



**LEBANON BOROUGH COMMON COUNCIL
MINUTES**

APRIL 21, 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: Councilman Burton, Councilman Reino, Council President Quick,
Councilman Coyle, Councilman Berger, Mayor Mark E. Paradis

Absent: Councilwoman Bross

Also Present: Attorney Joseph Novak, Clerk Karen Romano

MOMENT OF SILENCE:

Mayor Paradis stated a total of 4,410 United States Service Members had given their lives for our country for the war on terrorism. New Jersey total continues at 79. 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.

RESOLUTION # 57-2010:

Councilman Burton made a motion to approve Resolution 57-2010 the Consent Agenda with a second by Councilman Coyle.

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

**RESOLUTION # 57-2010
CONSENT AGENDA
April 21, 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. Lebanon Fire Company Report
3. St. Hubert Report
4. NJ Dept of Education
5. NHMC March Ticket and Disbursement

Introduced and adopted: April 21, 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Borough of Lebanon Council at a meeting duly held on the April 21, 2010 that this resolution has not been amended or repealed; and that it remains in full force and effect as of the date I have subscribed my signature.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: April 21, 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 Burton made a motion to accept the Regular Meeting Minutes of March 24, 2010, and the Executive Minutes of March 24, 2010. With a second by Councilman Berger.

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 April 2010. Councilman Coyle seconded the motion.

Report Printed 2010-05-16 13:44:15 Lebanon Borough
Check Register - (0110101001) CASH CHECKING

AMOUNT	DATE	CHECK #	PAID TO	AMOUNT	VOID
	VOID DATE	REASON			
	3/24/2010	5660	357 CLARKE CATON HINTZ		
25,060.43	4/07/2010	ONE INVOICE WAS CANCELLED			
	4/01/2010	99999	163 DEPOSITORY TRUST CO	120,000.00	(Transfer)
	4/01/2010	99999	163 DEPOSITORY TRUST CO	26,360.00	(Transfer)
	4/15/2010	99999	85 LEBANON BOROUGH PAYROLL	6,904.76	(Transfer)
	4/15/2010	99999	95 NJ STATE HEALTH BENEFITS PLAN	2,312.01	(Transfer)

