



**LEBANON BOROUGH COMMON COUNCIL
MINUTES**

MARCH 24, 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 4,390 United States Service Members had given their lives for our country for the war on terrorism. New Jersey total continues at 78. 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.

BUILDING RENOVATION: DEI

MEMORANDUM

DATE: March 24, 2010

TO: BOROUGH OF LEBANON
ATT: R. GARY QUICK, COUNCIL PRESIDENT
FROM: DAVID G. TILLOU
RE: ADDITION & ALTERATIONS TO LEBANON BOROUGH HALL
CC:

Gary,

Please find a list of some random issues that could be discussed at the Council Meeting of March 24, 2010;

- Completions of the site work and paving – the contractor and its subcontractor have monitored the conditions and have determined the grounds are too saturated to effectively complete the work. They are ready, willing and able to complete the site work at the first opportunity. We asked for 48 hours notice.
- Flagpole – several comments were made regarding using the existing flagpole. If it is desired to be replaced, the decision should be made prior to completion of the site work.
- Fire department requests – we do not know if pricing was solicited for the smoke/heat detectors requested or the signage at the crawl space.
- Move in – the Administration moved in on the 11th and 12th of March.
- Phones - although the phone service had been contracted for over a month, Comcast failed to provide the service and after many arduous calls they couldn't provide a schedule to switch the lines over to 6 High Street. Century Link was engaged to provide the service and it was turned on March 18th and 19th.
- Internet – the service was dependent on the phone service. This was also energized on the 18th & 19th of March. The Administration determined additional lines are needed. Integrated Microsystems issues a proposal for \$1,400. To provide the additional lines.
- Plaque – this was submitted and rejected. We do not know the status at this time.
- Gary's email dated 3-8-10 and titled "Punch List". This is a comment on the light fixtures' design. We don't know of the status of these comments.
- Certificate of Occupancy – the comments we know of have been resolved except for the railings needed at the HVAC units on the "low sloped" roofs. We asked for a design for the rails on January 17th. None have been provided and the Temporary Certificate of Occupancy has a 90 days expiration date.
- Relocation of exhaust fans – SSP issued a sketch on March 16th relocating two exhaust fans. They are the two fans outside of the Senior Citizens' room. There is a third fan in the corridor that isn't being relocated. This fan is located closer to the elevator. Also, the exhaust fan for the Meeting Room isn't being relocated.
- Roof leaks in the existing roofs – we don't know the status of the needed repairs, but at last count there were leaks in the Northwest corner entrance, the Seniors' room and the new lobby.
- Wire slumped on building. We notified rampart and they will correct.
- Keys and locks – Administration is having problems, Rampart notified and promised their subcontractor will visit site over the next two days.
- Directional signs – no signs are installed (or designed) to direct the public to the elevator, the Meeting room, etc.
- The parking lot needs two Handicap parking spaces with proper signage.
- The entrance, ramp, and doorways are cumbersome. A suggestion was made to install push buttons on the entrance door, the door at the end of the ramp and the Meeting room.

Please call with any questions or comments.

Thanks,

David G. Tillou, Sr.

RESOLUTION # 37-2010:

Councilman Reino made a motion to approve Resolution 48-2010 the Consent Agenda with a second by Councilman Burton.

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

**RESOLUTION # 48-2010
CONSENT AGENDA
March 24, 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. Hunterdon County Open Space
4. Clinton First Aid and Rescue Squad
5. Lebanon Fire Company Building Renovation Final CO Request
6. Finance Monthly report January 2010
7. NHMC Disbursement reports

Introduced and adopted: March 24, 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 March 24, 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: March 24, 2010

Karen M. Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

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

NO: None

ABSENT: Councilwoman Bross

ABSTAIN: None

APPROVAL OF MINUTES:

Councilman Reino made a motion to accept the Regular Meeting Minutes of February 17, 2010, the Executive Minutes of February 17, 2010 and the Special Meeting Minutes of March 4, 2010. 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

APPROVAL OF EXPENDITURES:

