



**JOINT MEETING OF THE
LEBANON BOROUGH COMMON COUNCIL AND
THE LEBANON BOROUGH PLANNING BOARD/BOA
MINUTES**

MAY 19, 2010

The Regular Meeting of the Lebanon Borough Common Council was called to order by Mayor Mark Paradis at 7:00 p.m.

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 Paradis.

ROLL CALL:

Present: Council President Quick, Councilman Reino, Councilman Burton, Councilman Berger, Councilman Coyle, Mayor Mark E. Paradis, Planning Board Chairman Alexander Saharic, William Skene(*arrived 7:45 pm), Estelle Butler, Joseph Hauck, Henry Hopkins, and Dr. Uchrin

Absent: Councilwoman Bross (*excused), Sue Lachenmayr, David Abeles, and Matt Katzenback

Also Present: Attorney Joseph Novak, Clerk Karen Romano

MOMENT OF SILENCE:

Mayor Paradis stated a total of 4,402 United States Service Members had given their lives for our country for the war on terrorism. New Jersey total continues at 80. Mayor Mark Paradis requested a moment of silence in remembrance of all service men and women, who have paid the supreme sacrifice on behalf of a grateful nation, they are truly heroes.

COAH PRESENTATION: BETH MC MANUS OF CLARKE CATON HINTZ

As you know, my office has been working with the Planning Board to craft a Housing Element and Fair Share Plan (the "Plan") that can be adopted by the Planning Board, endorsed by the Governing Body and submitted to Court by the June

8, 2010 deadline jointly set by the Highlands Council and the Council on Affordable Housing (COAH). I appeared before the Planning Board on April 14, 2010 to discuss the mechanisms that would be included in the Plan. Also on that night, the Planning Board granted approval to Coach House LLC to create two affordable accessory apartments as part of the overall development program on Block 6, Lots 14 and 14.01.

The Borough has already satisfied the majority of its affordable housing obligation; however a few questions remain. First, let me provide a brief foundation. Each municipality's affordable housing obligation has three components. Lebanon Borough's is listed below:

- ◆ Rehabilitation Obligation: 3 units
- ◆ Prior Round Obligation: 34 units
- ◆ Third Round Obligation: 30 units (Highlands RMP)

The rehabilitation obligation, which is calculated by COAH, is based on the number of units in the Borough occupied by low and moderate income households that are in need of upgrades to a major system (such as a roof, heating system, etc.). This obligation may be satisfied through a rehabilitation program or through the creation of new affordable units.

The prior round and third round obligations are "new construction" obligations where the municipality must create affordable housing units; existing units occupied by low and moderate households are not eligible. The prior round obligation is one which COAH has calculated. The third round obligation is based on actual growth which occurred between 2004 and 2008 and development projections for the Borough based on the policies in the Highlands Council Regional Master Plan.

The Borough has fully satisfied the prior round obligation with Presidential Place (the Pizzo development) and the Heights of Lebanon (the Kaplan development). See below for additional detail.

Table 1. Affordable Units Meeting the 34 Unit Prior Round Obligations

Development	Bonus		Total	
	Units	Credits	Credits	
<u>Presidential Place</u>	x	13	0	<u>13</u>
<u>Heights of Lebanon</u>			x	12 9 21
<u>Total</u>				<u>25 9 34</u>

The Borough has nearly satisfied the third round obligation using the remaining units at Presidential Place and a four bedroom group home – only a two unit gap remains. These two units can be satisfied by the two accessory units created at the Coach House LLC project. Doing so would fully satisfy the third round obligation. However, it is important to note that the Borough must provide affordable housing in accordance with the growth share obligation generated; as such, the Borough may need to provide additional affordable housing in the future if warranted by actual growth.

The remaining question is whether the Coach House LLC units will be used to satisfy the third round obligation, as discussed above, or the rehabilitation obligation. The advantage to utilizing the units in the third round is that the Borough will not need to create an additional third round mechanism until required by actual growth. Alternatively, the Borough can utilize the units to satisfy the rehabilitation obligation and if one unit from Presidential Place is used as well, the rehabilitation obligation would be complete. The advantage of this is that the Borough will not be responsible for operating a rehabilitation program. Operation of a rehabilitation program would entail contracting with an administrative entity to market and administer the program. Administrative costs are typically \$2,000 to \$6,000 per unit plus the cost of

the improvements; the average improvement cost must be \$10,000 per unit. However, the rehabilitation program is less expensive than all other municipally sponsored or subsidized affordable housing programs, such as the accessory apartment, market to affordable and municipally sponsored construction programs.

The Planning Board has recommended that the two recently approved accessory apartments and one unit at Presidential Place be utilized to complete the rehabilitation program; however, they are seeking the Governing Body's input on the issue.

Should these units be utilized in the rehabilitation program, this office recommends that the Borough create a three unit accessory apartment program to fulfill third round.

Please note that, if necessary, the Borough may choose in the future to amend the Housing Element and Fair Share Plan to create a rehabilitation program and instead use all new affordable housing units to satisfy the third round obligation.

