



**LEBANON BOROUGH
COMMON COUNCIL
MINUTES**

July 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: Council President Quick, Councilman Reino, Councilman Burton, Councilman Berger,
Mayor Mark E. Paradis

Absent: Councilman Coyle and Councilwoman Bross (*excused)

Also Present: Attorney Joseph Novak, Clerk Karen Romano

MOMENT OF SILENCE:

Mayor Paradis stated a total of 4,726 United States Service Members had given their lives for our country for the war on terrorism. New Jersey total continues at 82. 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 ADMINISTRATION PROPOSALS: Beth McManus

Mrs. McManus presented the following COAH Administration vendors to Council. She explained the three quotes received and recommended NORWESCAP. NORWESCAP offer their services for \$800.00(not to exceed) annually or \$50.00 per hour.

AFFORDABLE HOUSING PROGRAM ADMINISTRATION AGENT

COMPANY	LEBANON RETAINER	DEVELOPER FEE	RE-SALE	RE-RENTAL
Rehavco,Inc	\$5000.00 annual fee	\$475 each unit	1% of sale price	\$200 per unit
CGP&H	\$10,500.00 annual fee	\$575 each unit	1% pf sale price	
NORWESCAP	\$800.00 annual fee just Coach House LLC			
	\$16,800.00 44 units			

CLARKE CATON HINTZ: Carl Hintz, Planner

Mr. Hintz reported there were to be a few minor changes regarding the final submittal to the Highlands Council after speaking to Council. The changes would be made and the Public session would be scheduled after August 7th.

OPEN PUBLIC SESSION #1:

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

Glen Pantel: 78 Corporate Center at Lebanon

Addressed Council regarding the issues set forth in my July 1, 2010 letter to Mayor Paradis and Messrs. Hintz and Sabaric, i.e. the following points which we have raised on behalf of Bellemead:

1. The entirety of the 78 Corporate Center at Lebanon (the "Corporate Center") should be included within the Existing Community Zone.
2. The Borough's Model Land Use Ordinance, proposed in connection with its opting in to the Highlands program, should include language making it clear that the entirety of the Corporate Center may be developed in the future, free of any limitations which may otherwise be imposed by Highlands Water Protection and Planning Act.

As you know, we are hopeful of working cooperatively with the Borough in an effort to resolve these issues in connection with the Borough's response to the Highlands Council's Draft Preliminary Consistency Review and Recommendations Report. That Borough response is, according to the Highlands Council website, due on August 7, 2010. We believe it is very important to have appropriate dialogue with Borough in advance of that date (and we have not yet been able to schedule a meeting with the Borough representatives in response to my July 1st letter).

Alexander Saharic 58 Main Street asked Council what the status of the repairs of the OEM build at 96 Main Street was. Council President Quick stated they were moving forward and work was schedule for August 16th.

Karen and Scott Murphy, William Ross, of Brunswick Ave and Raymond Kumpf of Central Street voiced their concerns regarding the construction of sidewalks on Central Street. They were disappointed that they did not know of the project prior to the letter received by the town engineer. Mrs. Murphy suggested making the road a dead end or a one-way. Mr. Kumpf concerns were with the control of water run off. Councilman Reino explain that the Central Street project has been an on going project for the past two years. The project was to be funded by a grant received by the NJDOT. The plans of the project can be reviewed in the Clerk's office and Bob Brightly the town Engineer would be happy to answer any questions or concerns.

Alex Patullo Coach House LLC. Documented and distributed continuing problem with the office of the building code official.

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

BUILDING RENOVATION: DEI

MONTHLY PROGRESS REPORT

DATE: January 20, 2010

TO: BOROUGH OF LEBANON
ATT: BOROUGH COUNCIL
FROM: DAVID G. TILLOU

Council,

The following is the status of the subject projects as of this date:

The following has been completed:

- HVAC basement units are 100% completed. Roof Top Units are 100% completed, and the "start-up" is complete. All units are working. The silencer has been installed.
- Sprinkler installation 100% complete
- HVAC controls are 100% complete. Programming is complete. One training period has been given another will be scheduled
- Telecommunications is 100% complete.
- Baseboard heat is turned on and controlled.
- New toilet rooms are 100% complete

- Site work is 100% complete

The following is scheduled to be completed over the next month

- Certificate of Occupancy – we have been in contact with Mike Wright and the only issue we know he has is the rotation of the HVAC units on the roof.
- Schaible is scheduled to be on site Friday, July 23rd with the expansion tank required by the insurance company's inspector.

Change Orders to discuss:

- Rampart for \$7,054.00 for additional work on the site including; the excavation and removal of the piping that was creating leaks at the archive room, the removal, of the hedges on the High Street side of the building and installation of topsoil, and miscellaneous additional work at the street to repair all open issues.

Additional invoicing to discuss:

- JTS for \$1,837.60 for the work associated with the demolition of the basement.
- We were asked to solicit pricing for a total clean up of the project, along with MSDS for the chemicals proposed to be used. We received the following pricing;
 - Eastern Services - \$3,413.13 for cleaning; all windows, inside & out, walls up to 8'0" high, vacuuming all carpet and hot water extract, refinish VCT floors with 4 coats of wax, all restrooms, and in the basement dust all surfaces and sweep & wash concrete floor. Their MSDS are attached.
 - Dublin Maintenance - \$4,750.00 for cleaning; all windows inside & out, all carpet with anti-bacterial disinfectant, machine scrubbing all VCT and applying 2 coats of finish, machine scrubbing ceramic tile floor in four restrooms, washing all walls, scrub & clean all concrete walls in basement and mop clean all concrete floors. Their MSDS are attached.
- We were also asked to solicit firms to clean the duct work. We solicited pricing from the following;
 - Anthony Paterno – 973-223-9884 – he walked the job and said you may be wasting your money at this time because of the duct work being so new. Awaiting pricing.
 - Ultraclean – 908-537-6058 – Chris said he wanted \$850.00 to thoroughly clean the duct work
 - Chute Master – 800-234-4656 – Larry said he will be at the site Monday July 26th. Awaiting pricing.
 - Clean as a Whistle – 800-328-9980 – Pete said he will be on site today, July 21st. Awaiting pricing.
 - USA Air Management - 877-811-5131 – Alex said he walk through the site on Thursday. Awaiting pricing.

