



LEBANON BOROUGH COMMON COUNCIL  
Wednesday, September 18, 2019  
7 pm

The Regular Meeting of the Lebanon Borough Common Council was called to order by Mayor James J Pittinger at 7:00 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 Pittinger.

**MOMENT OF SILENCE:**

As of today, a total 8450 of American Service Members have given their lives for our Country in the war against terrorism, New Jersey total remains at 129. Mayor Pittinger 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 Pittinger, Councilwoman Saharic, Council President Burton, Councilman Berger, Councilman Junge, Councilman Schneider and Councilwoman Baldinger

Absent: None

Also Present: Administrator/Clerk Karen Romano and Attorney Joseph Novak Esq.

Mayor Pittinger request a motion to continue the meeting in the park.

**Councilman Berger made the motion to continue in the park with a second from Councilman Schneider.**

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

YES: Councilwoman Saharic, Council President Burton, Councilman Berger, Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

**PARK TOUR:**

The Mayor invited Council to join him in the Park to discuss Park Renovations. Attorney Novak, Administrator Romano, CPWM Reino also were in attendance. Mayor Pittinger along with Council President Burton presented the options. Including engineered drainage plans, drainage berms and Mulching.

Mayor Pittinger requested a motion to re-enter the regular meeting.

Councilman Berger made the motion to re-enter the regular meeting with a second from Councilman Junge.

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

YES: Councilwoman Saharic, Council President Burton, Councilman Berger, Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

**RESOLUTION #109-2019:**

**Council President Burton made a motion to approve Resolution 109-2019 the Consent Agenda. With a second by Councilman Berger.**

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

**RESOLUTION # 109-2019  
CONSENT AGENDA**

All matters listed under the Consent Agenda are 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. NJLM League
2. Animal Control Report
3. Fire Marshal Report
4. ANJEC
5. Finance Report
6. Tax Assessor Report

Introduced and adopted: September 18, 2019

Ayes: Saharic, Burton, Berger, Junge, Schneider, Baldinger

Absent:

LEBANON BOROUGH COUNCIL

\_\_\_\_\_  
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 then September 18, 2019 force and effect as of the date I have subscribed my signature.

Date: September 18, 2019

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

#### **The Motion was passed by the following vote:**

YES: Councilwoman Saharic, Council President Burton, Councilman Berger,  
Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

**APPROVAL OF MINUTES:**

**Council President Burton a motion to approve the August 2019 Regular, and Executive minutes. With a second by Councilman Junge.**

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

YES: Councilwoman Saharic, Council President Burton, Councilman Berger, Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN:

ABSENT: None

**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 Berger made a motion to close the public session. Councilman Schneider seconded the motion with the unanimous approval of Council the floor was closed.**

**Mayor Pittinger requested a motion to go into Executive Session.**

**Council President made a motion to approve resolution 115-2019 to enter into Executive Session with a second from Councilwoman Saharic**

**COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**RESOLUTION #115-2019**

**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: September 18, 2019

Ayes: Burton, Berger, Junge, Schneider and Baldinger

Nays: 0  
Absent: 0  
Abstain: 0

LEBANON BOROUGH COUNCIL

\_\_\_\_\_  
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 18<sup>th</sup> day of September 2019; 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: September 18, 2019

Karen M. Romano, RMC  
Borough Administrator/ Clerk

#### **The Motion was passed by the following vote:**

YES: Councilwoman Saharic, Council President Burton, Councilman Berger,  
Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None  
ABSENT: None

**STREET OPENING:**

**Council President Burton made a motion to approve the Street Opening for 147 Main Street from Elizabethtown Gas with a second from Councilman Junge.**

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

YES: Councilwoman Saharic, Council President Burton, Councilman Berger, Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

**OPEN PUBLIC SESSION ORDINANCE 2019-06:**

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

**ORDINANCE 2019-06 ADOPTION:**

**Council President Burton made a motion to approve Ordinance 2019-06 with a second from Councilwoman Saharic**

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

**ORDINANCE NO. 2019-6  
AN ORDINANCE TO AMEND THE ANIMAL CONTROL ORDINANCE,  
AND SPECIFICALLY FEES**

**WHEREAS**, the cost of the administration and yearly licensing of dogs within the Municipality has increased; without any increase in fees over a prolonged period.