The below tables illustrate how the third round obligation would be satisfied under each scenario.

**Table 2. Affordable Units Meeting the 30 Unit Third Round Growth Share Obligation –
Coach House LLC Accessory Apartment Units Utilized in the Third Round**

Project		Units	Bonus Credits	Total Credits
Presidential Place	x x	17	7	24
Hunterdon Alliance	x	4	0	4
Coach House LLC Accessory Apartments	x x	2	0	2
	<u>TOTAL</u>	<u>23</u>	<u>7</u>	<u>30</u>

**Table 2. Affordable Units Meeting the 30 Unit Third Round Growth Share Obligation –
Coach House LLC Accessory Apartment Units Utilized in the Rehabilitation Program**

Project		Units	Bonus Credits	Total Credits
Presidential Place	x x	16	7	23
Hunterdon Alliance	x	4	0	4
Accessory Apartments – Future	x x	3	<u>0</u>	<u>3</u>
	<u>TOTAL</u>	<u>23</u>	<u>7</u>	<u>30</u>

Please advise how you would like this office to proceed in preparing the Housing Element and Fair Share Plan.

OPEN PUBLIC SESSION #1:

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

There being no public comment Council President Quick made a motion to close the public session. Councilman Burton seconded the motion with the unanimous approval of Council the floor was closed.

PLANNING BOARD RESOLUTION 03-2010:

Chairman Saharic requested a motion to adopt the Housing Element and Fair Share Plan. Ms. Butler made the motion of adoption for the Housing Element and Fair Share Plan. With a second from Dr. Uchrin the motion passed by the following vote.

Resolution #03-2010

Planning Board Resolution Adopting the Housing Element and Fair Share Plan

Borough of Lebanon, Hunterdon County, New Jersey

WHEREAS, the Planning Board of Lebanon Borough Hunterdon County, State of New Jersey, adopted its current Master Plan pursuant to N.J.S.A. 40:55D-28 in February 2008; and

WHEREAS, N.J.A.C. 5:97-2.1(a) requires the adoption of the Housing Element by the Planning Board and endorsement by the Governing Body; and

WHEREAS, N.J.A.C. 5:97-3.1(a) requires the preparation of a Fair Share Plan to address the total 1987-2018 fair share obligation of Lebanon Borough; and

WHEREAS, N.J.A.C. 5:97-3.1(b) requires the adoption of the Fair Share Plan by the Planning Board and endorsement by the Governing Body; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board of the Borough of Lebanon held a public hearing(s) on the Housing Element and Fair Share Plan on May 18, 2010; and

WHEREAS, the Planning Board has determined that the Housing Element and Fair Share Plan are consistent with the goals and objectives of the Borough of Lebanon's 2008 Master Plan and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

NOW THEREFORE BE IT RESOLVED by the Planning Board of Borough of Lebanon, Hunterdon County, State of New Jersey, that the Planning Board hereby adopts the May 2010 Housing Element and Fair Share Plan.

Chairman of Planning Board

I hereby certify that this is a true copy of the resolution adopting the Housing Element and Fair Share Plan of Borough of Lebanon, Hunterdon County, on May 19, 2010.

Planning Board Secretary

The motion passed with the following roll call vote:

**Ayes: Butler, Hauck, Hopkins, Uchrin,
Paradis, Quick, Skene, Saharic**

Nays: None

Absent: Lachenmayr, Abeles, and Katzenback

ADJOURN : Planning Board/ BOA:

Chairman Saharic requested a motion to adjourn the Planning Board/ BOA.

Council President Quick moved, Mr. Hauck seconded a motion to adjourn, there being no further business to come before the Board. The motion was passed by unanimous vote. The meeting was adjourned at 7:45 p.m.

Chairman Saharic thanked Beth McManus for her time and hard work.

PUBLIC SAFETY UPDATE:

Clinton First Aid & Rescue Squad

48 Old Highway 22 P.O. Box 5265
Clinton, New Jersey 08809
(908) 735-4012 / Business
(908) 735-7125 / Fax

May 19, 2010

Mark Paradis, Mayor Borough of Lebanon 6 High Street
Lebanon, NJ 08833

Dear Mayor Paradis:

The Clinton First Aid & Rescue Squad would like to thank you and the Borough Council for naming our agency as the provider of Emergency Medical Services (EMS) for the entire Borough of Lebanon. We are dedicated to providing your residents with prompt, high-quality EMS care.

On April 27th we began staging an ambulance staffed with two Emergency Medical Technicians (EMTs) at the Lebanon Fire Station weekdays between the hours of 10 AM - 3 PM. Since this was so successful we will expand the hours to 9 AM - 5 PM in June.

The members of the Lebanon Fire Company have been extremely supportive with this transition and in providing our crews with a base of operations in the borough. We look forward to continuing this partnership to ensure the best possible service to your residents and surrounding communities.

Should you have any questions or if we can be of any assistance, please do not hesitate to contact me at 908-892-3259.

