



LEBANON BOROUGH COMMON COUNCIL  
Wednesday, August 21, 2024  
7:30 pm

The Regular Meeting of the Lebanon Borough Common Council was called to order by Council President Burton at 7:30 pm. The meeting was held in person and virtually.

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 James Pittinger.

**MOMENT OF SILENCE:**

Please join me in a moment of silence for all  
US service members and First Responders who have given their lives for our country.

On behalf of a grateful nation, they are truly heroes.

**ROLL CALL:**

Present: Mayor Pittinger, Councilman Berger, Councilman Crawford, Councilman  
Kirchofer, Councilwoman Porcello and Councilwoman Baldinger  
Absent: Council President Burton  
Also, Present: Administrator/Clerk Karen M Romano RMC

**RESOLUTION #105-2024:**

**Councilwoman Porcello made a motion to approve Resolution 105-2024 the Consent Agenda. With a second by Councilman Crawford.**

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

**RESOLUTION #105-2024  
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. Animal Control
2. Fire Department Report
3. Stormwater Rule and Regulations
4. Traffic Impact Notice Route 31, 22/78

Introduced and adopted: August 21, 2024.

Ayes: Berger, Crawford, Kirchofer, Porcello, Baldinger

Nays:

Abstain:

Absent: Burton

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 August 21, 2024, force and effect as of the date I have subscribed my signature.

Date: August 21, 2024

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Karen M. Romano, RMC  
Borough Administrator/Clerk

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

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**OPEN PUBLIC SESSION:**

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

Emily and Jose of Brightspeed spoke of the installation of FIO's.

Sam Berger reported a leaking Hydrant of Maple Street.

Theresa Rowland suggested Ordinance 2024-04 be amended to reflect more restrictions on what is kept on porches.

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

**APPROVAL OF MINUTES:**

**Councilman Kirchofer made a motion to approve the August 2024 regular minutes seconded by Councilman Berger.**

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

YES: Councilman Berger, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain: Councilman Crawford

Absent: Council President Burton

**Councilman Crawford made a motion to approve the July 25, 2024 Special minutes seconded by Councilman Berger.**

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

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**STREET OPENING** 15 Main Street Clinton Water

**Councilman Crawford made a motion to approve the street opening at 15 Main Street by Clinton Water seconded by Councilman Berger.**

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

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**ORDINANCE 2024-04** Property Maintenance Adoption

**Councilman Crawford made a motion to Introduce the Property Maintenance Ordinance seconded by Councilman Berger.**

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

**PROPERTY MAINTENANCE  
ORDINANCE #2024-04**

**WHEREAS, the Borough of Lebanon is a historic community forming part of the rich heritage of the State of New Jersey and a classic example of “small town” America, with many preserved residences colorfully decorated for the holidays and nationally recognized as a “Tree City USA”; and**

**WHEREAS, as a result of lack of maintenance, oversight, neglect or otherwise, properties can become detrimental to the community and the overall public health and safety; and**

WHEREAS, such conditions that continue unabated affect the general public health and safety, can create attractive nuisances, present safety hazards, and degrade the value of neighboring properties and the community as a whole.

**NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Lebanon, County of Hunterdon and State of New Jersey, that a Property Maintenance Ordinance be adopted and enacted as hereinafter set forth.**

**PROPERTY MAINTENANCE**

**1. Purpose.**

The purpose of this Ordinance is to protect the public health, safety and general welfare in or upon premises in the Borough of Lebanon, as hereinafter set forth by:

- A. establishing minimum maintenance standards for properties in the Borough of Lebanon.
- B. affixing the responsibilities of owners, tenants, operators, parties-in-interest and occupants of such properties.
- C. providing for proper notification of violation of this Ordinance.
- D. providing for collection of costs incurred by the municipality.
- E. providing for penalties for violations of this Ordinance.

**2. Definitions.**

For the purposes of this Ordinance, unless the context clearly indicates a different meaning, the following words shall be defined as set forth. The term “shall” indicates a mandatory requirement; and the term “may” indicates a permissive action.