4/21/2010	5718	403 AMERICAN PROTECTIVE SYSTEMS, INC	120.00	
4/21/2010	5719	86 RUTGERS, THE STATE UNIVERSITY OF NJ	77.00	
4/21/2010	5720	202 CENTURYLINK	194.63	
4/21/2010	5721	202 CENTURYLINK	240.12	
4/21/2010	5722	262 CENTURYLINK COMMUNICATIONS, INC	26.75	
4/21/2010	5723	357 CLARKE CATON HINTZ	24,217.43	
4/21/2010	5724	247 COMCAST	98.00	
4/21/2010	5725	6 CONLEY & SOZANSKY, LLC	1,332.19	
4/21/2010	5726	38 COUNTY OF HUNTERDON	539.17	
4/21/2010	5727	13 COUNTY OF HUNTERDON - COUNTY TAX	218,698.76	
4/21/2010	5728	14 COUNTY OF HUNTERDON - LIBRARY TAX	18,384.67	
4/21/2010	5729	15 COUNTY OF HUNTERDON- OPEN SPACE TAX	22,814.82	
4/21/2010	5730	325 ELEPHANT OUTLOOK	209.30	
4/21/2010	5731	39 ELIZABETHTOWN GAS	1,428.15	
4/21/2010	5732	243 EXAMINETICS INC.	1,375.50	
4/21/2010	5733	46 FERRIERO ENGINEERING	439.00	
4/21/2010	5734	83 HORIZON BLUE CROSS BLUE SHIELD NJ	341.55	
4/21/2010	5735	53 HUNTERDON COUNTY CLERK'S ASSO	12.00	
4/21/2010	5736	54 NJN PUBLISHING	268.10	
4/21/2010	5737	16 JCP&L	2,022.60	
4/21/2010	5738	283 JOSEPH HAUCK	31.45	
4/21/2010	5739	264 JOSEPH S. NOVAK	2,800.00	
4/21/2010	5740	167 KAREN ROMANO	16.75	
4/21/2010	5741	28 KASPER DISPOSAL SERVICE	4,832.96	
4/21/2010	5742	59 LEBANON BOROUGH BOARD OF EDUCATION	211,568.40	
4/21/2010	5743	100 LOCK-TECH	513.96	
4/21/2010	5744	294 MEENAN OIL CO	8.14	
4/21/2010	5745	253 NEW JERSEY STATE POLICE	3,913.44	
4/21/2010	5746	220 TREASURER, STATE OF NJ	368.00	
4/21/2010	5747	40 NJ PLANNING OFFICIALS	5.00	
4/21/2010	5748	42 NJ STATE LEAGUE OF MUNICIPALITIES	60.00	
4/21/2010	5749	42 NJ STATE LEAGUE OF MUNICIPALITIES	110.00	
4/21/2010	5750	70 NO HUNTERDON-VOORHEES REG HS DIST	186,959.02	
4/21/2010	5751	35 NORTH HUNTERDON MUNICIPAL COURT	296.31	
4/21/2010	5752	35 NORTH HUNTERDON MUNICIPAL COURT	640.73	
4/21/2010	5753	31 NOVAK & NOVAK	696.00	
4/21/2010	5754	233 PITNEY BOWES	75.00	
4/21/2010	5755	68 POLAND SPRING WATER CO	60.14	
4/21/2010	5756	20 QUILL CORPORATION	449.41	
4/21/2010	5757	7 SDG ALARMTRONICS	514.70	
4/21/2010	5758	303 SHARP ELECTRONICS CORPORATION	184.46	
4/21/2010	5759	369 STICKEL KOENIG & SULLIVAN	412.50	
4/21/2010	5760	43 TOWN OF CLINTON	5,908.50	
4/21/2010	5761	405 TOWNSHIP OF FRANKLIN	296.31	
296.31	4/23/2010	ISSUED TO NHMC		
	4/21/2010	5762 TOWNSHIP OF TEWKSBURY	2,100.92	
	4/21/2010	5763 11 VITAL SERVICES GROUP	325.00	
	4/21/2010	5764 192 WALMART BUSINESS	47.50	
	4/21/2010	5765 27 WASTE MANAGEMENT OF NJ INC	4,935.23	
	4/21/2010	5766 241 WILLIAM SHURTS, ESQ	180.00	
	4/30/2010	99999 85 LEBANON BOROUGH PAYROLL	9,937.30 (Transfer)	

				721,149.57
				165,514.07 Bank Transfers
				-296.31 ** Voided
				=====
				886,367.33
				-25,060.43 ** Voided checks issued
				=====
				861,306.90

in an earlier period

**Report Printed 2010-05-16 13:45:12 Lebanon Borough
Check Register - (0410101001) cash checking**

AMOUNT	DATE	VOID DATE	CHECK #	REASON	PAID TO	AMOUNT	VOID
	4/21/2010		5767		404 CHEM-DRY OF HUNTERDON CNTY	625.00	
625.00	4/21/2010			PRINTING ERROR			
	4/21/2010		5768		399 COOPER'S OFFICE FURNITURE	24,383.60	
24,383.60	4/21/2010			PRINTING ERROR			
	4/21/2010		5769		46 FERRIERO ENGINEERING	22,457.86	
22,457.86	4/21/2010			PRINTING ERROR			
	4/21/2010		5770		384 WILENTZ GOLDMAN & SPITZER PA	2,673.78	
2,673.78	4/21/2010			PRINTING ERROR			
	4/21/2010		5771		404 CHEM-DRY OF HUNTERDON CNTY	625.00	
	4/21/2010		5772		399 COOPER'S OFFICE FURNITURE	24,383.60	
	4/21/2010		5773		46 FERRIERO ENGINEERING	22,457.86	
	4/21/2010		5774		384 WILENTZ GOLDMAN & SPITZER PA	2,673.78	

