the Highlands Area shall consist of the following:

1. *State Agency Determination.* State Agency Determinations shall consist of a Highlands Exemption Determination issued by the Highlands Council indicating that the proposal qualifies as a Highlands Act Exemption.

21.04 DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

Agricultural or Horticultural Development – means construction for the purposes of supporting common farmsite activities, including but not limited to, the production, harvesting, storage, grading, packaging, processing, and the wholesale and retail marketing of crops, plants, animals, and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease, and pest control, disposal of farm waste, irrigation, drainage and water management, and grazing.

Agricultural or Horticultural Use – means the use of land for common farmsite activities, including but not limited to, the production, harvesting, storage, grading, packaging, processing, and the wholesale and retail marketing of crops, plants, animals, and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease, and pest control, disposal of farm waste, irrigation, drainage and water management, and grazing.

Agricultural Impervious Cover – means agricultural or horticultural buildings, structures or facilities with or without flooring, residential buildings and paved areas, but not meaning temporary coverings.

Applicant – means a developer submitting an Application for Development.

Application for Development – means the application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance, or direction of the issuance of a permits pursuant to section 25 or section 27 of P.L.1975, c.291 (C.40:55D-34 or C.40:55D-36).

Disturbance – means the placement of impervious surface, the exposure or movement of soil or bedrock, or the clearing, cutting, or removing of vegetation.

Disturbance, Ultimate – means the total existing or proposed area of disturbance of a lot, parcel, or other legally designated (or otherwise legally recognized) tract or subdivision of land, for the purpose of, and in connection with, any human activity, property improvement,

or development, including the surface area of all buildings and structures, all impervious surfaces, and all associated land disturbances such as excavated, filled, and graded areas, and all lawn and landscape areas. Ultimate disturbance shall not include areas of prior land disturbance which at the time of evaluation: a) contain no known man-made structures (whether above or below the surface of the ground) other than such features as old stone rows or farm field fencing; and b) consist of exposed rock outcroppings, or areas which, through exposure to natural processes (such as weathering, erosion, siltation, deposition, fire, flood, growth of trees or other vegetation) are no longer impervious or visually obvious, or ecologically restored areas which will henceforth be preserved as natural areas under conservation restrictions.

Farm Management Unit – means a parcel or parcels of land, whether contiguous or noncontiguous, together with agricultural or horticultural buildings, structures and facilities, producing agricultural or horticultural products, and operated as a single enterprise.

Highlands Council – means the New Jersey Highlands Water Protection and Planning Council.

Highlands Act – means the Highlands Water Protection and Planning Act, P.L. 2004, c.120, as amended, codified in part at N.J.S.A. 13:20-1 *et seq.*

Highlands Area – means that portion of the municipality for which the land use planning and regulation are in conformance with, or are intended or proposed to be in conformance with, the Highlands Regional Master Plan.

Highlands Region – means all that area within the boundaries of the municipalities listed in subsection a. of section 7 of the Highlands Act.

Impervious Surface – means any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, including, but not limited to, porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements.

Impervious Surfaces, Cumulative – means the total area of all existing or proposed impervious surfaces situated or proposed to be situated within the boundary lines of a lot, parcel, or other legally recognized subdivision of land, expressed either as a measure of land area such as acreage, or square feet, or as a percentage of the total lot or parcel area.

Major Potential Contaminant Sources (PCS) – means land uses and activities determined by the Highlands Council to pose a major risk of ground water contamination (see Appendix A).

Minor Potential Contaminant Sources (PCS) – means land uses and activities determined by the Highlands Council to pose a minor risk of ground water contamination (see Appendix B).

Municipal Land Use Law (MLUL) – means the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

NJDEP – New Jersey Department of Environmental Protection

Planning Area – means lands within the Highlands Region not within the Preservation Area (N.J.S.A. 13:20-7).

Plan Conformance – means the process by which a municipality revises the master plan, development regulations and other regulations related to the development and use of land to conform them with the goals, requirements, and provisions of the Regional Master Plan in accordance with the Highlands Plan Conformance Guidelines.

Preservation Area – means that portion of the Highlands Region so designated by subsection b. of section 7 of the Highlands Act.

Public Community Well – means a well that provides water to a public water system serving at least 15 service connections used by year-round residents or regularly serving at least 25 year-round residents.