Thank you again for the privilege to serve your community.



Frank P. Setnicky
Chief

Sincerely,

DEI PRESENTATION: BUILDING RENOVATION

MEMORANDUM

DATE: April 21, 2010

TO: BOROUGH OF LEBANON
ATT: BOROUGH COUNCIL
FROM: DAVID G. TILLOU
RE: ADDITION & ALTERATIONS TO LEBANON BOROUGH HALL
CC:

Council,

We were approached about the continued infiltration of water into the basement and other areas of the building. We have commenced with some investigation and remediation procedures.

The following is a report on our findings and recommendations.

Water Infiltration

Basement - Water is infiltrating the basement through the High Street side of the foundation. Our suggestions to possibly cease the infiltration on that side of the basement follows;

- We found, during the installation of the electrical conduits, the tank and its surrounding area was extraordinarily wet. We recommend the abandoned underground storage tank be exposed, investigate the material within it, and encapsulate the entire tank with slurry. This would stop the saturation of that area.
Estimated Cost - \$2,400.00
- Remove the hedges on High Street side of the building and replace with topsoil and seed. This would create a "grassy patch" and stop the retention of all moisture at this area.
Estimated Cost - \$1,000.00

- Investigate the underground drains. When we poked a snake down one of the conduits, it only went 18” and stopped. We should ascertain the status of these conduits and repair or replace as we see fit. That would stop the water from accumulating at these areas.
Estimated Cost - \$500.00

Roof – we found several areas that are suspected of having leaking. The highest box gutter leaves evidence of leaking, the vestibule at the main entrance has a leak and the senior’s room has a leak. We engaged Stroeber-Wright roofing to investigate these problems. Our recommendations follow;

- The roof area at the “main entrance”, the northwest corner, was found to be in questionable shape.
 - The vent pipe is not flashed properly and where the valley ends above the elevator, it seems like there is a lack of flashing behind the fascia. And while we are working in the area we suggest repairing those shingles
Cost - \$750.00
 - The box gutter above the elevator area shows signs of leaking. The membrane in the box gutter is worn and should be replaced around the entire building. While this is being replaced we would replace all of the downspouts with copper tube drops, move the downspouts to the High Street side of the building from the center locations, and add an underground drain connected to whatever exists.
Cost - \$8,700.00
 - The shingles on the main roof are in generally bad shape. There are many cracks and several shingles are missing. If this roof is still under warranty we suggest the manufacturer be contacted and an investigation performed to ascertain if any offset of the cost of the material could be obtained.
Cost – Undetermined if under warranty
Cost if we engage Stoeber to repair the shingles - \$750.00

We have discussed several issues over the recent weeks and they all reflect an improvement to the building. Some take a little explanation so we are appearing before you on April 21st to do just that.

HVAC Modifications

- A meeting was held on April 13, 2010. DEI submitted minutes of that meeting. Several “noise” issues were discussed.
 - Most of the solutions proposed by the mechanical engineer were corrections to the installed ductwork and equipment. These included the exhaust fan for the Council Meeting room and the equipment above the Executive Meeting room.
 - One issue that was to be undertaken was relocating two of the fans in the upper level corridor to the attic. (The third fan will stay outside of the elevator because it is small and can’t be isolated.) TM Brennan issued a cost for this of \$11,280.00. This was in an email to SSP and not broken down. We have no opinion of its validity. The cost to Tufaro for disconnecting the electric and reconnecting the electric was \$1,200.00. DEI questioned if additional lighting would be needed. No answer was provided.
Total cost for limited scope of work - \$12,480.00

Fire Department requests

- One request was for heat detectors in the attic. Tufaro’s vendor determined six would be needed to properly cover the area.
Cost - \$2,185.00
- Another request was for warning signs at the crawl space entrances. SSP stated they forwarded the request with a design to rampart. We have no associated cost at this time.

Automatic door openers

- DEI met with EDS, a contracting firm recommended by General Supply (the vendor who furnished the “button” at the elevator in the basement) and discussed the options for adding “buttons” to assist in opening the doors at the main entrance, the end of the ramp and the Meeting room. I contacted Eastern Door Service to price the installations. They said these devices are in stock. They want two weeks notice (signed contract) for installation.

Costs –

- Entrance door – with a free standing post for mounting the exterior push plate - \$2,286.00, plus \$400 for the electrician
- Door at the end of the ramp - \$2,220.00, plus 4400 for the electrician
- Door to the Council meeting room - \$1,973.00, plus 4400 for the electrician
- Total - \$6,459.00 plus \$1,200 for the electrician.
- If all three are accepted, discount for the economy of scale \$675.00

Please call with any questions or comments.

Thanks,

David G. Tillou, Sr.

RESOLUTION # 71-2010:

Council President Quick made a motion to approve Resolution 71-2010 the Consent Agenda with a second by Councilman Reino.