We were asked to demolish several areas of the basement. After one attempt, Gary and Rich (I was told) marked more areas to demolish. DEI hired Foran & Associates to accomplish the demolition and removal of the walls, etc. the ceilings were exposed as they are in poor shape. We want to know what the Council would like to do with the ceilings. We are waiting invoicing from Foran to pass on to the Council.

MEMORANDUM

DATE: July 18, 2010

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

Council,

I would like to take this opportunity to list what happened regarding the site over the past few days.

- After the initial clean up that was performed during the week of July 6th, Gary & Rich marked some more areas they wanted removed. DEI met with Foran & Associates (F&A) to go over the scope of work. DEI also met with J. Tufaro & Sons (JTS) to review what was done and what was needed to be done.
- **July 13th** – met JTS and F&A to review the added scope of work. Stryker was there to replace the hot water heater. The floor drain was backing up and draining slowly. DEI asked Stryker if he could snake out the drain but he didn't have the equipment to clear the drain.
- **July 14th** – F&A completed the scope of work they were asked to perform (except the relocation of the sink). JTS was at the site but they needed no direction. I had a meeting at Harding Town Hall where I have no cell service. My meeting lasted from 10:30AM to 1:00PM. When I left I called my office for messages and was told Karen, Mark and Gary had called me. On my way to Franklin, I called Karen (no answer) and Gary (was told he was out for an hour). I then called Kay who gave me Karen's cell number. I contacted Karen, but all she could say was methane gas was found and she couldn't talk to me at that time but she wanted me to call her back later.
- I called Brooks Mechanical and told him what I heard. He said the only way methane could be present at the floor drain was that the trap dried out. That condition was improbable because only a few months ago the sprinkler system was flushed down this floor drain. On top of that the water heater had failed and drained down the same floor drain.
- I went to Franklin where I have no cell service. My meetings lasted from 2:00PM to 8:40PM. To further exasperate the situation, Franklin's phone line had been severed and they were without telephone service. I then called Karen's cell at 8:50 on my way home and again 9:25PM. I could only leave messages.
- **July 15th** – Karen called my office around 7:00AM to bring me up to speed regarding what happened in her view. This included the methane gas, and leaks from the ceiling in a few areas. I called Jay Perantoni and relayed the circumstances from Karen's perspective. Jay thought if the sewer backed up and was combined with the water heater's water, methane gas could have been created because of the mixture of decomposing material with the water. It would then be forced out of the lowest "relief" point in the building.
- I called Stryker and met "Joe" at the site at 11:00AM. We asked Stryker to; a. snake the sewer to the street and b. send a camera down the sewer to assess if any blockages exist. I discussed this with Gary and he thought we should scope the storm sewer also to assess that system. I also called Strober to assess why the roof seemed to be leaking. I also called Brooks to see if they wanted to participate in the investigation. They said they would be available by phone. I then called TMB to discuss the possibility that the HVAC units were leaking and I was going to meet Strober there on Friday. They were going to make an effort to be there.
- **July 16th** – met Stryker, TMB and JTS at 7:00AM. Stryker and TMB went to the roof and I

talked about what happened the day before with JTS. After Strober and TMB examined the HVAC units I met with both of them. TMB admitted there were some issues with their installation and stated they would stay there until they completed. Strober caulked a seam they thought was suspect, but didn't feel it was contributing to the leaks. Strober did find missing grout above the door at the lobby of the Executive meeting room. I called Rampart to have the repair the grout. The Owner was at a funeral in California therefore, this will not be repaired until he returns.

- I met Stryker at 8:00AM. They immediately started snaking the floor drain. They couldn't get past the backflow preventer that is located a few feet past the floor drain. They moved to the clean out that is located 6'0" from the boiler room door. They found "dips" in the piping at four locations. I will discuss this with both Brooks and Rampart to assess if the sewer should be dug up and replaced. The sewer was found to be clear, but many of the connections were "offset" or not perfectly aligned. Stryker and I agreed that this may contribute to potential blockages.
- We watched the screen while Stryker was pushing the camera along the sewer lines. We have prepared two sketches to reflect the approximate locations of the dips in the lines. This starts at the clean out near the boiler room door and continues along the sewer line until the exterior clean out on the North side of the meeting room. We then pick it up at the clean out and continue into the street. We marked a dip with number 1 under the crawl space, and then a series of exterior issues with A (one foot of water, 3/4" deep), B (one foot of water 3/4" deep), C (a wye), D (one foot of water 1" deep), E (3'0" of water 3/4" deep) and F (a wye). The balance of the sewer was found to be empty.
- We also sent the camera down the storm sewer from the leader at the northeast corner of the meeting room and found it clear.
- I discussed the electrician's progress with JTS. They said they were completed with all relocations except for the smoke detector. They will relocate that when they install the detectors in the attic.
- Foran & Associates were completed with all of the removals we designated.
- I received a call from Westchester Environmental and he said the air samples were back from the lab and he would forward the results soon.
- During the incident on July 14th it was mentioned that the alarm system did not call for "gas detection". If the Council wants methane, carbon monoxide or carbon dioxide, it could be added at a cost.
- Gary & Rich asked us to solicit pricing for duct cleaning. We contacted several firms and they are assessing the facility. The majority of the contractors offered the opinion that you may be wasting your money at this time.