**ADMINISTRATIVE OFFICER** means the Municipal Official as designated by Resolution of the Borough Council.

**GRAFFITI**

Any and every name, identification, description, announcement, declaration, demonstration, display, illustration or insignia, other than advertising which is otherwise provided for in this code or other ordinances of the Borough, which, without authorization, is marked, written, drawn, painted, scratched, inscribed, or affixed directly to or upon any public or private curbstone, flagstone, or any portion or part of any sidewalk or street or upon any tree, lamppost, utility pole, postal mail receptacle, sign, hydrant, fence, door, wall, window, garage, enclosure, vehicle, bridge, or pier or upon or within any other public or private structure, building or premises.

**INOPERABLE MOTOR VEHICLE & BOATS**

A vehicle, including any auto, bus, truck, van, motorcycle, or trailer, and also boats, which cannot be lawfully driven or used upon the public streets for reasons including but not limited to being unlicensed, unregistered, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power for motor vehicles, or in the case of a boat, if incapable of being used as a means of transportation on water and/or if not currently registered in accordance with New Jersey law.

**LITTER**

Any papers, newspapers, packaging, bags, plastics, cups, containers, cans and other similar materials lying scattered about that are subject to movement by any wind or breeze.

**PARTY-IN-INTEREST**

A party-in-interest under this Ordinance shall mean the owner of the property, tenant of the property, operator or person utilizing the property for its intended purpose, occupants of the property and other parties-in-interest, such as mortgagees, etc.

**WEEDS**

All grasses, annual, biennial and perennial plants and vegetation which are propagated by seed or vegetative parts, which are of little value and compete with cultivated plants or may affect the health of humans or animals, other than trees and shrubs. This term shall not include cultivated flowers and gardens.

**3. General Requirements – Exterior Property Areas.**

- A. The presence, on land lying within the Borough, of brush piles, ragweed, weeds, poison ivy, dead trees; uprooted tree stumps; uprooted roots; obnoxious

growths; filth; garbage; automobile bodies and/or body parts; automobile parts; inoperable motor vehicles and boats; junk; discarded items, such as furniture, machines, appliances or parts thereof, metal trash piles of unstacked firewood or lumber, new or used; and other debris is hereby declared to be a nuisance and detrimental to the public health, safety and general welfare. The party-in-interest of lands lying within the Borough is hereby required to remove from such lands any of the items, vegetation or materials set forth above within 10 days of a written notice in accordance with the provisions of this Ordinance.

- B. The exterior of the premises, the exterior of structures and the condition of accessory structures shall be maintained so that the appearance of the premises and structures shall not constitute a blighting factor on adjoining property owners, including the following:
- (1) Storage of commercial and industrial material. There shall not be stored or used at any location, equipment or materials relating to commercial or industrial use, unless permitted under the Land Use and Development Ordinance for the premises.
  - (2) Landscaping. Premises with landscaping, lawns, hedges or bushes shall be kept from becoming overgrown and unsightly.
  - (3) General maintenance. The exterior of every structure or accessory structure, including fences, shall be maintained in good repair. The same shall be maintained free of broken window glass, loose shingles, crumbling stone or excessive peeling paint or other condition reflective of deterioration or inadequate maintenance to the end that the property itself may be preserved, safely, fire hazards eliminated, and adjoining properties protected from blighting influences.
  - (4) Vermin control. All parts of the premises shall be maintained to prevent infestation from insects, rodents and other vermin and pests.
  - (5) Firewood. All firewood shall be stacked neatly and shall be raised a minimum of eight inches off the ground and shall not be stacked or stored within any required front yard, side yard or rear yard setback, as set forth in the Land Use and Development Ordinance.
- C. Sidewalks, driveways, etc. The sidewalks, driveways, walkways and entrance stairways shall be maintained in a safe condition, such as will not constitute a hazard to persons using the premises including snow and ice removal and/or salting.
- D. Weeds, plants, trash and other debris. All improved premises shall be maintained free from

weeds or plant growth in excess of eight inches and all brush, dead and dying trees, stumps, garbage, trash and debris, where the same impedes the health, safety, or welfare of the public. All noxious weeds and bamboo shall be prohibited, including poisonous vegetation.