							100,280.48
							-50,140.24 ** Voided
							=====
							50,140.24

**Report Printed 2010-05-16 13:45:51 Lebanon Borough
Check Register - (0310101001) TRUST FUND CASH CHECKING**

AMOUNT	DATE VOID DATE	CHECK # REASON	PAID TO	AMOUNT	VOID
	4/07/2010	216	402 WATER GAP TROLLEY	300.00	
	4/21/2010	205	2 MGL FORMS-SYSTEMS, LLC	515.00	

				815.00	
				=====	
				815.00	

ESCROW-April 2010

4/14/2010	William Shurts	\$ 90.00	123043N	Jan-10	Clinton Care Care
4/14/2010	William Shurts	\$ 60.00	123046N	Jan-10	Coach House
4/14/2010	William Shurts	\$ 90.00	123046N	Mar-10	Coach House
4/14/2010	William Shurts	\$ 90.00	123026N	Dec-09	Bourbon St
4/14/2010	Ferriero Engineering	\$ 840.00	43180	Feb-10	1391 Rt. 22 East
4/14/2010	William Shurts	\$ 105.00	123044N	Jan-10	1391 Rt. 22 East
4/14/2010	William Shurts	\$ 60.00	123044N	Feb-10	1391 Rt. 22 East
4/14/2010	William Shurts	\$1,140.00	123044N	Mar-10	1391 Rt. 22 East
4/14/2010	William Shurts	<u>\$ 195.00</u>	123045N	Jan-10	JDN Properties
		\$2,670.00			

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 #1:

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

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

HIGHLANDS PRESENTATION:

Elizabeth Mc Manus

Elizabeth McManus discussed the deadline with the Governing body to submit a housing element and fair share plan to NJ State Superior Court by June 8, 2010. As part of the submission, the Borough will request Court approval of the housing element and fair share plan (also known as a judgment of repose). Ms. McManus then went on to explain the Borough's affordable housing obligation and how it can be met. The Borough has many affordable housing credits that can be applied to its affordable housing obligation. There are three components to the total obligation:

1. The rehabilitation obligation. This obligation, which is calculated by Council on Affordable Housing (COAH) is the number of deficient housing units in the Borough that are occupied by low and moderate income households. COAH has calculated the Borough's rehabilitation obligation to be three units.
2. The prior round obligation. This obligation, also calculated by COAH, is the sum of the first and second round new construction obligations. COAH has calculated the Borough's prior round obligation to be 34 units.
3. The third round obligation. This obligation is based on growth share from actual growth from 2004 through 2008 plus growth share from the Highlands Regional Master Plan build-out for Lebanon Borough. This obligation is 30 units.

4. The Borough's two inclusionary developments – Presidential Place, adjacent to Route 78, and the Heights of Lebanon, adjacent to the train station, satisfy the entirety of the prior round obligation and nearly all of the third round obligation. Only a two unit gap remains in the third round. Borough must satisfy the rehabilitation obligation.

After the Coach House LLC application received approval for the creation of two affordable accessory apartments, Ms. McManus presented the Governing Body with an option. The Borough may use the two Coach House LLC accessory apartments to satisfy the remaining third round obligation; as such, the Borough would need to operate a 3 unit rehabilitation program to complete the satisfaction of the affordable housing obligation. Alternatively, the two Coach House LLC units and one unit from Presidential Place could be utilized to satisfy the rehabilitation obligation; as such, the Borough would need to operate a 3 unit accessory apartment program to complete the satisfaction of the affordable housing obligation. While the Planning Board recommended that the Coach House LLC units and one

unit from Presidential Place be used to satisfy the rehabilitation obligation, they requested that the Governing Body make the final decision.