RESOLUTION # 90-2010:

Council President Quick made a motion to approve Resolution 90-2010 the Consent Agenda with a second by Councilman Berger.

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

**RESOLUTION #90 -2010
CONSENT AGENDA
July 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. Letter from Prime Disposal Inc.
2. NH Municipal Court Report 2010
3. County Tax Letter
4. Clinton First Aid 2009 Audit Report
5. St. Hubert's Report
6. Sue Lachenmayr's Resignation
7. LBSA letter regarding
8. Small Cities Grant

Introduced and adopted: July 21, 2010

Ayes: 4
Nays: 0
Absent: 2

. 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 July 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: July 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,**

NO:

None

ABSENT: Councilwoman Bross and Councilman Coyle
ABSTAIN: None

APPROVAL OF MINUTES:

Councilman Reino made a motion to accept the Regular Meeting Minutes of May 19, 2010.
With a second by Council President Quick

The motion passed by the following roll call vote:

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

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

APPROVAL OF EXPENDITURES:

Councilman Berger made a motion to approve the bill list for July 2010.
Councilman Burton seconded the motion.

Report Printed 2010-07-21 16:39:27 Lebanon Borough

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
Current Fund			
320 - APGAR POWER SWEEPING CORP	PO 3288 STREET SWEEPING, INV 17346	1,500.00	1,500.00
86 - RUTGERS, THE STATE UNIVERSITY OF NJ	PO 3307 REGISTRAR RECERTIFICATION SEMINAR 4	77.00	77.00
202 - CENTURYLINK	PO 3308 LOCAL PHONE SVC, ACCT 908-236-6228-	28.93	28.93
202 - CENTURYLINK	PO 3309 LOCAL PHONE SVC, ACCT 908-236-6111-	28.64	28.64
202 - CENTURYLINK	PO 3310 LOCAL PHONE SVC, ACCT 908-236-0410-	10.79	10.79
202 - CENTURYLINK	PO 3311 LOCAL PHONE SVC, ACCT 908-437-0389-	162.51	162.51
202 - CENTURYLINK	PO 3332 PHONE SVC FOR ACCT 1003710519	49.60	49.60
357 - CLARKE CATON HINTZ	PO 3227 PROF SVCS FOR APRIL 2010, INV 4843	8,722.09	8,722.09
357 - CLARKE CATON HINTZ	PO 3270 PROF SVCS FOR MAY 2010, INV 48563/4	5,957.07	5,957.07
357 - CLARKE CATON HINTZ	PO 3323 PROF SVCS FOR JUNE 2010, INV 48926/	5,350.81	5,350.81
107 - CLINTON BUSINESS PRODUCTS, INC	PO 3269 OFFICE SUPPLIES, ACCT 1452	639.09	639.09
254 - CLOVER HILL LANDSCAPING LLC	PO 3271 LAWN SVC FOR 2010 SEASON, INV2312 3	1,430.35	1,430.35
254 - CLOVER HILL LANDSCAPING LLC	PO 3287 LAWN SVC FOR 2010 SEASON, INV 2358	1,430.35	1,430.35
247 - COMCAST	PO 3285 BUSINESS CLASS PHONE SVC, ACCT 0172	387.22	387.22
6 - CONLEY & SOZANSKY, LLC	PO 3282 SPECIAL TAX COUNSEL SVC FOR MAR/APR	1,440.98	1,440.98
38 - COUNTY OF HUNTERDON	PO 3336 GASOLINE AND DIESEL FUEL FOR JUNE 2	451.09	451.09
132 - COUNTY OF HUNTERDON	PO 3341 PERSONNEL SERVICES FROM SHERIFFS OF	1,320.00	1,320.00
13 - COUNTY OF HUNTERDON - COUNTY TAX	PO 3338 3RD QTR COUNTY TAX	218,698.76	218,698.76
14 - COUNTY OF HUNTERDON - LIBRARY TAX	PO 3337 3RD QTR LIBRARY TAX	18,384.67	18,384.67
15 - COUNTY OF HUNTERDON- OPEN SPACE TAX	PO 3318 3RD QTR OPEN SPACE TAX	22,814.82	22,814.82
325 - ELEPHANT OUTLOOK	PO 3302 EMAIL SERVICE FORJULY 2010, INV E5	209.30	209.30
111 - ELIZABETH C MCKENZIE	PO 3272 PROF PLANNING SVCS FOR MAY/JUNE 201	187.50	187.50
46 - FERRIERO ENGINEERING	PO 3273 STORMWATER PLANNING, INV 43896	96.14	96.14
12 - HK BUZBY & SONS	PO 3230 SUPPLIES FOR BLDG/GRDS, INV 290176/	42.16	42.16
12 - HK BUZBY & SONS	PO 3334 CONTRACTOR BAGS/TRIMMER LINE, INV 2	36.08	36.08
83 - HORIZON BLUE CROSS BLUE SHIELD NJ	PO 3304 DENTAL INSURANCE FOR JULY & AUGUST	357.58	357.58
215 - HUNTERDON COUNTY CLERKS OFFICE	PO 3275 ELECTION EXPENSES 2010	887.31	887.31
54 - NJN PUBLISHING	PO 3293 LEGAL ADS FOR JUNE 2010, ACCT L9011	97.44	97.44
54 - NJN PUBLISHING	PO 3329 LEGAL ADS FOR JULY 2010, ACCT L901	89.37	89.37
412 - INCLUSION SOLUTIONS, LLC	PO 3291 ELECTION SUPPLIES, INV 5790	270.90	270.90
16 - JCP&L	PO 3276 ELECTRIC SVCS FOR ACCT 100063647000	3,740.21	3,740.21
16 - JCP&L	PO 3339 ELECTRIC SVCS FOR ACCT 100006414352	247.14	247.14
264 - JOSEPH S. NOVAK	PO 3183 PROFESSIONAL LEGAL SVC AGREEMENT FO	2,800.00	2,800.00
264 - JOSEPH S. NOVAK	PO 3340 BOARD OF HEALTH LEGAL AGREEMNET	1,400.00	1,400.00
167 - KAREN ROMANO	PO 3333 MILEAGE REIMBURSEMENT TO SEMINARS A	125.40	125.40
28 - KASPER DISPOSAL SERVICE	PO 3170 TRASH REMOVAL SVC FOR JUN 2010, CON	4,832.96	4,832.96
28 - KASPER DISPOSAL SERVICE	PO 3328 STREET SWEEPING FOR JULY 4TH PARADE	480.75	480.75
413 - KOMPANI	PO 3277 PARK MAINTENANCE SUPPLIES, INV 6737	113.60	113.60
59 - LEBANON BOROUGH BOARD OF EDUCATION	PO 3294 LOCAL SCHOOL TAX,AUG 2010	219,031.10	219,031.10
119 - LEBANON FIRE COMPANY	PO 3324 ANNUAL APPROPRIATION	20,000.00	20,000.00
213 - Lebanon Boro General Store	PO 3279 ICE CREAM COUPONS	20.00	20.00
80 - MARK PARADIS	PO 3343 WEB SITE	50.00	50.00
253 - NEW JERSEY STATE POLICE	PO 3280 POLICE SERVICES FOR MAY 2010, ACCT	3,913.44	3,913.44
47 - NJ ECONOMIC DEVELOPMENT AUTHORITY	PO 3326 LOAN L01307 PAYMENT OF INTEREST A	7,725.00	7,725.00
70 - NO HUNTERDON-VOORHEES REG HS DIST	PO 3299 JULY 2010 REGIONAL SCHOOL TAX	251,020.39	251,020.39
137 - ORIENTAL TRADING CO. INC	PO 3303 SUMMER RECREATION SUPPLIES. ACCT 25	270.67	270.67