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

**RESOLUTION #71 -2010
CONSENT AGENDA
May 19, 2010**

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

1. Tax Assessor Report
2. St.Hubert Report
3. Jersey Professional Management flyer

Introduced and adopted: May 19, 2010

Ayes: 5
Nays: 0
Absent: 1

R. Gary Quick, 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 May 19, 2010 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: May 19, 2010

Karen M. Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

APPROVAL OF MINUTES:

Councilman Reino made a motion to accept the Regular Meeting Minutes of April 21, 2010, the Executive Minutes of April 21, 2010 and the Special Minutes of May 5, 2010. With a second by Councilman Berger. The motion passed by the following roll call vote:

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

APPROVAL OF EXPENDITURES:

Councilman Berger made a motion to approve the bill list for May 2010. Councilman Coyle seconded the motion.

Current Fund

105 - ALLSEASONS FLOWERS & GIFTS	PO 3164	FLOWERS FOR LISA	50.00	50.00
403 - AMERICAN PROTECTIVE SYSTEMS, INC	PO 3215	ALARM MONITORING FOR MAY 2010, ACCT	40.00	40.00
202 - CENTURYLINK	PO 3209	POTS LINE SERVICE MAY 1 - 31, 2010,	182.75	182.75
262 - CENTURYLINK COMMUNICATIONS, INC	PO 3211	PHONECALLS, ACCT 1003710519	31.72	31.72
357 - CLARKE CATON HINTZ	PO 3147	PROF SVCS FOR MARCH 2010, INV 47984	2,143.40	2,143.40
254 - CLOVER HILL LANDSCAPING LLC	PO 3118	LAWN SVC FOR 2010 SEASON, INV 2221	1,292.10	1,292.10
38 - COUNTY OF HUNTERDON	PO 3207	GASOLINE AND DIESEL FUEL FOR APRIL	448.58	448.58
325 - ELEPHANT OUTLOOK	PO 3216	EMAIL SERVICE FOR MAY 2010, INV E5	209.30	209.30
111 - ELIZABETH C MCKENZIE	PO 3208	PROF PLANNING SVCS FOR APR 2010, IN	187.50	187.50
39 - ELIZABETH TOWN GAS	PO 3192	NATURAL GAS SVC, ACCT 6822385611	490.14	490.14
46 - FERRIERO ENGINEERING	PO 3193	ENG SVCS FOR INV 43389	326.25	326.25
12 - HK BUZBY & SONS	PO 3204	PASTE/CAULK, INV 289160	24.04	24.04
83 - HORIZON BLUE CROSS BLUE SHIELD NJ	PO 3194	DENTAL INSURANCE FOR MAY 2010, ACCT	245.81	245.81
16 - JCP&L	PO 3165	ELECTRIC SVCS FOR ACCT 100006414352	1,118.38	1,118.38
16 - JCP&L	PO 3191	6 HIGH STREET, ACCT 200000052726	1,505.37	1,505.37
264 - JOSEPH S. NOVAK	PO 3181	PROFESSIONAL LEGAL SVC AGREEMENT FO	2,800.00	2,800.00
28 - KASPER DISPOSAL SERVICE	PO 3168	TRASH REMOVAL SVC FOR APR 2010, CON	4,832.96	4,832.96
213 - Lebanon Boro General Store	PO 3167	LUNCH SUPPLIES - MOVING EXPENSE	79.61	79.61
326 - MASON, GRIFFIN & PIERSON, PC	PO 3166	PROF SVCS FORMAR 2010 OPRA SPECIAL	306.00	306.00
71 - MUNICIPAL CLERKS ASSO OF NJ	PO 3220	2010 MEMBERSHIP DUES FOR KAREN ROMA	175.00	175.00
42 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 3200	2010 FEDERAL DIRECTORY	15.00	15.00
37 - PITNEY BOWES - RESERVE ACCOUNT	PO 3195	POSTAGE FOR MACHINE, ACCT 23279953	200.00	200.00
20 - QUILL CORPORATION	PO 3189	OFFICE SUPPLIES, ACCT C671593	181.05	181.05
303 - SHARP ELECTRONICS CORPORATION	PO 3198	COPIER LEASE FOR MAY 2010, CONTRACT	184.46	184.46
43 - TOWN OF CLINTON	PO 3214	WATER BILL FOR 96 MAIN/6 HIGH ST, A	65.07	65.07
116 - TREASURER, STATE OF NEW JERSEY	PO 3217	MARRIAGE LICENSE REPORT,1ST QTR	25.00	25.00
11 - VITAL SERVICES GROUP	PO 3201	ACCOUNTS RECEIVABLE LEDGER, INV 409	325.00	325.00
192 - WALMART BUSINESS	PO 3203	MISC SUPPLIES, ACCT 5002	67.66	67.66
27 - WASTE MANAGEMENT OF NJ INC	PO 3212	SOLID WASTE DISPOSAL FOR APR 2010,	4,055.59	4,055.59
330 - WELLS FARGO REAL ESTATE TAX SVC	PO 3197	REFUND OF TAX PAYMENT	1,993.96	1,993.96

