

**REORGANIZATION & REGULAR MEETING**

**Lebanon Township Planning Board**  
**Municipal Bldg 530 West Hill Road Glen Gardner, N.J.**

**January 16, 2018**

The 911<sup>th</sup> Regular Meeting of the Lebanon Township Planning Board was called to order at 7:00 p.m. by Board Clerk Ms. Glashoff. Present were: Ms. Koehler, Mr. Duckworth, Mr. Darryl Schmidt, Mr. Piasecki, Mr. Rich, Mr. MacQueen, Mayor Mike Schmidt, 1<sup>st</sup> Alternate Gerlich, 2<sup>nd</sup> Alternate Skidmore, Attorney Gallina, Planner Bolan & Engineer Risse. Also in attendance: Committeeman Brian Wunder. **Excused:** Ms. Bleck, Mr. Weiler. **Also absent:** Deputy Mayor McKee & Committeeman Laul.

In compliance with the "Open Public Meetings Act" notice is hereby given that the Lebanon Township Planning Board will hold their Reorganization/Business Meeting on January 16, 2018 at 7:00 p.m. In the event of inclement weather the Board will hold their Reorganization/Business Meeting on Tuesday January 23, 2018 at 7:00 p.m. Notice of this meeting was published in the Hunterdon Review on December 27, 2017. Copies of the Agenda were faxed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the Lebanon Township Website and Bulletin Board in the Municipal Building on January 9, 2018. A notice has also been published in the Hunterdon Review on January 3, 2018 that members of the Township Committee will also be present for the discussion on Affordable Housing.

<b>SWEAR IN:</b>	Mike Schmidt	Class I	Mayor	1 Year Term
	Adam Duckworth	Class II	Liaison - EOSC	1 Year Term
	Beverly Koehler	Class III	Committeewoman	1 Year Term
	Rick Weiler	Class IV	Regular Member	4 Year Term
	Darryl Schmidt	Class IV	Regular Member	4 Year Term
	E. J. Skidmore	Class IV	Alternate II	2 Year Term

At this time, Attorney Gallina had all of the above except for Mr. Weiler sworn in. Mr. Weiler will be sworn in at the next meeting. Congratulations to all.

**NOMINATION FOR CHAIRMAN:**

Ms. Glashoff asked for a nomination for Chairman. Motion by Mr. Rich and seconded by Mr. Skidmore to nominate Mr. MacQueen for Chairman. Being no further nominations, nominations are closed. Unanimously approved. Congratulation to Mr. MacQueen. Chairman MacQueen took over the meeting at this time.

**NOMINATION FOR VICE CHAIR:**

Chairman MacQueen asked for a nomination for Vice Chair. Motion by Mr. Rich and seconded by Ms. Koehler to nominate Doreen Bleck. Being no further nominations, nominations are closed. Unanimously approved.

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**NOMINATION FOR SECRETARY:**

*Motion by Mr. Schmidt and seconded by Ms. Koehler to nominate Mr. Gerlich as Secretary. Being no further nominations, nominations are closed. Unanimously approved.*

**NOMINATION FOR ASSISTANT SECRETARY:**

*Motion by Mr. Gerlich and seconded by Mr. Skidmore to appoint Mr. Weiler as Assistant Secretary. Being no further nominations, nominations are closed. Unanimously approved.*

**APPOINTMENTS:**

- a. John Gallina, Esq.
- b. Michael Bolan, PP
- c. Stephen Risse, Engr. (Bayer/Risse Engrs.)
- d. Gail W. Glashoff, Planning Board Clerk
- e. Mark Blount, Esq. (Alternate Attorney)
- f. James Kyle, PP (Alternate Planner)
- g. Jess Symonds, Engr. (Alternate Engineer)

*Motion by Mr. Gerlich and seconded by Mr. Piasecki to appoint all of the above. Unanimously approved.*

**ADOPT RESOLUTIONS:**

- a. Authorizing Agreement for Professional Services
- b. Annual Notice Schedule 2018

*Ms. Glashoff reviewed for the board the Agreement for Professional Services and the Notice Schedule for 2018. Motion by Mr. Rich and seconded by Mr. Gerlich to adopt both resolutions as presented. Unanimously approved. Ms. Glashoff went over the meeting dates with everyone. Motion by Mr. Piasecki and seconded by Ms. Koehler to approve all the dates as presented. Unanimously approved. Ms. Glashoff will email everyone the list of Meeting dates for 2018.*

**ADOPT RESOLUTION FOR PROFESSIONALS ON PAY TO PLAY:**

*Ms. Glashoff briefly reviewed for the board the resolution on Pay to Play. Motion by Mr. Gerlich and seconded by Mr. Rich to adopt the resolution for professionals on Pay to Play. Unanimously approved.*

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**APPOINT APPLICATION REVIEW COMMITTEE:**

*The following people will be on the Review Committee: Mr. Rich, Ms. Bleck and Mr. Skidmore. Motion by Mr. Piasecki and seconded by Mr. Schmidt to appoint Mr. Rich, Ms. Bleck & Mr. Skidmore to the Review Committee. Unanimously approved.*

**ADOPT PROFESSIONAL CONTRACTS:**

- a. John Gallina, Esq.*
- b. Michael Bolan, PP*
- c. Bayer/Risse Engrs. (Stephen Risse, Engr.)*
- d. Mark Blount, Esq. (Alternate Attorney)*
- e. James Kyle, PP (Alternate Planner)*
- f. Jess Symonds, Engrs. (Alternate Engineer)*