- E. Rodent harborage. All structures and exterior property shall be kept free of rodent harborage and infestation where rodents are found they shall be promptly exterminated by approved processes which will not be injurious to human health.
- F. Graffiti removal - All exterior and interior structure surfaces must be kept clean and free of dirt and graffiti. Surfaces which have been exposed to graffiti must be cleaned painted or in some manner covered by the affected party-in-interest of the property so as to effect the complete removal of the graffiti from that surface and to return the surface to a clean condition.

The party-in-interest of the property shall be provided a written notice ordering the removal of such graffiti which notice shall be delivered to the party-in-interest by certified mail return receipt requested and regular mail. The notice shall direct the party-in-interest of the affected property to remove the graffiti within 30 days from the date that such notice is sent.

- G. Trees with dead limbs or branches which are or may become hazardous to persons, occupants or property in the vicinity shall have such limbs or branches removed. Trees which are dead or dying shall be removed, and in the case of dead or dying trees, no action or Notice shall be sent until the Shade Tree Committee or their representative advises the Governing Body in writing of the trees dead or dying conditions which are in need of immediate removal. The Governing Body shall thereafter note their concurrence on record and shall direct that a 10 day notification of removal be given to the party-in-interest.
- H. Encroachment any plant growth which shall encroach on the public way of neighbor's property or affect movement or vision of pedestrians or vehicles on the public way shall be trimmed to allow for unobstructed vision and passage of persons pedestrians and vehicles.

#### 4. Responsibility of party-in-interest

The party-in-interest of lands lying within the Borough is hereby required to remove from such lands and correct such conditions, and to comply with the requirements above, within 10 days after delivery to such party-in-interest of a written notice in accordance with the provisions of this Ordinance (30 days regarding graffiti).

#### 5. Notice of Violation.

- A. The notice required to be given under this Ordinance shall be mailed by the officer

designated by the Borough to said party-in-interest by certified mail, return receipt requested, and regular mail, addressed to his or her last known address or, if unknown, in the case of an owner, to his address as the same appears on the tax records of the municipality, or in the case of a tenant, to the property address. Notice may be served by hand delivery.

- B. The period of time for compliance shall commence from the date the certified mail, return receipt mailing is delivered and stamped by the post office for delivery of such notice. If notice is hand delivered, the period of time shall commence on the date of the service of the notice.
- C. Every such notice shall, in addition to requiring compliance with this Ordinance, advise the party-in-interest that failure to effect such removal within the time stated in said notice will result in such removal by the Borough of Lebanon, and the cost of such removal will be charged to the owner.

6. Costs to become lien upon lands.

In all cases where materials are removed or maintenance undertaken on any lands under this Ordinance by or under the direction of a designated Borough official, to effect such removal, such officer shall certify the cost thereof to the Governing Body, who shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against said lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rates as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes. The above costs of removal shall be additional to any other penalties which may be imposed under this Ordinance.

7. Violations and Penalties:

Any party-in-interest who fails to abate the violation as set forth in the NOTICE provided for in Section 5 above, (that is, within 30 days as to graffiti, and 10 days as to all other violations), upon conviction of such violation, shall be subject to the penalties as set forth in the General Penalty Provision of the Lebanon Borough Ordinance (Ord. #2010-4).

8. Repealer:

All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

9. 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.