BOWES	PO 3330	POSTAGE MACHINE LEASE FOR JULY 2010	75.00	75.00	
68 -	POLAND SPRING WATER CO	PO 3290	BOTTLED WATER, ACCT 0430758649	70.28	70.28
20 -	QUILL CORPORATION	PO 3281	OFFICE SUPPLIES, ACCT C671593	11.69	
		PO 3314	OFFICE SUPPLIES, ACCT C671593	343.09	354.78
61 -	RECOGNITION GRAPHICS	PO 3342	DISK OF PHOTOS FROM GLASS NEGATIVE	80.00	80.00
7 -	SDG ALARMTRONICS	PO 3289	ALARM MONITORING CHG FOR 3RD QTR, C	93.00	93.00
344 -	SHARP ELECTRONICS CORP	PO 3325	COPY MACHINE SUPPLIES, ACCT 7110001	120.00	120.00
303 -	SHARP ELECTRONICS CORPORATION	PO 3320	COPIER LEASE FOR JULY 2010, CONTRAC	184.46	184.46
176 -	SHOPRITE OF HUNTERDON COUNTY	PO 3321	RECREATION SUPPLIES-ACCT 20457	51.86	51.86
414 -	STATE OF NJ DEPT OF LABOR/WORKFORCE	PO 3292	BOILER INSURANCE INSPECTION FEE, IN	150.00	150.00
369 -	STICKEL KOENIG & SULLIVAN	PO 3331	LEGAL SVCS FOR JUNE 2010, CBS OUTDO	6,435.00	6,435.00
43 -	TOWN OF CLINTON	PO 3286	2ND QTR FIRE HYDRANT, APR/MAY/JUN 2	5,908.50	5,908.50
116 -	TREASURER, STATE OF NEW JERSEY	PO 3316	MARRIAGE LICENSE REPORT, 2ND QTR	50.00	50.00
192 -	WALMART BUSINESS	PO 3322	MISC SUPPLIES, ACCT 5002	119.87	
		PO 3283	MISC SUPPLIES, ACCT 0750	220.76	340.63
27 -	WASTE MANAGEMENT OF NJ INC	PO 3315	SOLID WASTE DISPOSAL FOR JUNE 2010,	5,179.35	5,179.35
89 -	WILLIAM M. COLANTANO	PO 3335	PERFORMANCE OF STATUTORY YEAR END A	18,700.00	18,700.00
TRUST FUNDS					
411 -	DAUBS GARDEN GIFTS & NURSERY	PO 3261	MULCH, WEED AND EDGE PLAYGROUND	7,032.00	7,032.00
321 -	NJ DEPT OF HEALTH & SENIOR SVCS	PO 3306	MONTHLY DOG LICENSE REPORT FOR JUNE	6.00	6.00
418 -	SALLY SABOL	PO 3319	REFUND FOR RECREATION REGISTRATION	90.00	90.00
GENERAL CAPTITAL FUND					
353 -	BROOKS MECHANICAL CONSULTANTS, INC	PO 2452	MUNICIPAL BLDG RENOVATION - PLUMBIN	10,600.66	10,600.66
328 -	DESIGN ENTERPRISES, INC.	PO 3317	CONSTRUCTION MANAGEMENT SVCS FOR AP	4,940.00	4,940.00
416 -	ENVIRONMENTAL TECHNOLOGY, INC	PO 3313	CENTRAL ST. SIDEWALK PROJECT, INV10	1,559.39	1,559.39
46 -	FERRIERO ENGINEERING	PO 3274	ENG SVCS - MAIN ST./CENTRAL ST LOCA	493.38	493.38
381 -	INTEGRATED MICRO SYSTEMS, INC	PO 2828	TELECOMMUNICATION IN BOROUGH HALL	1,206.80	1,206.80
381 -	INTEGRATED MICRO SYSTEMS, INC	PO 3284	ADDITIONAL TELECOMMUNICATION IN BOR	493.00	493.00
355 -	J. TUFARO & SONS ELECTRICAL	PO 2454	MUNICIPAL BLDG RENOVATIONS - ELECTR	1,591.80	1,591.80
352 -	RAMPART CONSTRUCTION INC	PO 2451	MUNICIPAL BLDG RECONSTRUCTION, RESO	43,120.00	43,120.00
408 -	STROBER-WRIGHT	PO 3219	ROOF REPAIRS	10,200.00	10,200.00
78 -	STRYKER	PO 3312	REPAIR HOT WATER HEATER, INV 09966	1,200.00	1,200.00
390 -	TELE-DATA SOLUTIONS	PO 3086	CABLE INSTALLATION, INV 86793	938.70	938.70
DEVELOPERS ESCROW					
415 -	PRESIDENTIAL PLACE AT LEBANON LLC	PO 3305	REDUCTION OF CASH BOND PER RESOLUTI	72,999.30	72,999.30
TOTAL					1,001,193.10
Total to be paid from Fund 01 Current Fund		844,722.07			
Total to be paid from Fund 03 TRUST FUNDS		7,128.00			
Total to be paid from Fund 04 GENERAL CAPTITAL FUND		76,343.73			
Total to be paid from Fund 14 DEVELOPERS ESCROW		72,999.30			
				1,001,193.10	