*Ms. Glashoff reviewed each contract noting the only increase was with the Engineers Contract which increased \$2.50 per hour. All others are the same hourly rate as 2017. The only contract not received as yet is Planner Jim Kyle. Motion by Mr. Rich and seconded by Mr. Piasecki to approve/adopt the Professionals Contract. Unanimously approved.*

**PRESENTATION OF MINUTES:**    *December 5, 2017 Regular Meeting*

*Motion by Mr. Piasecki and seconded by Mr. Schmidt to approve the minutes as presented. Unanimously approved by those eligible to vote. Abstained: Mayor Schmidt & Ms. Koehler*

**RESOLUTION:**    *a. Open Space & Recreation Plan 2017*

*Motion by Mr. Duckworth and seconded by Mr. Rich to approve the Resolution with corrections.*

<b>ROLL CALL</b>	<b>Yes:</b> Mr. Duckworth	Mr. Piasecki	<b>Absent:</b> Ms. Bleck
	Mr. Schmidt	Mr. Rich	Mr. Weiler
	Mr. Gerlich	Mr. MacQueen	<b>Abstain:</b> Mayor Schmidt
			Ms. Koehler
			Mr. Skidmore

**ITEMS FOR DISCUSSION:**

- a.** *Affordable Housing – Planner Bolan*  
**(Memo included)**

*Planner Bolan reviewed for the board the draft of the Affordable Housing Plan which incorporates the*

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*provisions of the Settlement Agreement by the Court. Planner Bolan stated in March 2015, the NJ Supreme Court decided a case referred to as Mount Laurel IV. In the decision the Supreme Court concluded that COAH, the administrative agency charged with the implementation of the N.J. Fair Housing Act, had not fulfilled its responsibilities. The Supreme Court established a process in Superior Court that a municipality could have its Housing Plan Element & Fair Share Plan approved for consistency with the Fair Housing Act. On July 2, 2015 Lebanon Township filed a Motion for Declaratory Judgment seeking a declaration of its compliance with the Mount Laurel doctrine and the Fair Housing Act of 1985. The Township on August 15, 2017 entered into a Settlement Agreement with the Fair Share Housing Center (FSHC), a Supreme Court designated interested party and through the settlement a defendant in the proceeding to resolve the matter. On September 12, 2017, Judge Thomas Miller conducted a fairness hearing and approved the settlement, concluding that the Settlement Agreement is fair to low and moderate income households and in accordance with the applicable law, the Township's affordable housing obligations pursuant to the Mount Laurel decisions and the Fair Housing Act.*

*Planner Bolan noted that the Township does not have any unrestricted land or any capacity for sewer to support inclusionary development and is entitled to a durational adjustment according to N.J.A.C.5:93-4.3. Considering where the Township is located it is unlikely that sewer service will become available within the next 10 years or ever. Highland regulations prevent development of multi-family inclusionary housing.*

*Planner Bolan stated that Lebanon Township agrees to comply with N.J.A.C. 5:93-4.3(c) which is the requirement to address the remaining Third Round prospective need obligation of 65 units shall be deferred until adequate sewer is made available. The Township has determined that due to Highland regulations, there are no tracts within the Township where zoning for inclusionary development is appropriate. The Township will provide one unit of affordable housing through a market-to-affordable program and another unit through an accessory apartment program. In the event that the Highlands Act regulations are repealed or amended in a significant manner to affect development, the Township will reexamine and if necessary amend its Housing Plan Element and Fair share Plan.*

*At the conclusion of Planner Bolan's summary, the next step is for the Planning Board to hold a public hearing on the amendment to the Master Plan. The Planning Board will hold a public hearing at their next meeting on February 6, 2018 at 7:00 p.m. Ms. Glashoff will put a notice in the Hunterdon Review for the public hearing.*

**b. Final on 2018 PB Budget**

*The board reviewed the final proposed 2018 budget, motion by Mr. Schmidt and seconded by Mr. Rich to approve the proposed budget and have Ms. Glashoff forward the proposal on to the Township Committee for their consideration. Unanimously approved.*

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**PRESENTATION OF BILLS & REPORT:**

a. John Gallina, Esq.                   \$ 450.00  
b. Michael Bolan, PP                   \$3,237.50  
**Total: \$3,687.50**

*Ms. Glashoff said there was one additional bill that was on the addendum for Attorney Gallina for \$150.00. This brings the grand total to **\$3,837.50**. Mr. Gerlich said all the bills are in order. Motion by Mr. Gerlich and seconded by Mr. Rich to approve the bills as amended. Unanimously approved.*

*Mr. Schmidt asked Ms. Glashoff if the agenda's and minutes get posted on the website. Ms. Glashoff said yes with the minutes being posted once approved by the board.*

**CORRESPONDENCE:**

- a. NJPO Newsletter – Nov./Dec. 2017
- b. NJ League of Municipalities Article – Legal Q/A

*Being no further business to come before the board, nor comments from the public, motion by Mr. Schmidt and seconded by Mr. Rich to adjourn the meeting at 8:15 p.m. Unanimously approved.*

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**CHAIRMAN GARY MACQUEEN**

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**GAIL W. GLASHOFF, PLANNING BOARD CLERK**