PUBLIC SAFETY DISCUSSION:

Kevin Saharic, Chief Lebanon Fire Company
Frank Setnicky, Chief Clinton First Aid and Rescue
Alexander Saharic, Lebanon Borough OEM Chairman

During a Budget work session CFO Kay Winzenreid questioned Fire Chief Kevin Saharic as to why the Borough had two Rescue Squads. After researching the topic, Chief Saharic discovered Clinton First Aid and Rescue covered 75 % of the town while Whitehouse Rescue covered 25%. Clinton First Aid and Rescue and Whitehouse Rescue shared equally the allotted sum of \$8000. After reviewing the current situation with OEM Chairman Saharic and Chief Frank Setnicky of Clinton Rescue many other factors came into review. Lebanon Borough, since the last agreement was made, had added 150 rental units on Cokesbury Road and 120 units on Railroad Avenue. The current agreement no longer fit Lebanon Borough's needs. Chief Setnicky offer the Lebanon Fire Company the placement of an Ambulance in the Fire Department Garage on Main Street from Monday thru Friday 10 am to 3 pm staffed and full coverage from their Main Street Clinton location for the remaining time, covering Lebanon Borough as the sole provider 24/7. Clinton First Aid and Rescue would in turn receive the total allotment of \$8000. Clinton Rescue would also share various equipment with Lebanon Fire Company and recruit from Lebanon Borough.

BUILDING RENOVATION: DEI

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 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

OPEN PUBLIC SESSION ORDINANCE 2010-05:

Councilman Burton made a motion to open the public session. Councilman Reino 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.

ORDINANCE# 2010-05

Councilman Reino made a motion to adopt Ordinance 2010-05 with a second by Councilman Burton.

Attorney Novak explain the nature of the Capital Improvement Ordinance. The proposed ordinance would be placed in effect to be spent over a five year period.

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

ORDINANCE #2010-05

**AN ORDINANCE PROVIDING FOR
THE IMPROVEMENT TO ROADS
BY THE BOROUGH OF LEBANON,
IN THE COUNTY OF HUNTERDON, NEW JERSEY,
APPROPRIATING \$700,000 THEREFORE AND AUTHORIZING
THE ISSUANCE OF \$665,000 BONDS OR NOTES OF THE
BOROUGH FOR FINANCING THE COST THEREOF**

BE IT ORDAINED by the Council of the Borough of Lebanon in the County of Hunterdon, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Lebanon, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$700,000 including the sum of \$35,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$665,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the Improvement to Roads.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes hereunder shall mature at such times as may be determined by the Chief financial officer; provided that none shall mature later than one year from its date. The notes shall bear interest at such rate and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the note shall be conclusive evidence as to all such determinations. All notes issued hereunder may

be renewed from time to time subject to the provisions of NJSA 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof.

The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$665,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$140,000, for items of expense listed in and permitted under NJSA 40A:2-20 is included in the estimated cost indicated herein for the purpose of improvement.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 7. This bond ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ATTEST:

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC
Borough Clerk

R. Gary Quick, Council President

Vote after public hearing and upon final adoption:

Berger 1

Bross 0

Coyle 1

Quick 1

Reino 1

Burton 1

Ordinance approved by the Governing Body and presented to the Mayor on April 21, 2010.

Veto in Whole or Part:

Approved:

Mark Paradis, Mayor
Date:

Mark Paradis, Mayor
Date:

Returned to Borough Clerk with statement attached on _____, 2010

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on March 24, 2010 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 April 21, 2010 at 7:00 p.m. at 6 High Street, Lebanon, New Jersey 08833.

Karen M. Romano, RMC
Borough Clerk

**INTRODUCED: March 24, 2010
ADOPTED: April 21, 2010**

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

NOTICE OF FINAL PASSAGE

ORDINANCE 2010-5

NOTICE

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 24th day of March 2010, and the same came up for final passage at a meeting of the 21st day of April 2010 said Borough Council on the at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Lebanon, County of Hunterdon and State of New Jersey.

Karen M. Romano, RMC
Borough Clerk

INTRODUCED: March 24, 2010
ADOPTED: April 21, 2010

The motion to introduce 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 # 58-2010:

Councilman Coyle made a motion to approve Resolution 58-2010 with a second by Councilman Berger.

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

RESOLUTION #58-2010

WHEREAS, the Borough of Lebanon desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Service in the amount of \$5,706.70 and

THEREFORE, BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Lebanon that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2010 Budget under the following caption:

Recycling Tonnage Grant -2009

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Office of the Director of Local Government Service.