Public Non-Community Well – means a well that is not a public community well and that provides water to a public water system regularly serving at least 25 individuals for at least 60 days in any given calendar year.

Regional Master Plan (RMP) – means the Highlands Regional Master Plan or any revision thereof adopted by the Highlands Council pursuant to N.J.S.A. 13:20-8.

Solar Panel – means an elevated panel or plate, or a canopy or array thereof, that captures and converts solar radiation to produce power, and includes flat plate, focusing solar collectors, or photovoltaic solar cells and excludes the base or foundation of the panel, plate, canopy, or array. (As defined by the Highlands Act, N.J.S.A. 13:20-1 *et seq.*, as amended.)

Structure – means a combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land.

SEVERABILITY

If any portion, paragraph, clause, sentence or phrase of this Ordinance is determined to be invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance.

REPEALER

All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency only.

EFFECTIVE DATE

This Ordinance shall take effect after final passage and publication in the manner prescribed by law.

APPENDIX A. MAJOR POTENTIAL CONTAMINANT SOURCES

Land uses and activities determined by the Highlands Council (based on New Jersey Safe Drinking Water Act regulations at N.J.A.C. 7:10 and NJDEP regulations) to be Major Potential Contaminant Sources include those listed below.

1. Underground fuel and chemical storage and oil tanks regulated by NJDEP under provisions of the Underground Storage of Hazardous Substances Act (N.J.S.A. 58:10A21 et seq.).
2. Above-ground storage facility for a hazardous substance or waste with a cumulative capacity greater than 2,000 gallons.
3. Automotive service center (repair & maintenance).
4. Dry cleaning processing facility.
5. Road salt storage facility.
6. Cemetery.
7. Highway maintenance yard.
8. Truck, bus, locomotive maintenance yard.
9. Site for storage and maintenance of heavy construction equipment and materials.
10. Site for storage and maintenance of equipment and materials for landscaping, excluding household storage and maintenance of such equipment.
11. Livestock operation containing 300 or more Animal Units (AU) [1 AU= 1000 pounds of live animal weight] as defined by the NJ Department of Agriculture in its Criteria and Standards for Animal Waste Management, at NJAC 2:91.
12. Quarrying and/or mining facility.
13. Asphalt and/or concrete manufacturing facility.
14. Junkyard/auto recycling and scrap metal facility.
15. Residential or agricultural motor fuel in NJDEP exempted underground storage tanks (i.e., under 1,000 gallons).

APPENDIX B. MINOR POTENTIAL CONTAMINANT SOURCES

Land uses and activities determined by the Highlands Council (based on New Jersey Safe Drinking Water Act regulations at N.J.A.C. 7:10 and NJDEP regulations) to be Minor Potential Contaminant Sources include the following:

1. Underground storage of hazardous substance or waste of less than 50 gallons.
2. Underground heating oil storage tank with a capacity of less than 2,000 gallons.
3. Sewage treatment facility regulated by a NJPDES permit granted under NJAC 7:14A.
4. Industrial waste line.
5. Septic system disposal field.
6. Facility requiring a ground water discharge permit issued by the NJDEP pursuant to N.J.A.C 7:14A et seq.
7. Stormwater retention-recharge basin on an industrial property receiving runoff from surfaces other than roof areas.
8. Dry well on an industrial property receiving runoff from surfaces other than roof areas.
9. Waste oil collection, storage and recycling facility.
10. Agricultural chemical bulk storage and mixing or loading facility including crop dusting facilities.
11. Above-ground storage of hazardous substance or waste in quantities of less than 2,000 gallons.
12. Livestock operation containing 8 or more Animal Units (AU) [1 AU= 1000 pounds of live animal weight] or those receiving 142 or more tons of animal waste per year as defined by the NJ Department of Agriculture pursuant to its Criteria and Standards for Animal Waste Management, at NJAC 2:91.

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Michael Reino, Mayor

ATTEST:

Karen M. Romano
Borough Administrator/ Clerk

Vote after public hearing and upon final adoption:

Berger _____ Ordinance approved by the Governing Body and presented
to the Mayor on _____, 2016
Burton _____
Junge _____
Knoble _____
Pittinger _____
Schmidt _____

_____ Veto in Whole or _____ Part:

Michael Reino, Mayor

Michael Reino, Mayor

Date:

Date:

Returned to Borough Clerk with statement attached on _____, 2016

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

ORDINANCE NO. 2016-04

**AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE
BOROUGH OF LEBANON REGARDING REQUIREMENTS FOR
APPLICATIONS FOR DEVELOPMENT**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Lebanon, in the County of Hunterdon, State of New Jersey, held in the Municipal Building on the 19th day of October 2016, and the same came up for final passage at a meeting of the said Borough Council on the 21st day of November 2016 at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Lebanon, County of Hunterdon and State of New Jersey.