**NOW THEREFORE BE IT HEREBY ORDAINED** by the Council, of the Borough of Lebanon, in the County of Hunterdon, and State of New Jersey, with the approval of the Mayor, that the Animal Control Ordinance shall be amended to provide for the following new fees, effective January, 2020:

**SECTION 1.**

**Fees:**

1. \$20.00 for each neutered dog;
2. \$23.00 for each non-neutered dog;
3. An additional fee of \$10.00 per month and per dog on and after February 1<sup>st</sup> of each year for each dog that is not registered and licensed within the month of January of the said year. Beyond six months delinquency in licensing, in addition to the above fees a summons for non-compliance may be issued for each dog not licensed.

**SECTION 2.**

All other provisions of the Ordinance, Chapter and Article shall remain unchanged and in full force and effect.

**SECTION 3. Severability.**

In event that any clause, section, paragraph, or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason; it shall be deemed severable, and the Borough Council hereby declares its intent that the balance of the Ordinance shall not be affected by the said invalidity, and the remainder shall remain in full force and effect.

**SECTION 4. Effective date.**

This Ordinance shall take effect upon final adoption and publication in accordance with the law.

ATTEST

BOROUGH OF LEBANON

\_\_\_\_\_  
Karen Romano, Administrator/Clerk

\_\_\_\_\_  
James P Pittinger, Mayor

Vote after public hearing and upon final adoption:

Berger   1  

Burton   1  

Junge   1  

Saharic   1  

Schneider   1  

Baldinger   NO  

Ordinance approved by the Governing Body and presented

to the Mayor on \_\_\_\_\_, 2019

Veto in Whole or Part:

Approved:

\_\_\_\_\_  
James P. Pittinger, Mayor  
Date:

\_\_\_\_\_  
James P. Pittinger, Mayor  
Date:

Returned to Borough Clerk with statement attached on \_\_\_\_\_, 2019

**NOTICE**

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on August 21, 2019 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Lebanon to be held on September 18, 2019 at 7:30 p.m. in the Municipal Building, located at 6 High Street, Lebanon, New Jersey

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

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

**ORDINANCE NO. 2019-06**

**AN ORDINANCE TO AMEND THE ANIMAL CONTROL ORDINANCE,  
AND SPECIFICALLY, FEES**

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 21st day of August 2019, and the same came up for final passage at a meeting of the said Borough Council on the 18<sup>th</sup> day of September, 2019 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: August 21, 2019**

**ADOPTED: September 18, 2019 The Motion was passed by the following vote:**

YES: Councilwoman Saharic, Council President Burton, Councilman Berger,  
Councilman Junge and Councilman Schneider

NO: Councilwoman Baldinger

ABSTAIN: None

ABSENT: None

**RESOLUTION #110-2019:**

**Council President Burton made a motion to approve Resolution 110-2019 with a second by Councilman Berger.**

**BOROUGH OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION #110-2019**

**APPROVING THE CORRECTIVE ACTION PLAN FOR THE YEAR ENDED  
12/31/2018**

**WHEREAS**, in accordance with Local Finance Notice 91-15, the Borough of Lebanon must submit a Corrective Action in response to recommendations identified in the municipal audit for the year ended 12/31/2018 to the Division of Local Government Services; and

**WHEREAS**, Chief Finance Officer Jennifer Mooney has submitted the following as the “Corrective Action Plan for the Borough of Lebanon for the year ended 12/31/2018”:

The CFO has met with the Clerk’s office and discussed the recommendations.

Recommendation:

The Municipality should meet continuing disclosure requirements in respect to debt by filing the following information through the Municipal Securities Rulemaking Board's Electronic Municipal Marketplace Access (EMMA) website ([www.emma.msrb.org](http://www.emma.msrb.org)): annual financial statements, audited financial statements, and adopted budgets

**Corrective Action:**

The CFO is taking care of this error and will continue to do so in the future to be in compliance with Local Finance Notice 2011-9.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Common Council of the Borough of Lebanon hereby accepts and approves the above action plan.