Introduced and adopted: April 21, 2010

LEBANON BOROUGH COUNCIL

Ayes: 5

Nays: 0

Absent: 1

R. Gary Quick,
Borough Council President

ATTEST:

Karen Romano, RMC
Borough Clerk

CERTIFICATION

I, Karen M. Romano, Borough Clerk, do hereby certify that the above resolution is a true and correct copy of a resolution adopted by the Council of the Borough of Lebanon at a regular and duly convened meeting held on April 21, 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 #59-2010:

Councilman Burton made a motion to approve Resolution# 59-2010 with a second by Councilman Coyle.

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

RESOLUTION # 59-2010

**DEFERRAL OF SCHOOL TAXES
NORTH HUNTERDON REGIONAL HIGH SCHOOL DISTRICT**

WHEREAS, regulations of the State of New Jersey provide for the deferral of school taxes in an amount not to exceed fifty percent of the annual school tax levy when such taxes are raised on a fiscal year basis (school year July 1 through June 30); and

WHEREAS, said taxes subject to deferral have not been requisitioned by or paid to the school district; and

WHEREAS, it is the desire and intent of the Governing Body of Lebanon Borough, County of Hunterdon, to avail the Borough of the deferral as permitted by regulations promulgated by the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs; and

WHEREAS, fifty percent of the school tax levy of the North Hunterdon Regional High School District is \$560,877.10

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Lebanon, County of Hunterdon, hereby authorize the Chief Financial Officer of the Borough to defer \$ 336,526.26 of school taxes as permitted by the aforementioned regulation; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Chief Financial Officer of the Borough and the Director of the Division of Local government Services, Department of Community Affairs.

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Absent: 1

R. Gary Quick,
Borough Council President

ATTEST:

Karen 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 Common Council at a meeting duly held on the 21st of April, 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: April 21, 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 #60-2010:

Councilman Coyle made a motion to pass Resolution #60-2010 with a second by Councilman Reino.

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

RESOLUTION # 60-2010

DEFERRAL OF SCHOOL TAXES LEBANON SCHOOL DISTRICT

WHEREAS, regulations of the State of New Jersey provide for the deferral of school taxes in an amount not to exceed fifty percent of the annual school tax levy when such taxes are raised on a fiscal year basis (school year July 1 through June 30); and

WHEREAS, said taxes subject to deferral have not been requisitioned by or paid to the school district; and

WHEREAS, it is the desire and intent of the Governing Body of Lebanon Borough, County of Hunterdon, to avail the Borough of the deferral as permitted by regulations promulgated by the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs; and

WHEREAS, fifty percent of the school tax levy of the Lebanon School District is \$1,157,038.00

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Lebanon, County of Hunterdon, hereby authorize the Chief Financial Officer of the Borough to defer \$1,157,038.00 of school taxes as permitted by the aforementioned regulation; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Chief Financial Officer of the Borough and the Director of the Division of Local government Services, Department of Community Affairs.

Introduced and adopted:

LEBANON BOROUGH COUNCIL

Ayes: 5

Nays: 0

Absent: 1

R. Gary Quick,

Borough Council President

ATTEST:

Karen 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 Common Council at a meeting duly held on the 21st day of April 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: April 21, 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 # 61-2010:

Councilman Coyle made a motion to approve Resolution 61-2010 with a second by Councilman Berger.

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

RESOLUTION #61-2010

INTRODUCTION OF MUNICIPAL BUDGET OF THE BOROUGH OF LEBANON, COUNTY OF HUNTERDON FOR THE FISCAL YEAR 2010

BE IT RESOLVED that the following statements of revenue and appropriations shall constitute the Municipal Budget for the year 2010;

BE IT FURTHER RESOLVED that said Budget be published in the Hunterdon County Democrat in the issue of May 6, 2010.

The Governing Body of the Borough of Lebanon does hereby approve the following as the Budget for the year 2010.

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building on May 19, 2010 at 7:30 PM at which time and place objections to said Budget and Tax Resolution for the year 2010 may be presented by taxpayers or other interested persons.

Introduced: April 21 2010

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Abstain: 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 Common Council at a meeting duly held on the 21st of April 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: April 21, 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 # 62-2010:

Councilman Reino made a motion to approve Resolution 62-2010 with a second by Councilman Coyle.