Checks Previously Disbursed

99999	LEBANON BOROUGH PAYROLL	Multiple:		7/13/2010
99999	LEBANON BOROUGH PAYROLL	PAYROLL 7-15-2010	7,010.68	7/15/2010
99999	LEBANON BOROUGH PAYROLL	PAYROLL 6-30-10	12,992.18	6/30/2010
			20,002.86	

Total paid from Fund 01 Current Fund 20,002.86

20,002.86

Total for this Bills List: 1,021,195.96

The motion passed by the following roll call vote:
YES: Council President Quick, Councilman Reino,
Councilman Burton, Councilman Berger
NO: None
ABSENT: Councilwoman Bross and Councilman Coyle
ABSTAIN: None

ORDINANCE 2010-06:

Councilman Reino made a motion to introduce Ordinance 2010-06 with a

second

by Councilman Burton.

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

ORDINANCE #2010-06

**AN ORDINANCE AUTHORIZING THE USE OF CAPITAL IMPROVEMENT FUNDS FOR
THE ACQUISITION OF LAPTOP COMPUTERS AND SOFTWARE**

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

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

SECTION I: The sum of \$10,000.00 from the account entitled "Capital Improvement Fund" is hereby appropriated for purchase of laptop computers and software

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

ATTEST:

LEBANON BOROUGH COUNCIL

Karen Romano
Borough Clerk

R.Gary Quick
Council President

Vote after public hearing and upon final adoption:

- Berger _____
- Bross _____
- Coyle _____
- Quick _____
- Reino _____
- Burton _____

Ordinance approved by the Governing Body and presented to the Mayor on _____, 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 July 21, 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 August 18, 2010 at 7:30 pm. at 6 High Street, Lebanon, New Jersey 08833.

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**

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

ORDINANCE 2010-07:

**Councilman Reino made a motion to introduce Ordinance 2010-07
with a second by Councilman Burton.**

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

ORDINANCE NO. 2010-07

**AN ORDINANCE OF THE BOROUGH OF LEBANON, COUNTY OF HUNTERDON
TO AMEND**

**THE BOROUGH STORMWATER ORDINANCE, BY REQUIRING THE COVERING OF REFUSE
CONTAINERS TO PREVENT LEAKAGE; AND THE UPGRADE OF PRIVATELY OWNED
DRAINAGE INLETS**

WHEREAS, the Tier A Municipal Stormwater General Permit (Tier A Permit) for discharge to surface water and groundwater is one of four New Jersey Pollutant Discharge Elimination System (NJPDES) general permits that are part of the Municipal Stormwater Regulation Program established by the New Jersey Departmental of Environmental Protection (DEP); and

WHEREAS, the Borough of Lebanon received authorization under the Tier A Permit to discharge stormwater from municipal separate storm sewers in 2004; and

WHEREAS, on March 1, 2009, the DEP renewed the Tier A Permit for an additional five year period and amended the Tier A Permit to refine aspects of the Tier A Permit to better protect water quality and to assist municipalities in complying with the conditions of the Tier A Permit; and

WHEREAS, the amendments to the Tier A Permit require the Borough of Lebanon to have fully implemented a refuse container/dumpster ordinance consistent with the model ordinance provided by the DEP; and