Introduced and adopted: September 18, 2019

Ayes: Saharic, Burton, Berger, Junge  
Schneider and Baldinger

Nays: 0

Absent:

LEBANON BOROUGH COUNCIL

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Richard Burton  
Borough Council President

**CERTIFICATION**

I, Karen M. Romano, hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Mayor and Council of the Borough of Lebanon at a meeting held in the Lebanon Borough Municipal Building, 6 High Street, at 7:30 PM on the 18<sup>th</sup> day of September 2019.

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Karen M. Romano  
Borough Administrator/ Clerk

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

YES: Councilwoman Saharic, Council President Burton, Councilman Berger,  
Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

**RESOLUTION #111-2019:**

**Council President Burton made a motion to approve Resolution 111-2019 with a second by Councilman Berger.**

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

**RESOLUTION #111-2019**

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 make the following payment for refund of overpayment. Resident paid both 3<sup>rd</sup> and 4<sup>th</sup> quarters 2019 by mistake. Requested 4<sup>th</sup> quarter refund of \$1,952.23.

Block	Lot	Name/Address	Amount
8	14	Shea, Lawrence D & Susan A 7 Myrtle Avenue Lebanon NJ 08833	\$ 1,952.23

Introduced and adopted: September 18, 2019

LEBANON BOROUGH COUNCIL

Ayes: Saharic, Burton, Berger, Junge, Schneider  
and Baldinger

Nays:

Absent:

\_\_\_\_\_  
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 September 18, 2019.

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

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

YES: Councilwoman Saharic, Council President Burton, Councilman Berger,  
Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

**RESOLUTION #112-2019:**

**Council President Burton made a motion to approve Resolution 112-2019 with a second by Councilman Junge.**

**APPROVAL OF THE 2018 AUDIT  
RESOLUTION #112-2019**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A-5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

and

WHEREAS, the members of the Lebanon Borough Common Council have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

as evidenced by the group affidavit form of the Borough Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Borough Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Borough Governing Body have received and familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey as stated aforesaid and have subscribed to the affidavit as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the Township Committee to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the Borough Governing Body of the Borough of Lebanon, County of Hunterdon and State of New Jersey hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Introduced and adopted: September 18, 2019                      LEBANON BOROUGH COUNCIL

Ayes: Saharic, Burton, Berger, Junge, Schneider, Baldinger

Nays: 0  
Absent: 0

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

ATTEST:

\_\_\_\_\_  
Karen M. Romano  
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 September 18, 2019 at 7:30 pm 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: September 18, 2019

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Karen M. Romano  
Borough Administrator/Clerk

### **The Motion was passed by the following vote:**

YES: Councilwoman Saharic, Council President Burton, Councilman Berger,  
Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

**Council President Burton made a motion to Rescind resolution 104-2019 the previous roof replacement resolution with a second from Councilman Junge.**

### **The Motion was passed by the following vote:**

YES: Councilwoman Saharic, Council President Burton, Councilman Berger,  
Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

### **RESOLUTION #113-2019:**

**Council President Burton made a motion to approve Resolution 113-2019 with a second by Councilman Berger.**

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

**RESOLUTION #113-2019**

**2019 Borough Hall Roof Replacement  
(Rescind 104-2019)**

**WHEREAS**, the Borough of Lebanon has determined as part of its continued Building and Grounds maintenance that replacement of the Municipal Building roof at 6 High Street is required, and,

**WHEREAS**, the Borough, initially solicited quotes from four (4) contractors known to normally bid on this type of work, and,

**WHEREAS**, the Building and Grounds Committee has recommended the award of a contract to Hunterdon Siding and Window Company 1235 Route 31 Lebanon, NJ 08833 in the amount of \$37,887.00 for the roof replacement, and,

**WHEREAS**, sufficient funds have been appropriated to undertake the said project; and

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Borough of Lebanon that a contract be awarded to Hunterdon Siding and Window Company in the amount of \$37,887.00 for the Roof Replacement.