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

RESOLUTION #62-2010

**RESOLUTION DESIGNATING THE CLINTON FIRST AID AND RESCUE SQUAD AS THE SOLE
PROVIDER OF EMERGENCY MEDICAL SERVICES IN THE
BOROUGH OF LEBANON**

WHEREAS, The Clinton First Aid and Rescue Squad currently provides emergency medical services within the municipal boundaries of Lebanon Borough; and,

WHEREAS, Lebanon Borough has been satisfied with this service and wishes to continue same; and,

WHEREAS, The Clinton First Aid and Rescue Squad has proposed placing an emergency vehicle within the Borough of Lebanon which will provide great capability and respond time to the residents of the borough and.

WHEREAS, the Borough Council has taken in consideration budget cuts, OEM mapping and the recommendation of various service agencies,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of Lebanon Borough, County of Hunterdon, State of New Jersey, that:

1. The Clinton First Aid and Rescue Squad is hereby designated as the sole and inclusive emergency medical provider within the boundaries of Lebanon Borough
2. The Clinton First Aid and Rescue Squad will work in tandem with the Lebanon Volunteer Fire Department in handling all Fire/Rescue/Emergency Medical issues within the boundaries of Lebanon Borough.
3. The Chief of the Lebanon Volunteer Fire Company is hereby designated as the liaison between the governing body of Lebanon Borough, the Clinton First Aid and Rescue Squad, and the Lebanon Volunteer Fire Department.

Introduced: April 21 2010

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Abstain: 0
Absent: 1

R. Gary Quick
By: 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 Common Council at a meeting duly held on the 21st of April 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: April 21, 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 # 63-2010:

Council President Quick made a motion to approve Resolution 63-2010 with a second by Councilman Reino.

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

**RESOLUTION # 63-2010
TMB-04**

WHEREAS, the governing body has commenced the renovation of the Borough Municipal Building, working in conjunction with its Buildings and Grounds Committee and the Special Advisory Committee on the renovation project; and

WHEREAS, a Change Order request has arisen during construction necessitated because of a Field Condition including which have been uncovered, practical considerations for modifications or inclusion of additional features to enhance the completed project, or emergent tasks which must be accomplished in a timely manner so as to not delay the project; and

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Lebanon with regard to the Municipal Building renovation project that the Change Order to TM Brennan for a sum not-to-exceed \$12,480.00 for modifications to the exhaust fans throughout the building has been approved.

Introduced: April 21, 2010

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Abstain: 0
Absent: 1

R. Gary Quick
By: 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 Common Council at a meeting duly held on the 21st of April 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:
April 21, 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 # 64-2010:

Council President Quick made a motion to approve Resolution 63-2010 with a second by Councilman Reino.

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

**RESOLUTION # 64-2010
J. Tufaro & Sons**

WHEREAS, the governing body has commenced the renovation of the Borough Municipal Building, working in conjunction with its Buildings and Grounds Committee and the Special Advisory Committee on the renovation project; and

WHEREAS, a Change Order request has arisen during construction necessitated because of a Field Condition including which have been uncovered, practical considerations for modifications or inclusion of additional features to enhance the completed project, or emergent tasks which must be accomplished in a timely manner so as to not delay the project; and

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Lebanon with regard to the Municipal Building renovation project that the Change Order to J. Tufaro & Sons not to exceed a sum of \$2,185.00 for additional heat detectors in the attic as requested by the Fire Department has been approved.

Introduced: April 21, 2010

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Abstain: 0
Absent: 1

R. Gary Quick
By: 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 Common Council at a meeting duly held on the 21st of April 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:
April 21, 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 # 65-2010:

Councilman Burton made a motion to approve Resolution 65-2010 with a second by Councilman Reino.

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

**RESOLUTION # 65-2010
Rampart Construction**

WHEREAS, the governing body has commenced the renovation of the Borough Municipal Building, working in conjunction with its Buildings and Grounds Committee and the Special Advisory Committee on the renovation project; and

WHEREAS, a Change Order request has arisen during construction necessitated because of a Field Condition including which have been uncovered, practical considerations for modifications or inclusion of additional features to enhance the completed project, or emergent tasks which must be accomplished in a timely manner so as to not delay the project; and

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Lebanon with regard to the Municipal Building renovation project that the Change Order to Rampart Construction not to exceed a sum of \$7,000 for additional handicap accessories as requested by the Building Committee has been approved.