Karen M. Romano, RMC
Borough Administrator/ Clerk
INTRODUCED: October 19, 2016
ADOPTED: November 22, 2016

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger

RESOLUTION #109-2016:

Councilman Piagentini made a motion to approve Resolution #109-2016 with a second by Councilman Berger.

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

**RESOLUTION # 109-2016
Transfer of funds**

<u>Account</u>	<u>Description</u>	<u>Debit</u>
01-201-20-150-200	ASSESSMENT - OTHER EXPENSE	3,000.00
01-201-20-165-200	ENGINEERING- OTHER EXPENSE	5,000.00
01-201-28-375-200	PARKS & PLAYGROUNDS -OTHER EXPENSE	7,700.00
01-201-31-430-200	ELECTRICITY - 6 HIGH ST	3,000.00
01-201-31-446-200	NATURAL GAS - OTHER EXPENSE	2,300.00
01-201-32-465-200	SOLID WASTE DISPOSAL COST	8,400.00

01-201-20-155-200	LEGAL SERVICES - OTHER EXPENSE	
28,498.00		
01-201-31-440-200	TELEPHONE - OTHER EXPENSE	
900.00		
01-201-31-455-200	SEWERAGE PROCESSING	
2.00		
TOTAL		29,400.00
29,400.00		

Introduced and adopted November 22, 2016.

LEBANON BOROUGH COUNCIL

Ayes: 5

Nays:

Absent 1

Richard Burton, Borough Council
President

ATTEST:

Karen Romano

Borough Clerk

I certify that the foregoing is a true copy of the Resolution adopted by the Borough Council at a meeting held on November 22, 2016.

Karen Romano, Borough Clerk

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger

RESOLUTION #110-2016:

Council President Burton made a motion to approve Resolution #110-2016 with a second by Councilman Berger.

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

RESOLUTION #110-2016

**CREATING AN ESCROW ACCOUNT FOR THE PAYMENT OF THE
REGIONAL
SPECIAL MASTER**

WHEREAS, the Court has ordered that each of the Vicinage 13 Municipalities underwrite the cost of a Regional Special Master and specifically that Lebanon Borough as a party to the litigation, hold and administer an Escrow Account for the payment of the Regional Special Master appointed by the Court; and

WHEREAS, the Court has ordered that an initial deposit of \$1500.00 be placed in this Escrow Account by the municipality which may be paid from the municipality's affordable housing trust fund, and that future replenishment may be necessary.

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

1. The Chief Financial Officer is hereby authorized to create an escrow account entitled, "Affordable Housing Regional Special Master Escrow Account".
2. The \$1500.00 shall be paid from the municipality's affordable housing trust fund, if available, or such other available fund or source as determined in conjunction with the Borough Council; and such account may be replenished upon further action of the Council.
3. The municipal CFO shall be responsible for the administration of the Escrow Account and ensure that all invoices are paid within 30 days in accordance with the Court Order.
4. This Resolution shall take effect immediately.

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 0 _____

Nays _____

Absent: _0_____

Richard Burton
Borough Council President

ATTEST:

Karen M. Romano, RMC
Borough Clerk

Dated

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 November 22, 2016, 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, RMC Borough
Clerk

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

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger

RESOLUTION #111-2016:

Council President Burton made a motion to approve Resolution #111-2016 with a second by Councilwoman Schmidt.

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

Resolution # 111-2016

WHEREAS the **BOROUGH OF LEBANON**, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property; WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk; WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan; WHEREAS a *Hazard Mitigation Plan* (HMP) has been developed by the Mitigation Steering and Planning Committees; WHEREAS the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the Hunterdon County website so as to introduce the planning concept and to solicit questions and comments; and to present the HMP and request comments, as required by law, and

NOW THEREFORE BE IT RESOLVED by the **Governing Body** of the **BOROUGH OF LEBANON**:

1. The *Hunterdon County Multi-Jurisdictional Hazard Mitigation Plan*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on **May 20, 2016** by the Hunterdon County Office of Emergency Management, is hereby adopted as an official plan of the **BOROUGH OF LEBANON**; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The **BOROUGH OF LEBANON** departments identified in the HMP are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the HMP shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the **BOROUGH OF LEBANON**, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Hunterdon County OEM Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Hunterdon County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

PASSED by the **Governing Body** of the **BOROUGH OF LEBANON**, this ____ day of _____, 2016.