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Administrator/Clerk are hereby authorized to execute said contract, after review and approval by Borough Attorney, and upon submittal of a Certificate of Insurance, and all other documents required for the contract.

Introduced and adopted: September 18, 2019                      LEBANON BOROUGH COUNCIL

Ayes: Saharic, Burton, Berger, Junge. Schneider, Baldinger

Nays: 0

Absent: 0

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

ATTEST:

\_\_\_\_\_  
Karen M. Romano  
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 September 18, 2019 at 7:30 pm 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: September 18, 2019

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

### **The Motion was passed by the following vote:**

YES: Councilwoman Saharic, Council President Burton, Councilman Berger,  
Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

### **RESOLUTION #114-2019:**

**Council President Burton made a motion to approve Resolution 114-2019 with a second by Councilman Berger.**

**BOROUGH OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 114-2019**

**BALANEY CONTRACTING LLC  
Berm Installation**

**WHEREAS** the Borough fines the need to install mulch to maintenance Borough Park;  
and

**WHEREAS**, a quotation package was prepared, and two quotes were solicited, Balaney Contracting, LLC 1 Shipman Rd. Stewartsville, NJ 08886 being the contractor to be awarded the contract to install a Berm at the south side of the playground in the Borough Park; and

**WHEREAS**, the quote has been reviewed and it has been determined that the quote is a qualified provider of such services.

**NOW THEREFORE BE IT RESOLVED** by the Lebanon Borough Council that a contract for the provision of maintenance to the Borough Park be entered into with Balaney Contracting, LLC not to exceed \$5090.00;

**BE IT FURTHER RESOLVED** that the Mayor, Council President and Administrator/Clerk are authorized to execute such Contract on behalf of the Borough of Lebanon.

Introduced and adopted September 18, 2019:

Ayes: Saharic, Burton, Berger, Junge, Schneider, Baldinger

Nays: 0

Absent: 0

\_\_\_\_\_  
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 September 18, 2019 force and effect as of the date I have subscribed my signature.

Date : September 18, 2019

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

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

YES: Councilwoman Saharic, Council President Burton, Councilman Berger, Councilman Junge, and Councilman Schneider Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

**RESOLUTION #115-2019:**

**Council President Burton made a motion to approve Resolution 115-2019 with a second by Councilman Berger.**

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

**RESOLUTION #115-2019**

**AFFORDABLE HOUSING SETTLEMENT WITH FAIR SHARE HOUSING CENTER**

**WHEREAS**, the New Jersey Supreme Court in the matter of “In Re: Adoption of N.J.A.C. 5:96 & 5:97 by NJ Council on Affordable Housing (“COAH”) 221 N.J.1 (“Mt. Laurel IV”)” directed that the Courts of the State of New Jersey resume their role as the forum of first resort for evaluating Municipal compliance with Mt Laurel obligations, and further directed that any Municipality seeking Court protection against a Builder’s remedy lawsuit, file an action in the Superior Court seeking review of its Affordable Housing Plans, and a final protection Judgment; and

**WHEREAS**, the Borough of Lebanon instituted an action before the Superior Court of New Jersey, Hunterdon County on July 8, 2015, captioned “In the Matter of the Borough of Lebanon, County of Hunterdon, Docket #HNT-L-321-15” seeking a Declaratory Judgment of Compliance and Repose as to its Affordable Housing obligations through the year 2025; and by designation of the Supreme Court, the FSHC is an interested party/intervenor in all such Municipal actions; and

**WHEREAS**, the Fair Share Housing Center (“FSHC”) and the Lebanon Borough Affordable Housing Subcommittee have actively participated, under the guidance of the Special Master appointed by the Court, in reviewing, analyzing, conferring and creating a plan and reasonable opportunity for full compliance of the Borough’s Affordable Housing obligations through calendar year 2025; and which is set forth in the September 18, 2019 Letter Memorandum of Agreement executed by FSCH Attorney, Adam M. Gordon, Esq. addressed to Joseph S. Novak, Esq., Novak & Novak, Attorney for the Borough of Lebanon, which is attached hereto and made a part hereof; and