10. Effective Date:

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

Vote after public hearing and upon final adoption:

Burton\_\_0\_\_

Berger\_\_1\_\_

Crawford\_\_1\_\_

Kirchofer\_\_1\_\_

Baldinger\_\_1\_\_

Porcello\_\_1\_\_

Ordinance approved by the Governing  
Body and presented to the Mayor on

\_\_\_\_\_, 2024

Veto in Whole or Part:

Approved:

\_\_\_\_\_ {or}

\_\_\_\_\_

James Pittinger, Mayor

James Pittinger, Mayor

Date:

Date:

Returned to Borough Clerk with statement attached on \_\_\_\_\_, 2024

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on July 17, 2024 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 August 21, 2024 at 7:30 p.m. in the Municipal Building, located at 6 High Street, Lebanon, New Jersey

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Karen M. Romano, Borough Adm/Clerk

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

**ORDINANCE NO. 2024-04**

**PROPERTY MAINTENANCE**

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 17<sup>th</sup> day of July 2024, and the same came up for final passage at a meeting of the said Borough Council on the 21<sup>st</sup> day of August 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: July 17, 2024**

**ADOPTED: August 21, 2024**

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

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**ORDINANCE 2024-05    Capital Improvement    Introduction**

**Councilman Crawford made a motion to Introduce the Capital Improvement Ordinance by Councilman Berger.**

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

**ORDINANCE #2024 - 05**

**AN ORDINANCE AUTHORIZING THE USE OF CAPITAL IMPROVEMENT FUNDS FOR THE ACQUISITION OFFICE EQUIPMENT**

**WHEREAS**, the Borough of Lebanon wishes to purchase office equipment including, computers, phones, cameras, and security equipment for the use of the Borough, and

**WHEREAS**, the Borough of Lebanon has funds available in the Capital Improvement Fund.

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

SECTION I: The sum of \$25,000 from the account entitled “Capital Improvement Fund” is hereby appropriated for the purpose of the Acquisition of Office Equipment

SECTION II: This Ordinance shall take effect immediately after final passage and publication in accordance with the laws of the State of New Jersey.

Vote after public hearing and upon final adoption:

Burton\_\_\_\_\_

Berger\_\_\_\_\_ Ordinance approved by the Governing.

Crawford\_\_\_\_\_

Kirchofer\_\_\_\_\_ Body and presented to the Mayor on

Porcello\_\_\_\_

Baldinger \_\_\_\_\_, 2024

Veto in Whole or Part:

Approved:

\_\_\_\_\_ {or}

\_\_\_\_\_

James Pittinger, Mayor

James Pittinger, Mayor

Date:

Date:

Returned to Borough Clerk with statement attached on \_\_\_\_\_, 2024

### 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, 2024 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, 2024 at 7:30 p.m. in the Municipal Building, located at 6 High Street, Lebanon, New Jersey

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Karen M. Romano, Borough Adm

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

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**RESOLUTION #106-2024:**

**Councilman Crawford made a motion to approve Resolution 106-2024. With a second by Councilwoman Porcello.**

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

**APPROVAL OF THE 2023 AUDIT  
RESOLUTION #106-2024**

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 2023 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 received, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

and

WHEREAS, the members of the Lebanon Borough Common Council are personally requiring Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

And upon completion of their approval, they will so certify 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: August 21, 2024

LEBANON BOROUGH  
COUNCIL

Ayes: Berger, Burton, Kirchofer, Porcello, Baldinger

Nays:

\_\_\_\_\_  
Absent: Burton

Richard J Burton Council  
President  
Borough Council President

ATTEST:

\_\_\_\_\_  
Karen M. Romano  
Borough Administrator/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 August 21, 2024 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: August 21, 2024

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

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**RESOLUTION #107-2024:**

**Councilman Berger made a motion to approve Resolution 107-2024. With a second by Councilwoman Porcello.**

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

**RESOLUTION #107-2024**

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 redemption of tax sale a certificate. (also return Premium)

Block	Lot	Cert #	Name/Address	Amount
	13.01	401	2022-004	Bala Partners LLC
\$ 1,183.58			1 American Lane, STE 220 Greenwich, CT 06831	<b>Premium \$ 1,800.00</b>

Introduced and adopted: August 21, 2024

LEBANON BOROUGH  
COUNCIL

Ayes: Berger, Crawford, Kirchofer, Porcello, Baldinger

Nays:

Absent Burton:

\_\_\_\_\_  
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 August 21, 2021.