Introduced and adopted: November 22, 2016

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 November 22, 2016 force and effect as of the date I have subscribed my signature.

Date: November 22, 2016

Karen M. Romano, RMC
Borough Administrator/Clerk

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger

RESOLUTION #112-2016:

Council President Burton made a motion to approve Resolution #112-2016 with a second by Councilwoman Schmidt.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION #112-2016**

TD BANK
CHECKING ACCOUNT SIGNATURES

Escrow Trust Account

Lebanon Borough Parking Offenses Adjudication Account
(For Deposit Accounts)

Depositor:
**Borough of Lebanon
6 High Street
Lebanon, NJ 08833**

Financial Institution:
**TD Bank
11000 Atrium Way
Mt. Laurel, NJ 08054**

I, the undersigned Deputy Clerk of the Borough of Lebanon, HEREBY CERTIFY that the Borough of Lebanon is organized and existing under and by virtue of the laws of the State of New

Jersey as a municipal corporation not for profit, with its principal office at 6 High Street, Lebanon, NJ **and that** The Borough of Lebanon is the complete and correct name of the Corporation.

I FURTHER CERTIFY that at a meeting of the Council of the Borough of Lebanon, duly and regularly called and held on November 22, 2016, at which a quorum was present and voting, the following resolutions were adopted:

BE IT RESOLVED, by the Council of the Borough of Lebanon that TD Bank, at any one or more of its offices or branches, be and it hereby is designated as the Financial Institution of an depository for the funds of the Borough of Lebanon, which may be withdrawn on checks, drafts, advices of debit, notes or other orders for the payment of monies bearing the following appropriate number of signatures: any 3 of the following panel officers or employees of this Corporation ("Agents"), whose actual signatures are shown below:

_____ Signature Michael Reino _____ Print Name	_____ Mayor Title
_____ Signature Richard Burton _____ Print Name	_____ Council President Title
_____ Signature Kay Winzenried _____ Print Name	_____ CFO/Treasurer Title
_____ Signature Karen M Romano, RMC _____ Print Name	_____ Borough Clerk Title

and that the Financial Institution shall be and is authorized to honor and pay the same whether or not they are payable to bearer or to the individual order of any Agent or Agents signing the same. **FURTHER RESOLVED**, that the Financial Institution is hereby directed to accept and pay without further inquiry any item drawn against any of the Borough of Lebanon's accounts with the Financial Institution bearing the signature or signatures of Agents, as authorized above or otherwise, even though drawn or endorsed to the order of any Agent signing or tendered by such Agent for cashing or in payment of the individual obligation of such Agent or for deposit to the Agent's personal account, and the Financial Institution shall not be required or be under any obligation to inquire as to the circumstances of the issue or use of any item signed in accordance with the resolutions contained herein, or the application or disposition of such item or the proceeds of the item.

FURTHER RESOLVED, that any one of such Agents is authorized to endorse all checks, drafts, notes, and other items payable to or owned by the Borough of Lebanon for deposit with the Financial Institution, or for collection or discount by the Financial Institution, and to accept drafts and other items payable at the Financial Institute.

FURTHER RESOLVED, that the above named agents are authorized and empowered to execute such other agreements, including, but not limited to, special depository agreements and arrangements and arrangements regarding the manner, conditions, or purposes for which funds, checks or items of the Borough of Lebanon may be deposited, collected, or withdrawn and to perform such other acts as they deem reasonable necessary to carry out the provisions of these resolutions.

FURTHER RESOLVED, that the authority hereby conferred upon the above named Agents shall be and remain in full force and effect until written notice of the revocation thereof shall have been delivered to and received by the Financial Institution at each location where an account is maintained.

I FURTHER CERTIFY that the persons named above occupy the positions set forth opposite their respective names and signatures; that the foregoing resolutions now stand of record on the books of the Borough of Lebanon; that they are in full force and effect and have not been modified in any manner whatsoever.