Introduced: April 21, 2010

LEBANON BOROUGH COUNCIL

Ayes: 5
Nays: 0
Abstain: 0
Absent: 1

R. Gary Quick
By: 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 Common Council at a meeting duly held on the 21st of April 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:
April 21, 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 # 66-2010:

Councilman Burton made a motion to approve Resolution 66-2010 with a second by Councilman Reino.

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

RESOLUTION #66-2010

WHEREAS, the Borough of Lebanon would like to provide Branch Chipping services to Borough Residences for the Spring of 2010, and

WHEREAS, the Borough solicited 7 quotes, and received 7 quotes for this service; and

WHEREAS, Pine Brook Landscape/Nursery, Inc has submitted the lowest quote of \$135.00 per hour for a 2-man crew and equipment for such services.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Lebanon that a Branch Chipping contract for 2010, be awarded to Pine Brook Landscape/Nursery in the amount of \$135.00 per hour not to exceed \$3000.00.

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

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 April 21, 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: April 21, 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

COMMITTEE/COMMISSION/BOARD UPDATES:

William Skene of 6 Nitzer Ave asked Council if anyone was working of the tax levy for North Hunterdon Voorhees Regional High School. Councilman Burton stated three members of council were working with NHVRHS Board of Education to study the situation and reach a better conclusion.

Chairman Hauck requested the Environmental Budget be added to the Budget. The figure was missing. Auditor Colantano agreed to insert an amendment. Mr. Hauck also requested Council introduce the proposed Shade Tree replacement ordinance.

Chairman Hauck reported the Environmental Commission was having a talk in front of the Liberty Elm Tree on April 22, 2010 at 9 a.m. for all those who would like to attend.

Councilman Burton reported both the Lebanon Borough School Budget and North Hunterdon Regional High School Budget had failed at the polls. Mayor Paradis would be meeting with both Boards for discussion. Councilman Burton also reported he and Councilman Coyle would be meeting with NHVRHS Board of Education to find out why Lebanon Borough is paying \$40,000 per student to attend the High School.

OPEN PUBLIC SESSION #2:

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

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

Mayor Paradis requested a motion to enter into Executive Session.

RESOLUTION #67-2010:

Councilman Reino made a motion to approve Resolution 67-2010 with a second by Councilman Coyle.

BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY

RESOLUTION # 67-2010

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:
Ayes: 5
Nays: 0
Absent: 1

LEBANON BOROUGH COUNCIL

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 April 21, 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 requested a motion to return from Executive Session at 10:20PM.

Councilman Reino made a motion to return with a second by Councilman Burton.

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 # 68-2010:

Council President Quick made a motion to approve Resolution 68-2010 with a second by Councilman Reino.

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

**RESOLUTION # 68 - 2010
Integrated Micro Systems, Inc.**

WHEREAS, the governing body has commenced the renovation of the Borough Municipal Building, working in conjunction with its Buildings and Grounds Committee and the Special Advisory Committee on the renovation project; and

WHEREAS, a need has arisen during construction necessitated because of a Field Condition including which have been uncovered, practical considerations for modifications or inclusion of additional features to enhance the completed project, or emergent tasks which must be accomplished in a timely manner so as to not delay the project; and

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Lebanon with regard to the Municipal Building renovation project that the Construction Manager, Design Enterprises, Inc. recommends engagement of Integrated Micro Systems, Inc. to perform specific Telecommunications and associated services in for a sum of \$1,400.00 for additional cabling where designated has been approved.

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 April 21, 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: April 21, 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

ADJOURN:

Councilman Reino moved and Councilman Berger seconded a motion to adjourn, there being no further business to come before Council. The meeting was adjourned at 10:50 PM by unanimous vote.

Respectfully Submitted

Karen M. Romano, RMC
Borough Clerk