TRUST FUNDS

105 - ALLSEASONS FLOWERS & GIFTS	PO 3196	FLOWERS FOR ESTELLE	40.00	40.00
272 - DOROTHY BOLINSKI	PO 3202	MISC SUPPLIES, ACCT 5002	39.95	39.95
213 - Lebanon Boro General Store	PO 3199	SENIOR DINNER CATERING	431.00	431.00
290 - NJ DEPT OF HEALTH & SENIOR SVCS	PO 3205	DOG LICENSE REPORT MARCH & APRIL 2	13.20	13.20
176 - SHOPRITE OF HUNTERDON COUNTY	PO 3222	SENIOR PICNIC	19.23	19.23

GENERAL CAPTITAL FUND

328 - DESIGN ENTERPRISES, INC.	PO 3060	CONSTRUCTION MANAGEMENT SVCS FOR JA	5,169.75	5,169.75
381 - INTEGRATED MICRO SYSTEMS, INC	PO 3112	ADDITIONAL TELECOMMUNICATION IN BOR	1,600.00	1,600.00
381 - INTEGRATED MICRO SYSTEMS, INC	PO 3221	ADDITIONAL TELECOMMUNICATION IN BOR	1,048.00	1,048.00

TOTAL

31,962.83

Total to be paid from Fund 01 Current Fund	23,601.70
Total to be paid from Fund 03 TRUST FUNDS	543.38
Total to be paid from Fund 04 GENERAL CAPTITAL FUND	7,817.75
	=====
	31,962.83

Checks Previously Disbursed

99999	NJ STATE HEALTH BENEFITS PLAN	APRIL 2010	2,312.01	5/16/2010
99999	LEBANON BOROUGH PAYROLL	PAYROLL 5-14-10	6,703.44	5/14/2010
99999	LEBANON BOROUGH PAYROLL	PAYROLL 4-30-10	9,937.30	4/30/2010

			18,952.75	

Total paid from Fund 01 Current Fund	18,952.75

	18,952.75

Total for this Bills List: **50,915.58**

The motion passed by the following roll call vote:

YES: Council President Quick, Councilman Reino, Councilman Burton, Councilman Berger, and Councilman Coyle

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

Mayor Paradis read the following letter by title from Councilwoman Bross regarding the 2010 Budget.

To: Karen Romano, Borough Clerk
From: Kathleen Bross, Councilwoman

Subject: Municipal Budget

Karen,

As you know, several members of my family, including my husband Al, are Officers and Members of the Lebanon Borough Fire Department, also the Fire Department is a private entity owned by the members that receives some public funding to support operations every year. Obviously, the Lebanon Borough Fire Department has been a very large part of my life and the life of my husband. I greatly appreciate and support everything they do for the residents of the Borough and the surrounding communities. We all know and have witnessed their tremendous dedication to their community, professionalism and commitment to public safety. This topic of whether a spouse of a fire department member should vote in the municipal budget has been discussed on numerous occasions when the budget is brought forward for a vote. At the advice of our Borough Attorney, I have abstained from voting on the budget each year. I have again discussed the topic with our Attorney and after considering the advice of our attorney, I will recuse myself from the vote on the Lebanon Borough Municipal Budget.

I feel that it important that all parties and the public fully understand that I place the highest value and respect on my right as a council member to vote on matters that come before it, however, it also of great importance that the public know that we all take great care to insure the integrity of our position and that we thoughtfully consider the advice of our professionals when and if they warn us of the potential or appearance of a conflict of interest. This is in the best interests of the community and part of our obligation in our role as governing body members.

Please read this statement at the meeting and include it as part of the record of the meeting.

Best Regards,

Kathleen Bross

OPEN PUBLIC SESSION RESOLUTION 74-2010 BUDGET AMENDMENT:

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

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

RESOLUTION # 72-2010:

**Council President Quick made a motion to approve Resolution 72-2010 with a second by Councilman Reino. BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**RESOLUTION # 72- 2010
Refund of Taxes**

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 payments for the refund of an overpayment of 2010 tax.

Block	Lot	Name/address	Amount
8	26.01	Wells Fargo	1,993.96

1 Home Campus MAC X2302-04AD
Des Moines, IA 50328-0001

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Absent: 1
ATTEST:

R. Gary Quick, Borough Council President

Karen M. Romano, RMC
Borough Clerk

CERTIFICATION

I, Karen M. Romano Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on May 19, 2010 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: May 19, 2010

Karen M. Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

RESOLUTION # 73-2010:

Councilman Berger made a motion to approve Resolution 73-2010 adding the \$10,000 expenditure for the Lebanon Volunteer Fire Company with a second by Councilman Reino.