IN TESTIMONEY WHEREOF, I have hereunto set my hand on _____, and attest that the signatures set opposite the names listed above are their genuine signatures.

CERTIFIED TO AND ATTESTED BY:

Lisa Saharic, Borough Deputy Clerk

Introduced and adopted: November 22, 2016

LEBANON BOROUGH COUNCIL

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 Common Council at a meeting duly held on the 22nd day of November, 2016; 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: November 22, 2016

Karen M. Romano, RMC, CMR
Lebanon Borough Administrator/ Clerk

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: None

RESOLUTION #113-2016:

Council President Burton made a motion to approve Resolution #113-2016 with a second by Councilwoman Schmidt.

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

**RESOLUTION # 113-2016
EMERGENCY APPROPRIATION FOR A 2016 SPECIAL ELECTION**

WHEREAS, a special election is required and no adequate provision was made in the 2016 budget for the aforesaid purpose, and N.J.S. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriation created including the appropriation to be created by this resolution is not to exceed \$10,000.00 and three percent of the total operating appropriations in the budget for 2016 is \$28,442.52 and

WHEREAS, the foregoing appropriation, together with prior appropriations, does not exceed three percent of the total current operating appropriations in the budget for 2016;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Lebanon in the County of Hunterdon (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-48:

1. An emergency appropriation be and the same is hereby made for Administration

other expenses in the amount of \$10,000.00.
2. That said emergency appropriation shall be provided for in full in the 2017 budget and is requested to be excluded from CAPS pursuant to N.J.S. 40A:4-45.3.c(1).
3. That two certified copies of this resolution be filed with the Director of Local Government Services.

Introduced and adopted: November 22, 2016

Ayes: 5

Nays: 0

Absent: 1

Richard J. Burton, Council President

ATTEST: _____

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 November 22, 2016 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: November 22, 2016

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger

Mayor Reino requested a motion to enter into executive session.

RESOLUTION #113A-2016:

Council President Burton made a motion to approve Resolution #113A-2016 with a second by Councilwoman Schmidt.

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

RESOLUTION #113A-2016

Whereas, the Open Public Meetings Act allows the Mayor and Council to exclude the public from a portion of a meeting in certain circumstances,

Now therefore, be it Resolved, by the Council of the Borough of Lebanon, that the public shall be excluded from discussion of the following matter(s):

- ___ 1. A confidential matter under Federal or State Law or Court Rule.
- ___ 2. A matter involving information that may jeopardize the Borough's rights to receive funds from the United States Government.

- 3. A matter constituting an unwarranted invasion of an individual's privacy rights.
- 4. Collective Bargaining Agreement or negotiation of the Agreement.
- 5. Matters involving the purchase, lease or acquisition of real property.
- 6. Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.
- 7. Litigation Tax Court Matters _____ Anticipated Litigation _____
Contract Negotiations: _____
- 8. Matters falling within the attorney-client privilege: _____.
- 9. Personnel matters involving a specific employee or officer of the Borough: Policies.
- 10. Deliberations involving a public hearing which may result in the imposition of a specific civil penalty or suspension or loss of a license or permit.

The approved Executive Session minutes will be placed on file in the Borough Clerk's Office and will be available to the public as provided for by Law.

Be it further Resolved, that this Resolution shall take effect immediately.

Introduced and adopted: November 22, 2016

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 22nd day of November 2016; 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 November 22, 2016

Karen M. Romano, RMC
Borough Administrator/ Clerk

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None
ABSENT: Councilman Pittinger

Mayor Reino call for a motion to enter Executive Session.

**Councilman Berger made a motion to re enter with a second from
Councilman Junge**

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: Councilman Pittinger

OPEN PUBLIC SESSION:

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

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

MISCELLANEOUS:

DISCUSSION:

COUNCIL COMMITTEES:

ADJOURN:

**Councilman Piagentini moved and Councilman Berger seconded a motion to
adjourn, there being no further business to come before Council. The meeting
was adjourned at 10:15 pm by unanimous vote.**

Respectfully Submitted

Karen M. Romano, RMC
Borough Administrator/Clerk

LBCC

11-22-16

29

LBCC

11-22-16

30

LBCC

10-19-16

1

LBCC
7-17-13
6

LBCC
7-17-13
7