**WHEREAS**, recognizing that settlement of Mt. Laurel litigation is favored because it avoids delays and the expense of trial, and results more quickly in the construction of homes for lower income households, through the Declaratory Judgment process, the Borough of Lebanon, and the Fair Share Housing Center have agreed to a settlement of the matter pending before the Court, and as more particularly set forth in the Letter Memorandum of September 18, 2019

**WHEREAS**, the Letter Memorandum of Agreement was reviewed (“spread upon the record”) by the Governing Body at its regular meeting held on September 18, 2019 and time was provided at the public meeting for review, discussion and consideration.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Lebanon as follows:

1. The terms of the Letter Memorandum of Agreement aforesaid, dated September 18, 2019, from the Fair Share Housing Center to Attorney Joseph S. Novak on behalf of the Borough of Lebanon are accepted so as to satisfy Lebanon Borough’s obligations under the Mt.

Laurel doctrine and the Fair Housing Act of 1985 for both the Prior Round (1987-1999) and Third Round (1999 through 2025) obligations.

2. Accordingly, the Council President, Mayor and Clerk of the Borough of Lebanon are hereby authorized to execute the September 18, 2019 Memorandum of Agreement with the Fair Share Housing Center.

3. This Memorandum of Agreement shall be presented to the Superior Court in furtherance of Borough of Lebanon's application for a Judgment of Compliance and Repose as to its Affordable Housing obligations and in compliance with the Mt. Laurel doctrine and the Fair Housing Act of 1985, NJSA 52:27D-301 et seq., and in accordance with the Supreme Court's 2015 decision.

Introduced and adopted: September 18, 2019

Ayes: Saharic, Burton, Berger, Junge  
Schneider, Baldinger

Nays:

Absent:

LEBANON BOROUGH COUNCIL

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Richard J Burton  
Borough Council President

### CERTIFICATION

I, Karen 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 18th day of September, 2019 at 7:30 PM, 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:

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Karen M. Romano, RMC  
Borough Clerk

### The Motion was passed by the following vote:

YES: Councilwoman Saharic, Council President Burton, Councilman Berger,  
Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

**APPROVAL OF EXPENDITURES:**  
**Councilman Berger a motion to approve the September Bill list. With a second by Council President Burton.**

Lebanon Borough

List of Bills - (All Funds)

