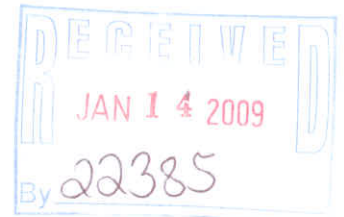


BOROUGH OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY



RESOLUTION #132-2008

**Resolution of the Borough of Lebanon in the County of  
Hunterdon Declaring the Borough's Notice of Intent to  
Petition the Highlands Council for Plan Conformance**

**WHEREAS**, the Borough of Lebanon is currently under the jurisdiction of the Superior Court of New Jersey with regard to its low and moderate income housing obligations as a result of a builder's remedy suit filed in the matter of Pizzo & Pizzo v. the Borough of Lebanon, and Lebanon Borough Planning Board; and

**WHEREAS**, The Borough of Lebanon has been working in conjunction with the Master appointed by the Court, Elizabeth McKenzie, P.P. to update its Ordinances to address second round, and the subsequent third round obligations imposed by the Council of Affordable Housing (COAH); and

**WHEREAS**, the Planning Board of the Borough of Lebanon, has been working on and adopted an updated Housing Element of the Master Plan and Fair Share Plan on December 10, 2008; and

**WHEREAS**, The Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., specifies that conformance with the Regional Master Plan (Plan Conformance) requires revisions to municipal Master Plans and Development Regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

**WHEREAS**, the Borough of Lebanon lies within the Highlands Region planning area as defined by the Highlands Act; and

**WHEREAS**, the Borough of Lebanon shall simultaneously during the calendar year 2009 and prior to December 8, 2009, review its low and moderate income housing responsibilities under the jurisdiction of the Superior Court, and in relation to both the substantive certification guidelines of COAH, and the Plan Conformance Guidelines of the Highlands Council, so as to fashion a final Housing Element and Fair Share Plan best satisfying governmental requirements and the Borough's obligations, in the best interest of the citizenry; and

**WHEREAS**, the Governing Body of the Borough of Lebanon believes that it is in the best interest of the Borough to conform to the Regional Master Plan, and review its various options as anticipated in the Memorandum of Understanding (MOU) entered into between COAH and the Highlands Council.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Lebanon, County of Hunterdon, State of New Jersey, hereby provides the Highlands Council with this Notice of Intent to petition the Highlands Council for Plan Conformance; and

**BE IT FURTHER RESOLVED**, that it is the purpose of this Notice of Intent to provide the Highlands Council with formal notice which: (1) serves as justification for providing financial and technical assistance to municipalities as they prepare Petitions for Plan Conformance; and (2) assists the Highlands Council in developing a Plan Conformance Schedule to work with municipalities.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be served upon the Highlands Council, and the Council on Affordable Housing.

Introduced and adopted: December 29, 2008

\_\_\_\_\_  
Mark Paradis, Mayor

Ayes: 6

Nays: 0

Absent: 0

  
\_\_\_\_\_  
Michael Reino, Council President

### CERTIFICATION

I, Karen M. Romano, Lebanon Borough Acting Municipal Clerk hereby certify that this Resolution was duly adopted by the Governing Body of the Borough of Lebanon at a duly-noticed public meeting duly held on the 29th day of December, 2008; 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: December 29, 2008

  
\_\_\_\_\_  
Karen M. Romano  
Acting Municipal Clerk