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Karen Romano  
Borough Clerk

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**RESOLUTION #108-2024:**

**Councilman Crawford made a motion to approve Resolution 108-2024. With a second by Councilman Berger.**

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

**RESOLUTION #108-2024**

**RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION  
TO THE HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
(HIGHLANDS COUNCIL) FOR FUNDING ASSISTANCE TO ACHIEVE  
COMPLIANCE UNDER THE 2023 TIER A MUNICIPAL STORMWATER GENERAL  
PERMIT (NJPDES: NJG0151050)**

**WHEREAS**, The Highlands Water Protection and Planning Council (Highlands Council) is a regional planning agency that works in partnership with municipalities and counties in the Highlands Region to encourage a comprehensive regional approach to implementing the 2004 Highlands Water Protection and Planning Act (the Highlands Act); and

**WHEREAS**, in 2004, the State of New Jersey Department of Environmental Protection Agency (NJDEP) adopted amendments to the New Jersey Pollutant Discharge Elimination System

(NJPDES) regulations for the development and implementation of the Municipal Stormwater Regulation Program (N.J.A.C. 7:14A-25) and established two NJPDES general permits to authorize municipal stormwater discharges, known as Tier A and Tier B; and

**WHEREAS**, the Municipal Stormwater Regulation Program (N.J.A.C. 7:14A-25) was developed in response to the U.S. Environmental Protection Agency's (USEPA) Phase II Rules published in December 1999, which required municipalities to develop and implement a program to reduce discharges of pollutants entering water bodies from stormwater systems known as "municipal separate storm sewer systems (MS4s)" to the maximum extent practicable; and

**WHEREAS**, the NJPDES MS4 permit was originally issued in 2004, renewed in 2009 and 2018, and again on January 1, 2023: and

**WHEREAS**, the 2023 MS4 permit renewal was designed to comply with the National Pollutant Discharge Elimination System (NPDES) MS4 General Permit Remand Rule in response to the increase in flooding events that result in additional stormwater runoff discharging pollutants into the nation's waterways; and

**WHEREAS**, additional requirements were added to the 2023 MS4 general permit beyond those required in earlier versions, including that all municipalities were classified as Tier A MS4 communities; and

**WHEREAS**, the Highlands Council does support the requirements of the New Jersey Stormwater Management Rules (N.J.A.C. 7:8) as effective stormwater management is an important element of natural resource protection, and therefore, vital to the success of the Highlands Water Protection and Planning Act (Highlands Act) and Regional Master Plan; and

**WHEREAS**, in recognition of the fiscal impacts of the new requirements under the 2023 MS4 general permit, the NJDEP developed Tier A Stormwater Assistance Grants for existing Tier A and transitioning Tier B to Tier A communities; and

**WHEREAS**, in recognition of the fiscal impacts of the new requirements under the 2023 MS4 permit, the Highlands Council developed a funding assistance program to supplement available NJDEP assistance grants and to further aid municipalities in the Highlands Region in completing the tasks associated with permit compliance:

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Lebanon has determined a need does exist for supplemental funding for MS4 compliance in the amount of \$23,500.00 in accordance with the attached application summary table;

**BE IT FURTHER RESOLVED** that the Borough Council of the Borough of Lebanon does hereby authorize the submission of an application to the Highlands Council for funding assistance to achieve compliance under the 2023 Tier A Municipal Stormwater General Permit (NJPDES: NJG0151050).