Vendor	Meeting Date: 09/18/2019 For bills from 08/22/2019 to 09/16/2019	Description	Payment	Check Total
<b>Current Fund</b>				
745 - BALANEY CONTRACTING LLC	PO 9937	Clear sides of roads, right of ways	1,370.50	1,370.50
746 - BETHLEHEM TOWNSHIP	PO 9942	Shared Service CFO - September 2019	2,194.71	2,194.71
766 - BKC CERTIFIED PUBLIC ACCOUNTANTS	PO 9978	Auditing Services	13,600.00	13,600.00
281 - BONNIE SCHMIDT	PO 9945	Editor of Lantern - 3rd Qtr. 2019	625.00	625.00
247 - COMCAST	PO 9973	96 Main Street - Internet / Phone S	220.88	
	PO 9974	6 High Street - Internet/Phone Serv	266.92	487.80
652 - CONSTELLATION NEWENERGY INC	PO 9951	Electricity - 7/13/2019 - 8/12/2019	731.40	731.40
152 - Courier News	PO 9990	Legal Advertising	67.68	67.68
39 - ELIZABETHTOWN GAS	PO 9956	Natural Gas Charges 7/17/2019 - 8/1	108.00	108.00
46 - FERRIERO ENGINEERING	PO 9986	Engineering Services August 2019	1,015.00	1,015.00
127 - GARDEN STATE HIGHWAY PRODUCTS, INC	PO 9967	Street Signs - material	90.00	90.00
99 - GRAMCO INC	PO 9955	Digital Recorder	1,395.00	1,395.00
769 - Great America Financial Services	PO 9940	Phone System Lease August 2019	101.19	101.19
670 - HARRY HAUSHALTER	PO 9965	Professional Services - Tax Appeals	891.00	891.00
83 - HORIZON BLUE CROSS BLUE SHIELD NJ	PO 9938	Employee Dental 9/1/19 - 10/1/2019	201.31	201.31
16 - JCP&L	PO 9950	Electricity	710.86	
	PO 9992	Electricity	108.20	819.06
597 - JERSEY ELEVATOR COMPANY INC.	PO 9953	Monthly Maintenance - Elevator	146.79	146.79
401 - JOINT COURT BETHLEHEM/BLOOMSBURY	PO 9944	Shared Service Court - 3rd Qtr. Sep	3,777.00	3,777.00
167 - KAREN ROMANO	PO 9943	Cell Phone Reimbursement - Septembe	100.00	
	PO 9983	Reimbursement - Crossing Guards Wal	58.63	
	PO 9991	Recreation Committee - Giant Conne	149.99	
	PO 9995	Streets & Roads - Anti Slip Tape	37.32	345.94
831 - Lawrence D & Susan A Shea	PO 9972	Refund for overpayment of taxes: Pa	1,952.23	1,952.23
59 - LEBANON BOROUGH BOARD OF EDUCATION	PO 9947	Local School Tax September 2019	282,894.20	282,894.20
715 - Maser Consulting P.A.	PO 9948	Professional Services Rendered - Pl	210.00	
	PO 9957	Preliminary Investigation Report, M	533.60	
	PO 9958	Affordable Housing - Municipal Pla	1,680.00	2,423.60
253 - NEW JERSEY STATE POLICE	PO 9960	State Police Services July 2019	3,130.24	3,130.24
54 - NJ ADVANCE MEDIA	PO 9966	Legal Advertising Ordinance 2019-06	83.44	
	PO 9975	Legal Advestising Ordinance 2019-05	30.21	
	PO 9993	Legal Advertising - Synopsis of Aud	105.85	219.50
42 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 9970	2019 NJ League of Municipalities Co	275.00	275.00
42 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 9989	Renewal Legislative Bulletin 2019-2	7.00	7.00
31 - NOVAK & NOVAK LLC	PO 9941	Legal Services Retainer September 2	3,750.00	3,750.00
20 - QULL CORPORATION	PO 9964	Office Supplies / Cleaning Supplies	248.98	248.98
830 - Republic Services	PO 9952	Monthly Garbage Disposal August 201	4,843.57	4,843.57
646 - ROBERT WALKER PLUMBING & HEATING IN	PO 9954	Toilet Repair	231.20	
	PO 9969	Downstairs toilet running - replace	86.50	317.70
176 - SHOPRITE OF HUNTERDON COUNTY	PO 9979	Clerk, Senior, Recreation & Plannin	145.17	145.17
369 - STICKEL KOENIG & SULLIVAN & DRILL L	PO 9994	Affordable Housing Services - Augus	4,306.50	4,306.50
765 - Tele Cloud, LLC	PO 9971	Monthly Phone Service 9/1/2019 to 9	239.90	239.90
808 - Thermal Service of New Jersey Inc.	PO 9939	Service Call - 7/17/19 & 7/22/2019	947.94	