WHEREAS, the Borough of Lebanon desires to amend, its Stormwater Ordinances to be consistent with the model ordinance provided by the DEP and to require that dumpsters and other refuse containers be covered to prevent the spilling, leaking, dumping or other discharge of liquids, semi-liquids and solids into the Borough stormwater system, thereby helping to protect and improve surface water quality; and

WHEREAS, the amendments to the Tier A Permit also require the Borough of Lebanon to have fully implemented a private storm drain retrofit ordinance consistent with the model ordinance provided by the DEP; and

WHEREAS, the Borough of Lebanon desires to amend its Stormwater Ordinances to be consistent with the model ordinance provided by the DEP and to require the upgrade of privately owned drainage inlets upon the resurfacing of existing parking areas and driveways so as to reduce the overall amount of floatable debris entering waterways, thereby helping to protect and improve surface water quality.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Lebanon, County of Hunterdon, State of New Jersey as follows:

SECTION ONE. The Ordinances of the Borough of Lebanon are hereby amended by the addition of the following:

ARTICLE 1 – DEFINITIONS

1. Definitions

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. *Municipal separate storm sewer system* - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Lebanon Borough or other public body, and is designed and used for collecting and conveying stormwater.
- b. *Person* - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. *Refuse container* - any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. *Stormwater* - means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- e. *Waters of the State* - means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

ARTICLE 2 – REFUSE CONTAINER COVERAGE

1. Purpose

The purpose of this article is to require dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Lebanon and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

2. Prohibited Conduct

- a. Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or

overflowing.

- b. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Lebanon.

3. Exceptions to Prohibition

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

ARTICLE 3 – UPGRADE OF PRIVATELY OWNED DRAINAGE INLETS

1. Purpose.

The purpose of this article is to require the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Lebanon so as to protect public health, safety and welfare, and prescribes penalties for the failure to comply. In order to facilitate the upgrading of storm drain inlets, the Borough will maintain a list of suppliers in the area which keep inlet grates and compliant ECO heads in stock.

2. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or

2. Is retrofitted or replaced to meet the standard in Section 3 below prior to the completion of the project.

3. Design Standard:

Storm drain inlets as described above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, solid and floatable materials- means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 4 below.

- (a). Property owners shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

1. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

2. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

- (b). Whenever property owners use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

4. Exemptions:

This standard does not apply:

- a. Where the municipal engineer agrees that this standard would cause

inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

- b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 1. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 2. A bar screen having a bar spacing of 0.5 inches.
- c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1) spacing between the bars; or
- d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

ARTICLE 4 - ENFORCEMENT

The provision of the Ordinance shall be enforced by the Borough Zoning Officer, Borough Engineer, and any other designee appointed by the Borough Council.

ARTICLE 5 - PENALTIES

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a penalty in accordance with General Penalties provision of the Revised Ordinances of the Borough of Lebanon. Each day in which a violation exists shall be considered to be a separate offense.

SECTION 2. All Ordinances of the Borough of Lebanon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 3 - SEVERABILITY.

In the event that any clause, section, paragraph, or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason; it shall be deemed severable, and the Borough Council hereby declares its intent that the balance of the Ordinance shall not be affected by the said invalidity, and the remainder shall remain in full force and

effect.

SECTION 4 - EFFECTIVE DATE.

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

ATTEST

BOROUGH OF LEBANON

Karen Romano, Borough Clerk

Mark E. Paradis, Mayor

Vote after public hearing and upon final adoption:

Berger _____

Bross _____

Burton _____

Coyle _____

Quick _____

Reino _____

Ordinance approved by the Governing Body and presented
to the Mayor on _____, 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 July 21, 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 September 15, 2010 at 7:30 p.m. in the Municipal Building, located at 6 High Street, Lebanon, New Jersey

Karen M. Romano
Borough Clerk

The motion passed by the following roll call vote:

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

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

RESOLUTION #91-2010:

Council President Quick made a motion to approve Resolution 91-2010 with a second by Councilman Reino.

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

**TO COMPLY WITH PROMULGATIONS OF THE LOCAL
FINANCE BOARD FOR REVIEW OF THE ANNUAL (2009) AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2009 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: General Comments, Recommendations, and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: General Comments,

Recommendations as evidenced by the group affidavit form of the Governing Body; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body, who after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be

fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Common Council of the Borough of Lebanon hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Introduced and adopted: July 21, 2010

LEBANON BOROUGH COUNCIL

Ayes: 4

Nays: 0

Absent: 2

R. Gary Quick, Borough Council President

ATTEST:

Karen Romano, RMC
Borough Clerk

CERTIFICATION

I, Karen M Romano, 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 July, 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: July 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,**

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

RESOLUTION # 92-2010:

Councilman Burton made a motion to approve Resolution 92-2010 with a second by Councilman Reino.

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

RESOLUTION # 92-2010

RESOLUTION FOR INCREASING BID AND QUOTATION THRESHOLD

WHEREAS, the Borough of Lebanon Governing Body authorize its purchasing agent to award contracts that do not exceed in a contract year the annual limit as established by the Governor, and

WHEREAS, local Governing Bodies have been advised by the Local Finance Board through (LFN 2010-13) that the Governor has authorized the following bid and quotation thresholds effective July 1, 2010,

	Bid Threshold	Quotation
Base Amount	\$26,000	\$3,900
With Qualified Purchasing Agent	\$36,000	\$5,400

WHEREAS, Borough of Lebanon possesses the designation of Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, Borough of Lebanon desires to increase its bid and quotation thresholds as stated in N.J.S.A 40A:11-2.