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

RESOLUTION #73- 2010

2010 EMERGENCY TEMPORARY BUDGET

DESCRIPTION	Temporary Budget		
Account	Description	Debit	Credit
01-201-20-100-010	GENERAL ADMINISTRATION - REGULAR SALARIE		\$ 20,000.00
01-201-20-100-200	GENERAL ADMINISTRATION - OTHER EXPENSE		\$ 3,000.00
01-201-20-110-201	COMMUNICATION		\$ 879.00
01-201-20-120-011	REGISTRAR-SALARY AND WAGES		\$ 250.00
01-201-20-130-010	FINANCE - REGULAR SALARIES		\$ 5,000.00
01-201-20-130-200	FINANCE - OTHER EXPENSE		\$ 289.00
01-201-20-140-200	COMPUTERIZED DATA PROCESSING		\$ 1,000.00
01-201-20-145-011	COLLECTION OF TAXES - REGULAR SALARIES		\$ 2,500.00
01-201-20-145-200	COLLECTION OF TAXES - OTHER EXPENSE		\$ 420.00
01-201-20-150-010	ASSESSMENT - REGULAR SALARIES		\$ 2,100.00
01-201-20-155-200	LEGAL SERVICES - OTHER EXPENSE		\$ 10,000.00
01-201-20-175-200	HISTORICAL COMMITTEE-OTHER EXPENSES		\$ 1,000.00
01-201-20-180-200	PLANNING BOARD - OTHER EXPENSE		\$ 150.00
01-201-21-180-200	ENVIRONMENTAL-OTHER EXPENSE		\$ 100.00
01-201-21-185-010	BOARD OF ADJUSTMENT-SALARY AND WAGES		\$ 1,500.00
01-201-23-210-200	OTHER INSURANCE		\$ 15,000.00
01-201-23-215-200	WORKMEN S COMPENSATION		\$ 6,000.00
01-201-23-220-200	EMPLOYEE GROUP INSURANCE		\$ 4,500.00
01-201-25-240-011	CROSSING GUARDS- SALARY AND WAGES		\$ 6,000.00
01-201-25-240-200	PUBLIC SAFETY - OTHER EXPENSE		\$ 5,000.00
01-201-25-255-200	FIRE DEPT. OTHER EXPENSE		\$ 10,000.00
01-201-26-280-200	PUBLIC WORKS-OTHER EXPENSE		\$ 12,600.00
01-201-26-305-200	REFUSE COLLECTION - OTHER EXPENSE		\$ 15,000.00
01-201-26-310-010	BUILDING AND GROUNDS-SALARY AND WAGES		\$ 2,000.00
01-201-26-310-200	BUILDINGS AND GROUNDS - OTHER EXPENSE		\$ 1,000.00
01-201-26-313-020	SHADE TREE-OTHER EXPENSES		\$ 7,000.00
01-201-28-370-200	RECREATION - OTHER EXPENSE		\$ 1,000.00
01-201-28-375-200	PARKS & PLAYGROUNDS -OTHER EXPENSE		\$ 3,150.00
01-201-31-430-200	ELECTRICITY - 6 HIGH ST		\$ 3,000.00
01-201-31-435-200	STREET LIGHTING - OTHER EXPENSE		\$ 2,000.00
01-201-31-440-200	TELEPHONE - OTHER EXPENSE		\$ 3,000.00
01-201-31-445-200	WATER		\$ 210.00
01-201-31-446-200	NATURAL GAS - OTHER EXPENSE		\$ 1,000.00
01-201-31-447-200	FUEL OIL		\$ 1,050.00
01-201-31-455-200	SEWERAGE PROCESSING		\$ 180.00
01-201-31-460-200	GASOLINE		\$ 500.00
01-201-32-465-200	SOLID WASTE DISPOSAL COST		\$ 15,000.00
01-201-36-476-200	STATE UNEMPLOYMENT INSURANCE-SDI		<u>\$ 92.00</u>
01-190-07-500-001	AMOUNT TO BE RAISED-TAXATION	\$ 162,470.00	\$ 162,470.00

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 5

Nays: 0
Absent: 1

R. Gary Quick,
Borough Council President

ATTEST:

Karen M. Romano, RMC
Borough Clerk

CERTIFICATION

I, Karen M. Romano Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on May 19, 2010 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: May 19, 2010

Karen M. Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

RESOLUTION # 74-2010:

Councilman Burton made a motion to approve Resolution 74-2010 with a second by Councilman Berger.

BOROUGH OF
LEBANON COUNTY
OF HUNTERDON
STATE OF NEW
JERSEY

RESOLUTION #74-2010
2010 MUNICIPAL BUDGET AMENDMENT

WHEREAS, the local municipal budget for the year 2010 was approved on the 21st day of April, 2010 and

WHEREAS, the public hearing on said budget has been held as advertised, and

THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Lebanon, County of Hunterdon that the following amendments to the approved budget of 2010 be made:

Ayes _____ Nays _____ Abstained _____ Absent

Recorded Vote

Samuel Berger
Kathleen Bross
Richard Burton
Faust Coyle
R Gary Quick Michael Reino

CURRENT FUND

From To

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of NJSA 40A:4-9, be published in the Hunterdon County Democrat in the issue of June 10, 2010 and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building

Introduced: May 19, 2010

LEBANON BOROUGH
COUNCIL

Ayes: 0
Nays: 0
Abstain: 0
Absent: 0

R. Gary Quick
By: Borough Council President

ATTEST:

Karen M. Romano, RMC
Borough Clerk

GENERAL REVENUES		
Surplus Anticipated	\$ 562,765.00	\$ 588,965.00
Public and Private Revenues Offset with Appropriations:		
Clean Communities Program	=	4,000.00
Total Public and Private Revenues Offset with Appropriations:	5,706.70	9,706.70
Total General Revenues	\$ 1,653,935.70	\$ 1,684,135.70
GENERAL APPROPRIATIONS		
Operations within "CAP"		
Environmental Commission:		
Other Expenses	\$	\$ 1,200.00
Total Appropriations within "CAPS"	978,619.00	979,819.00
Public and Private Programs Offset by Revenues:		
Clean Communities Program:		
Other Expenses		4,000.00
Total Public and Private Programs Offset by Revenues:	6,706.70	10,706.70
Deferred Charges Excluded from "CAP"		
Deferred Charges to Future Taxation Unfunded:		
Acquisition of a Fire Truck		25,000.00
Total Deferred Charges Excluded from "CAP"	27,100.00	52,100.00
Total General Appropriations	\$ 1,653,935.70	\$ 1,684,135.70

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

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 19th of May 2010; 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: May 19, 2010

Karen M. Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

RESOLUTION # 76-2010:

Council President Quick made a motion to approve Resolution 76-2010 with a second by Councilman Berger.

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

Resolution #76-2010

Governing Body Resolution Endorsing the Housing Element and Fair Share Plan

Borough of Lebanon, Hunterdon County, New Jersey

WHEREAS, the Planning Board of Borough of Lebanon, Hunterdon County, State of New Jersey, adopted the Housing Element of the Master Plan on May 19, 2010; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on May 19, 2010; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Lebanon, Hunterdon County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Borough of Lebanon Planning Board; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Lebanon, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this Housing Element and Fair

Share Plan to Superior Court for a Judgment of Compliance and Repose; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for a Judgment of Repose shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Lebanon Borough municipal clerk's office located at 6 High Street, during the hours of 8:30am to 4:30pm on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Absent: 1

R. Gary Quick,
Borough Council President

ATTEST:

Karen M. Romano, RMC
Borough Clerk

CERTIFICATION

I, Karen M. Romano Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on May 19, 2010 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: May 19, 2010

Karen M. Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

RESOLUTION # 75-2010:

Councilman Berger made a motion to approve Resolution 75-2010 with a second by Councilman Burton.

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

Resolution #75-2010

Governing Body Resolution of Intent to Bond In Case of Shortfall

Lebanon Borough, Hunterdon County, New Jersey

WHEREAS, pursuant to N.J.A.C. 5:96-2.1, the Borough Council of the Borough of Lebanon in Hunterdon County, New Jersey, has endorsed an amended Housing Element and Fair Share Plan setting forth the Borough's commitment to meeting its affordable housing obligation through 2018; and

WHEREAS, pursuant to N.J.A.C. 5:96-3.1, the Borough Council is submitting its Third Round Housing Element and Fair Share Plan to Superior Court for a Judgment of Repose; and

WHEREAS, this amended Housing Element and Fair Share Plan includes accessory apartments for which the Borough must demonstrate an adequate and stable funding source; and

WHEREAS, the Borough Council is confident that adequate and stable funding will be available from monies collected in the Borough's affordable housing trust fund, from Federal, State or County funding sources, and/or from the funding sources set forth in "A Guide to Affordable Housing Funding Sources," dated October 2008, posted by COAH on its website to assist municipalities; and

WHEREAS, the provisions of the New Jersey Fair Housing Act of 1985, N.J.S.A. 52:27D-311(d) state that nothing in said Act shall require a municipality to raise or expend municipal revenue in order to provide low and moderate income housing; and

WHEREAS, COAH nonetheless requires documentation to be submitted with its Fair Share Plan to indicate the availability of funding for its affordable housing compliance mechanisms.

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

1. The Borough Council determines that there is adequate and stable funding for all of the affordable housing compliance mechanisms set forth in its endorsed amended Housing Element and Fair Share Plan, consisting of funding in the Borough's affordable housing trust fund and from governmental grants and/or other outside sources as set forth in the publication entitled "A Guide to Affordable Housing Funding Sources," dated October 2008, and posted by the Council on Affordable Housing on its website to assist municipalities.

2. In the event that the above-referenced funding sources are not sufficient to implement the entirety of the Borough's amended Housing Element and Fair Share Plan through 2018, the Borough of Lebanon, in the discretion of the governing body then representing the Borough, may determine to provide for an alternate source of affordable housing funding such as, but not limited to, municipal bonding, or elect to modify and change said amended Housing Element and Fair Share Plan to address its remaining affordable housing obligation in lieu of municipal bonding.