	PO 9968	Service Call - LBSA Office not cool	1,219.61	
	PO 9976	HVAC Monthly Service Fee	330.00	
	PO 9984	Service Call - Karens office is hot	225.00	2,722.55
27 - WASTE MANAGEMENT OF NJ INC	PO 9977	Municipal Waste Services 8/1/19 - 8	2,846.37	2,846.37
<b>GENERAL CAPITAL FUND</b>				
46 - FERRIERO ENGINEERING	PO 9987	Cokesbury Road - Engineering Servic	946.60	946.60
<b>ANIMAL CONTROL FUND</b>				
321 - NJ DEPT OF HEALTH & SENIOR SVCS	PO 9982	Animal License Fees August 2019	2.40	2.40
<b>SENIOR CITIZEN FUND</b>				
752 - Good Times Tours, Inc	PO 9980	Knucker's Picnic Grove Octoberfest	1,248.00	1,248.00
832 - Pork Chop's BBQ	PO 9981	Septmber 2019 - Senior Meeting BBQ	631.00	631.00
176 - SHOPRITE OF HUNTERDON COUNTY	PO 9979	Clerk, Senior, Recreation & Plannin	189.27	189.27
<b>DEVELOPERS ESCROW</b>				
46 - FERRIERO ENGINEERING	PO 9985	Donlon Brew Works, LLC B2 L9	70.00	70.00
46 - FERRIERO ENGINEERING	PO 9988	Cokesbury Plaza Site Plan B2 L9	490.00	490.00
715 - Maser Consulting P.A.	PO 9949	Professional Services Rendered- Tra	1,485.25	1,485.25
<b>TOTAL</b>				<b>343,352.41</b>
<b>Total to be paid from Fund 01 Current Fund</b>			<b>338,289.89</b>	
<b>Total to be paid from Fund 04 GENERAL CAPITAL FUND</b>			<b>946.60</b>	
<b>Total to be paid from Fund 12 ANIMAL CONTROL FUND</b>			<b>2.40</b>	
<b>Total to be paid from Fund 13 SENIOR CITIZEN FUND</b>			<b>2,068.27</b>	
<b>Total to be paid from Fund 14 DEVELOPERS ESCROW</b>			<b>2,045.25</b>	
<b>343,352.41</b>				
<b>Checks Previously Disbursed</b>				
20191509	LEBANON BOROUGH PAYROLL	PAYROLL 9/15/2019	11,635.11	9/09/2019
11355	BOROUGH OF LEBANON - PETTY CASH	PO# 9963 Replenish Petty Cash	181.50	9/06/2019
581	MARY ANN BADORE	PO# 9962 Driver Tip for Jefferson House Tri	60.00	9/06/2019
580	Good Times Tours, Inc	PO# 9961 Jefferson House Trip 9/17/19	1,650.00	9/06/2019
91519	NJ STATE HEALTH BENEFITS PLAN	PO# 9959 Employee Health Benefits - August	4,411.85	8/30/2019
91819	BOROUGH OF LEBANON-EMAIL SERVICE	PO# 9946 E-mail Service August 2019	165.50	8/30/2019
			18,103.96	
<b>Totals by fund</b>				
Fund 01 Current Fund	Previous Checks/Voids	Current Payments	<b>Total</b>	
Fund 04 GENERAL CAPITAL FUND	16,393.96	338,289.89	<b>354,683.85</b>	
Fund 12 ANIMAL CONTROL FUND		946.60	<b>946.60</b>	
Fund 13 SENIOR CITIZEN FUND		2.40	<b>2.40</b>	
Fund 14 DEVELOPERS ESCROW	1,710.00	2,068.27	<b>3,778.27</b>	
		2,045.25	<b>2,045.25</b>	
<b>BILLS LIST TOTALS</b>			<b>18,103.96</b>	<b>343,352.41</b>
			<b>361,456.37</b>	

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

YES: Councilwoman Saharic, Council President Burton, Councilman Berger, Councilman Junge, Councilman Schneider and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: None

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

**DISCUSSION:**

**MISCELLANEOUS:**

**COUNCIL COMMITTEES:**

**Recreation:** Mayor Pittinger reported there will be House Decorating Judging and the Tree Lighting and Santa Visit will be push to December 8

**Streets and Roads:** Council President Burton Karen and the Engineer went out for Bid for the Cokesbury Road Project. The Bid opening will be October 15th

**ADJOURN:**

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

LBCC  
9-18-19  
22

Respectfully Submitted

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Karen M. Romano, RMC  
Borough Administrator/Clerk













LBCC  
7-17-13  
29

LBCC  
7-17-13  
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