NOW THEREFORE BE IT RESOLVED, that the governing body of the Borough of Lebanon in the County of Hunterdon in the State of New Jersey hereby increases its bid threshold to \$36, 000 and its quotation threshold \$5,400 and be it further

RESOLVED, that the governing body hereby appoints *Kay Winzenreid* as the Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A 40A:11-2., with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the Borough of Lebanon; and be it further.

Introduced and adopted: July 21, 2010

LEBANON BOROUGH COUNCIL

Ayes: 4

Nays: 0

Absent:2

R. Gary Quick, Borough Council President

ATTEST:

Karen Romano, RMC
Borough Clerk

CERTIFICATION

I, Karen M Romano, 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 July, 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: July 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,**

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

RESOLUTION # 93-2010:

Councilman Burton made a motion to approve Resolution 93-2010 with a second by Councilman Berger.

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

RESOLUTION #93-2010

SALARIES YEAR 2010

BE IT RESOLVED, by the Lebanon Borough Common Council the following is a schedule of salaries and wages for the various positions in the Borough of Lebanon for the year 2010.

Borough Clerk/PB Sec/BOH Sec/Assess Search Officer (Romano)	\$ 54,080.00
Deputy Clerk/Recreation/Environmental Secretary (Sella)	\$37,440.00
Senior Club, Shade Tree Committee and Historical Committee Secretary	
Chief Financial Officer/Treasurer (Winzenried)	\$16,786.00
Tax Collector (Winzenried)	\$14,471.00
Asst. Treasurer (Demaris)	\$16.87/hr.
Tax Assessor (Schick)	\$15,000.00
Dog/Cat Licensing Agent (Sella)	\$624.00
Registrar of Vital Statistics (Romano)	\$728.00
Deputy Registrar of Vital Statistics (Sella)	\$728.00
Zoning Officer (Hauck)	\$10,905.00
Park Events Director - Contract (Romano)	\$1,185.60
Adult School Crossing Guard Supervisor	\$26.00/hr.
Adult School Crossing Guards	\$22.71/hr.
Special & Part Time Patrol Officers	\$ 10.00 to 38.00/hr.
Summer Park Program Director - Contract (Saharic)	\$1,750.00
Summer Park Counselors	\$ 8.00 to 15.00/hr.
Handyman Services	\$ 11.00 to 25.00/hr.
Clerical Temporary Staff	\$ 8.00 to 20.00/hr.
General Labor	\$ 12.00 to 25.00/hr
Custodial/Cleaning Service - Contract (Sella)	Full Service: \$150.00 Partial Service: \$75.00
Mileage	Rate as determined by IRS per mile standard

Introduced and adopted: July 21, 2010

Ayes: 4
Nays: 0
Absent:2
Abstain:0

LEBANON BOROUGH COUNCIL

By: 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

Common Council at a meeting duly held on the 21st day of July, 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.

Dated: July 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,**

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

RESOLUTION # 94-2010:

Councilman Burton made a motion to approve Resolution 94-2010 with a second by Councilman Reino.

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

RESOLUTION # 94-2010

Resolution extending the grace period for third quarter taxes.

WHEREAS, NJSA 54:4-67 provides that tax bills be allowed a minimum grace period of twenty-five days when tax bills are mailed late; and

WHEREAS, the Hunterdon County Board of Taxation certified the tax rate on July 19, 2010 and the tax bills were mailed on July 21, 2010.

NOW, THEREFORE, BE IT RESOLVED , the grace period for the third quarter will be extended until August 17, 2010.

Introduced and adopted: July 21, 2010
Ayes: 4
Nays: 0
Absent: 2

LEBANON BOROUGH COUNCIL

R. Gary Quick
Borough 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 21st day of July 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: July 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,**

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

RESOLUTION # 95-2010:

Council President Quick made a motion to approve Resolution 95-2010 with a second by Councilman Burton.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
*Resolution #95-2010***

RESOLUTION APPOINTING A MUNICIPAL ADMINISTRATIVE AGENT

WHEREAS, *Borough of Lebanon*] was granted substantive certification of its Housing Element and Fair Share Plan by the Council on Affordable Housing (COAH) on *July 21, 2010* and

WHEREAS, under authorization of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, *et seq.*, hereinafter the “Act”) the Municipality is implementing a program to provide affordable housing units to low- and moderate-income households desiring to live within the Municipality; and

WHEREAS, at Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code, the State has promulgated affordability controls in regulations designed to implement the Act, by assuring that low- and

moderate-income units that are created under the Act are occupied by low- and moderate-income households for an appropriate period of time (the “Rules”); and

WHEREAS, Section 5:80-26.14 of the Rules provides that affordability controls shall be administered by an administrative agent acting on behalf of a municipality; and

WHEREAS, the Municipality has selected NORWESCAP to be the Administrative Agent for the purposes of providing affordability control services for *Coach House LLC. COAH housing*, as included in this resolution; and

WHEREAS, The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in the Rules, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which includes:

- (1) Affirmative Marketing
 - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of *Borough of Lebanon* and the provisions of N.J.A.C. 5:80-26.15;
 - (b) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH; and
 - (c) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- (2) Household Certification
 - (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
 - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
 - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et. seq.;
 - (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are

located; and

- (f) Employing a random selection process as provided in the Affirmative Marketing Plan of *Borough of Lebanon* when referring households for certification to affordable units.

(3) Affordability Controls

- (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
- (d) Communicating with lenders regarding foreclosures; and
- (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

(4) Resale and rental

- (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and
- (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.