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Absent: 1

R. Gary Quick, Borough Council President

ATTEST:

Karen M. Romano, RMC
Borough Clerk

CERTIFICATION

I, Karen M. Romano Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on May 19, 2010 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: May 19, 2010

Karen M. Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

RESOLUTION # 77-2010:

Councilman Berger made a motion to approve Resolution 77-2010 with a second by Councilman Coyle.

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

Resolution #77-2010

Governing Body Resolution Requesting Approval of Draft Development Fee Ordinance

Lebanon Borough, Hunterdon County, New Jersey

WHEREAS, the Governing Body of Lebanon Borough, Hunterdon County will file for a Judgment of Compliance and Repose with Superior Court; and

WHEREAS, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

WHEREAS, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

1. A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
2. A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
3. A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d) ;
4. A description of collection procedures per N.J.A.C. 5:97-8.3(f);
5. A description of development fee appeals per N.J.A.C. 5:97-8.3(g); and
6. A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

WHEREAS, Lebanon Borough has prepared a draft development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH's regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

NOW THEREFORE BE IT RESOLVED that the Governing Body of Lebanon Borough, Hunterdon County requests that COAH review and approve Lebanon Borough's development fee ordinance.

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Absent: 1

R. Gary Quick, Borough Council President

ATTEST:

Karen M. Romano, RMC
Borough Clerk

CERTIFICATION

I, Karen M. Romano Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on May 19, 2010 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: May 19, 2010

Karen M. Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

RESOLUTION # 78-2010:

Councilman Berger made a motion to approve Resolution 78-2010 with a second by Councilman Burton.

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

Resolution 78-2010

Governing Body Resolution Requesting Approval of Spending Plan

Lebanon Borough, Hunterdon County, New Jersey

WHEREAS, the Governing Body of Lebanon Borough, Hunterdon County will file with Superior Court for a Judgment of Compliance and Repose; and

WHEREAS, Lebanon Borough will request approval from COAH of its development fee ordinance; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds and/or proceeds from the sale of affordable units;

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

7. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
8. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
9. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
10. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
11. A schedule for the expenditure of all affordable housing trust funds;
12. If applicable, a schedule for the creation or rehabilitation of housing units;
13. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
14. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;
15. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;

16. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
17. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, Lebanon Borough has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

NOW THEREFORE BE IT RESOLVED that the Governing Body of Lebanon Borough, Hunterdon County requests that COAH review and approve Lebanon Borough's spending plan.

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Absent: 1

R. Gary Quick,
Borough Council President

ATTEST:

Karen M. Romano, RMC
Borough Clerk

CERTIFICATION

I, Karen M. Romano Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on May 19, 2010 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: May 19, 2010

Karen M. Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

OPEN PUBLIC SESSION #2:

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

Estelle Butler of 902 Clark Rd spoke of the senior room being too small to accommodate the Senior Club's 82 members. Ms. Butler requested moving the meeting to the Council room. Council granted the requested.

Alexander Saharic Chairman of OEM reported he would be attending a meeting in Trenton regarding the Stream and Flooding in Lebanon Borough of May 26, 2010

Mary Logan of 27 Cherry Street questioned the status of current grants and the 2010 Census. Councilman Quick stated he would be happy to obtain the requested information.

Keith Malinak of 1 Locust Drive questioned the status of the Dog Census and why Lebanon Borough was taking the Dog Census. Clerk Romano explained the state requirement and process.

Alex Patullo of 50 Main Street asked if he could advertise free firewood. Council granted his request.

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

COMMITTEE/COMMISSIONS/BOARD UPDATES:

Streets and Roads: Councilman Reino stated he was working with Attorney Novak to obtain an ordinance regarding Driveway openings.

2010 Census: Mayor Paradis read the following statement from Councilwoman Bross.

Mayor and Council,

I have become aware of telephone and internet scams from individuals claiming to be the United States Census Bureau. They are trying to solicit personal information. I would also like the information sheet I have compiled presented to the senior citizen's club, as the elderly are being targeted as a vulnerable population group. Please include this information in the council packet under committee reports. This does not have to be read aloud during the meeting. I would just like to have this information available.

Councilwoman Bross

Mayor Paradis call for a motion to enter into executive session.

RESOLUTION # 79-2010:

Council President Quick made a motion to approve Resolution 79-2010 with a second by Councilman Reino.

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

RESOLUTION # 79-2010

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:

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Absent: 1

R. Gary Quick, Council President

ATTEST:

Karen M. Romano, RMC
Borough Clerk

I certify that the foregoing is a true copy of the Resolution adopted by the Borough Council at a meeting held May 19, 2010.

Karen Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None Mayor Paradis called for a motion to enter back into the Regular Council Meeting of May 19, 2010.

Council President Quick made a motion to re-enter the regular meeting with a second by Councilman Reino.

The motion passed by the following roll call vote:

**YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger, and Councilman Coyle**

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

ADJOURN:

Council President Quick moved and Councilman Reino seconded a motion to adjourn, there being no further business to come before Council. The meeting was adjourned at 11:55 PM by unanimous vote.

Respectfully Submitted

Karen M. Romano, RMC
Borough Clerk