Introduced and adopted: August 21, 2024

LEBANON BOROUGH COUNCIL

Ayes: Berger, Crawford, Kirchofer, Porcello, Baldinger

Nays:

Absent: Burton

Richard Burton,  
Borough Council President

ATTEST:

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Karen Romano  
Borough Clerk

**CERTIFICATION**

I, Karen M. Romano, Administrator/Clerk of the Borough of Lebanon, do hereby certify that the foregoing is a true copy of a resolution adopted by the Borough Council of the Borough of Lebanon at a meeting held on the 21<sup>st</sup> day of August, 2024.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 21<sup>st</sup> day of August, 2024.

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Karen M. Romano, Administrator/Clerk

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**RESOLUTION #109-2024:**

**Councilman Crawford made a motion to approve Resolution 109-2024. With a second by Councilman Kirchofer.**

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

**RESOLUTION #109-2024  
CROSSING GUARDS APPOINTMENT**

**BE IT RESOLVED**, by the Lebanon Borough Common Council that the following are appointed as Adult School Crossing Guards and Substitute Crossing Guards:

**Shirley Scarponi  
Douglas Mathewson  
Maryanne Durange  
Casey Durange  
Hope Delaney  
Carol Van Duren  
Diana Melrose  
Ron Gelok**

**BE IT FURTHER RESOLVED** by the Lebanon Borough Council that the salary range for the Adult School Crossing Guards and Substitute Crossing Guards having been established and set forth in Ordinance #2024-04, the following salary is hereby granted to the employee for the year 2024-2025:

Adult School Crossing Guards and Substitute Crossing Guards

and Substitute Crossing Guards ..... \$ 24.00/hr. (NTX 5 hours per week)

Introduced and adopted: August 21, 2024

Ayes: Berger, Crawford, Kirchofer, Porcello, Baldinger

Nays:

Absent: Burton

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 the August 21, 2024 force and effect as of the date I have subscribed my signature.

Date: August 21, 2024

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

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**RESOLUTION #110-2024:**

**Councilman Crawford made a motion to approve Resolution 110-2024. With a second by Councilwoman Porcello.**

BOROUGH OF LEBANON

COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION #110-2024

STATEMENT OF CONSENT

A RESOLUTION CONSENTING TO THE PROPOSED UPPER RARITAN WATER  
QUALITY MANAGEMENT (WQM) PLAN AMENDMENT

WHEREAS, the Borough of Lebanon desires to provide for the orderly development of wastewater facilities (substitute other wording if appropriate) within Lebanon Borough; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment publicly noticed in the New Jersey Register on September 3, 2024 for Hunterdon County Wastewater Management Plan (WMP) Lebanon Borough Chapter (Program Interest No. 435434, Activity No. AMDI 90009) has been prepared by the Borough Clerk;

NOW, THEREFORE, BE IT RESOLVED on this 21<sup>st</sup> day of August 2024, by the governing body of the Borough of Lebanon that:

1. The Governing Body hereby consents to the Hunterdon County WMP Lebanon Borough Chapter amendment, and publicly noticed in the New Jersey Register on September 3, 2024, prepared by the Borough Clerk, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP pursuant to N.J.A.C. 7:15-3.5(g)6.

Introduced and adopted: August 21, 2024

Ayes: Berger, Crawford, Kirchofer, Porcello,  
Baldinger  
Nays: 0  
Absent: Burton

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 the August 21, 2024 force and effect as of the date I have subscribed my signature.

Date: August 21, 2024

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

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**RESOLUTION #111-2024:**

**Councilman Berger made a motion to approve Resolution 106-2024. With a second by Councilman Crawford.**

**BOROUGH OF LEBANON**

**COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION #111-2024**

**APPROVING THE CORRECTIVE ACTION PLAN FOR THE YEAR ENDED  
12/31/2023**

**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 12/31/2023 to the Division of Local Government Services; and

**WHEREAS**, Chief Finance Officer, Cameron Keng has submitted the following as the “Corrective Action Plan for the Borough of Lebanon for the year ended 12/31/2023”:

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

**Recommendation:**

The Municipality should ensure that required signatures are obtained for all payments.