(5) Processing requests from unit owners

- (a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;
- (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and
- (c) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.

(6) Enforcement

- (a) Securing lists of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;

- (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;
 - (d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
 - (e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;
 - (f) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and
 - (g) Providing annual reports to COAH as required.
- (7) Records received, retained, retrieved, or transmitted in performance of these administrative duties may constitute public records of *Borough of Lebanon* as defined by N.J.S.A. 47:3-16, and are legal property of Borough of Lebanon. The Administrative Agent named in this resolution must agree to administer and dispose of such records in compliance with the State's public records laws and associated administrative rules.

The *Borough of Lebanon* has identified the following as public records, subject to the above-cited provisions:

0120-0000	Affordable Housing Project File
0120-0001	Affordable Housing Project File-Approved
0120-0002	Affordable Housing Project File-Denied/Withdrawn
0120-0003	Affordable Housing Project File-Referral List
0112-0000	Affordable Housing Application File-Individual
0121-0002	Affordable Housing Application File-Certification Denied or Expired
0122-0000	Affordable Housing Unit File
0122-0001	Affordable Housing Unit File-Mailing Notification of Responsibilities
0123-0000	Affordable Housing Unit Inventory
0124-0000	Affordable Housing Trust Fund and/or Regional Contribution Agreement (RCA) Bank Account
0125-0000	Enforcement File-Projects and Units
0126-0000	Monitoring Reports-Annual Submission
0127-0000	Operations Manual

Although the State has used its best efforts to identify all records which qualify as public records, the State reserves the right to amend the above list from time to time as warranted.

- (8) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its

responsibilities hereunder.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of Borough of Lebanon in the County of *Hunterdon* and the State of New Jersey that *NORWESCAP* is hereby appointed by the Governing Body of *Borough of Lebanon* as the Administrative Agent for the administration of the affordable housing program.

Introduced and adopted: July 21, 2010

Ayes: 4
Nays: 0
Absent: 2

LEBANON BOROUGH COUNCIL

R. Gary Quick
Borough 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 21st day of July 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: July 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,**

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

RESOLUTION # 96-2010:

Council President Quick made a motion to approve Resolution 96-2010 with a second by Councilman Burton.

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

**RESOLUTION # 96-2010
Dublin Maintenance**

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 Dublin Maintenance not to exceed a sum of \$5,000 for Cleaning Services as requested by the Building Committee has been approved.

Introduced: July 21, 2010

LEBANON BOROUGH COUNCIL

Ayes: 4
Nays: 0
Abstain 0
Absent: 2

R. Gary Quick
By: Borough Council President

ATTEST:

Karen M. Romano
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 21 of July 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:
July 21, 2010

Borough Clerk

Karen M. Romano

The motion passed by the following roll call vote:

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

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle
ABSTAIN: None

RESOLUTION # 97-2010:

Council President Quick made a motion to approve Resolution 97-2010 with a second by Councilman Reino.

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

**RESOLUTION # 97-2010
96 Main Street Repair**

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

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Lebanon with regard to the 96 Main Street Stair and Sidewalk repair project that the Council has approved the Clerk solicit proposals for movers to relocate the Borough's Administrative offices to 6 High Street for a sum not-to-exceed \$5,400.00.

Introduced and adopted: July 21, 2010

Ayes: 4
Nays: 0
Absent: 2

LEBANON BOROUGH COUNCIL

R. Gary Quick
Borough Council President

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 July, 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: July 21, 2010

Karen M. Romano
Borough Clerk

The motion passed by the following roll call vote:

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

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

RESOLUTION # 98-2010:

Council President Quick made a motion to approve Resolution 98-2010 with a second by Councilman Reino.

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

**RESOLUTION # 98-2010
Flemington Fabric and Decorating Center**

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 Flemington Fabric and Decorating Center not to exceed a sum of \$10,500 for window treatments as requested by the Building Committee has been approved.

Introduced and adopted: July 21, 2010

Ayes: 4

Nays: 0

Absent: 2

LEBANON BOROUGH COUNCIL

R. Gary Quick
Borough Council President

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 July, 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: July 21, 2010

Karen M. Romano
Borough Clerk

The motion passed by the following roll call vote:

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

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

RESOLUTION # 99-2010:

Council President Quick made a motion to approve Resolution 99-2010 with a second by Councilman Reino.

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

**RESOLUTION # 99-2010
MSI Computers**

WHEREAS, the governing body has commenced the renovation of the Borough Municipal Building, working in conjunction with its Buildings and Grounds Committee and 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 Municipal Software Inc. not to exceed a sum of \$5,000 for Computers as requested by the Building Committee has been approved.

Introduced and adopted: July 21, 2010
Ayes: 4
Nays: 0
Absent: 2

LEBANON BOROUGH COUNCIL

R. Gary Quick
Borough Council President

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 July, 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: July 21, 2010

Karen M. Romano
Borough Clerk

The motion passed by the following roll call vote:

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

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

Mayor Paradis requested a motion to approve moving David Abeles into the open Class IV position of the Planning Board.

Councilman Burton made a motion to approve David Abeles' Class IV position 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,**

NO: None

ABSENT: Councilwoman Bross and Councilman Coyle

ABSTAIN: None

OPEN PUBLIC SESSION #2:

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

There being no further 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.

COMMITTEE/COMMISSIONS/BOARD UPDATES:

Codification: Councilman Burton stated Karen has submitted all requests by General code and everything is moving forward.

ADJOURN:

Councilman Reino and Councilman Burton 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