The Municipality should ensure all recordkeeping is maintained and performed in an accurate and timely manner.

The bank reconciliations should be completed and submitted in its entirety to the Board for approval on a timely basis.

Employees’ withholdings should be checked for accuracy. If a deviation is made from the withholding calculation, then governing body approval by resolution should be made.

**Corrective Action:**

The Municipality will implement procedures to ensure that required signatures are obtained for all payments.

The Municipality will implement procedures to ensure all recordkeeping is maintained and performed in an accurate manner.

The Municipality will implement procedures to ensure all bank reconciliations are prepared and submitted on a timely basis.

The Municipality will implement procedures to ensure all employee withholding calculations are accurate.

**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: August 21, 2024

LEBANON BOROUGH COUNCIL

Ayes: Berger, Crawford, Kirchofer, Porcello, Baldinger

Nays: 0

Absent: Burton

\_\_\_\_\_  
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 21st day of August 2024.

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

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**APPROVAL OF EXPENDITURES: Councilman Berger made a motion to approve the Bill list for August 2024. Councilman Crawford seconded the motion.**

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

YES: Councilman Berger, Councilman Crawford, Councilwoman Porcello, Councilman Kirchofer and Councilwoman Baldinger

NO:

Abstain:

Absent: Council President Burton

**DISCUSSION:**

**OPEN PUBLIC SESSION:**

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

Mrs. Mathewson showed concern for speeding on Cherry Street.

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

**COMMITTEE UPDATES:**

**Recreation:** Bingo went great. Huge turnout. Fun Night. Sept 28<sup>th</sup> is Music in the Park. Yard Sale is Oct 5<sup>th</sup>. Recreation is working on Halloween.

**Public Safety:** Meeting was Schedule for September 5<sup>th</sup>.

**Lantern:** The Fall Lantern is underway.

**MISCELLANEOUS:**

Mayor Pittinger appointed Kathleen Seeling to the Recreation Committee with the approval of the Council

ADMINISTRATOR'S REPORT TO THE GOVERNING BODY

**August 21, 2024**

**INFRASTRUCTURE COMMITTEE**

- Met Bob Brightly regarding the placement of the playground. Bob will work on the Topographical survey
- Street Sweeping complete. The new company was great to work with.
- Myrtle and Young awarded to Topline Construction
- Met with Jim, Rich, Joe, Rob and Chris to complete the Garbage Bid
- Started the application for HC Infrastructure grant

**PUBLIC SAFETY COMMITTEE**

- Would like to meet Sept 4<sup>th</sup> 11-1pm, 6<sup>th</sup> 11 -1 pm, or 9<sup>th</sup> 10:20 – 2 pm. Jim, Lisa and Rob please let me know your availability.

**COAH**

- Monthly Reports filed.

**STORMWATER MANAGEMENT**

- 2023 Highlands Grant report filed
- 2023 NJDEP Grant report filed

**CROSSING GUARDS**

- Training schedule for August 22<sup>nd</sup>
- New walkies talkies ordered
- Background checks scheduled

**SENIOR CLUB:**

- Business meeting. Refreshment served.

**RECREATION –**

- July 24, 2024 and August 14, 2024
- Music in the Park (September 28<sup>th</sup> 3:00 to 6:00)

Halloween Party October 26<sup>th</sup> will discuss details at the next recreation meeting.  
Bingo night: Monday, August 26<sup>th</sup> 7:00 to 9:00 PM. Free family event, prizes and free ice cream.

**ENVIRONMENTAL/SHADE TREE**

- No Meeting

**HISTORICAL COMMITTEE**

- No meeting in May

**WELCOME BAGS**

- **Date of Meeting:** No Meeting
- **New Residents:** 1 new resident.

**ADJOURN:**

Councilman Berger moved, and Councilman Crawford seconded a motion to adjourn, there being no further business to come before Council. The meeting was adjourned at 8:40 pm by unanimous vote.

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Karen M. Romano, RMC  
Borough Administrator/Clerk