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

DATE	CHECK #	PAID TO	AMOUNT	
VOID AMOUNT	VOID DATE	REASON		
	3/02/2010	5653	57 LEBANON BOROUGH FIRE COMPANY	10,000.00
	3/03/2010	5654	22 CECELIA BOGART	2.55
	3/15/2010	99999	85 LEBANON BOROUGH PAYROLL	5,984.66
(Transfer)				
	3/19/2010	5655	202 CENTURYLINK	397.68
	3/23/2010	99999	95 NJ STATE HEALTH BENEFITS PLAN	3,667.21
(Transfer)				
	3/24/2010	5656	44 AM/PM Services	184.00
	3/24/2010	5657	26 BOROUGH OF LEBANON - PETTY CASH	182.96
	3/24/2010	5658	202 CENTURYLINK	815.89
	3/24/2010	5659	262 CENTURYLINK COMMUNICATIONS, INC	82.87
	3/24/2010	5660	357 CLARKE CATON HINTZ	25,060.43
	3/24/2010	5661	357 CLARKE CATON HINTZ	4,323.52
	3/24/2010	5662	107 CLINTON BUSINESS PRODUCTS, INC	372.95
	3/24/2010	5663	254 CLOVER HILL LANDSCAPING LLC	9,112.00
	3/24/2010	5664	247 COMCAST	30.05
	3/24/2010	5665	247 COMCAST	613.36
	3/24/2010	5666	38 COUNTY OF HUNTERDON	151.12
	3/24/2010	5667	173 EHS INNOVATORS	50.00
	3/24/2010	5668	325 ELEPHANT OUTLOOK	209.30
	3/24/2010	5669	111 ELIZABETH C MCKENZIE	250.00
	3/24/2010	5670	39 ELIZABETHTOWN GAS	1,562.09
	3/24/2010	5671	46 FERRIERO ENGINEERING	1,489.80
	3/24/2010	5672	83 HORIZON BLUE CROSS BLUE SHIELD NJ	245.81
	3/24/2010	5673	54 NJN PUBLISHING	545.40
	3/24/2010	5674	16 JCP&L	3,168.04
	3/24/2010	5675	401 JOINT COURT BETHLEHEM/BLOOMSBURY	968.75
	3/24/2010	5676	264 JOSEPH S. NOVAK	2,800.00
	3/24/2010	5677	28 KASPER DISPOSAL SERVICE	4,832.96
	3/24/2010	5678	59 LEBANON BOROUGH BOARD OF EDUCATION	211,568.40
	3/24/2010	5679	90 LEBANON SEWER AUTHORITY	240.00

3/24/2010	5680	294 MEENAN OIL CO	320.39
3/24/2010	5681	294 MEENAN OIL CO	1,117.18
3/24/2010	5682	253 NEW JERSEY STATE POLICE	3,994.97
3/24/2010	5683	253 NEW JERSEY STATE POLICE	3,587.32
3/24/2010	5684	40 NJ PLANNING OFFICIALS	15.00
3/24/2010	5685	42 NJ STATE LEAGUE OF MUNICIPALITIES	15.00
3/24/2010	5686	233 PITNEY BOWES	75.00
3/24/2010	5687	37 PITNEY BOWES - RESERVE ACCOUNT	200.00
3/24/2010	5688	68 POLAND SPRING WATER CO	63.14
3/24/2010	5689	32 PUBLIC ALLIANCE INS. COVERAGE FUND	18,750.00
3/24/2010	5690	20 QUILL CORPORATION	320.64
3/24/2010	5691	61 RECOGNITION GRAPHICS	55.00
3/24/2010	5692	48 RECORDER PUBLISHING CO., INC	86.15
3/24/2010	5693	344 SHARP ELECTRONICS CORP	250.00
3/24/2010	5694	303 SHARP ELECTRONICS CORPORATION	184.46
3/24/2010	5695	369 STICKEL KOENIG & SULLIVAN	14,557.79
3/24/2010	5696	124 TAMKE TREE EXPERTS	5,400.00
3/24/2010	5697	327 THOMSON REUTERS	224.00
3/24/2010	5698	116 TREASURER, STATE OF NEW JERSEY	25.00
3/24/2010	5699	275 US BANK COLLATERAL TRUSTEE/MDSASS	468.79
3/24/2010	5700	11 VITAL SERVICES GROUP	325.00
3/24/2010	5701	192 WALMART BUSINESS	392.35
3/24/2010	5702	27 WASTE MANAGEMENT OF NJ INC	3,305.38
3/24/2010	5703	241 WILLIAM SHURTS, ESQ	195.00
3/24/2010	5717	379 FORESTREE CONSULTANTS	2,999.00
3/31/2010	99999	85 LEBANON BOROUGH PAYROLL	10,885.01

			347,071.50
			9,651.87 Bank
			=====
			356,723.37

Transfers

Check Register - (0410101001) cash checking

DATE	CHECK #	PAID TO	AMOUNT
VOID AMOUNT	VOID DATE	REASON	
3/24/2010	5704	353 BROOKS MECHANICAL CONSULTANTS, INC	6,799.24
3/24/2010	5705	107 CLINTON BUSINESS PRODUCTS, INC	139.00
3/24/2010	5706	328 DESIGN ENTERPRISES, INC.	6,875.00
3/24/2010	5707	46 FERRIERO ENGINEERING	3,835.55
3/24/2010	5708	342 Grist Mill Commons LLC	875.00
3/24/2010	5709	153 HOME DEPOT CREDIT SVCS	488.19
3/24/2010	5710	381 INTEGRATED MICRO SYSTEMS, INC	3,469.20
3/24/2010	5711	355 J. TUFARO & SONS ELECTRICAL	13,438.25
3/24/2010	5712	397 OSI	3,360.00
3/24/2010	5713	352 RAMPART CONSTRUCTION INC	49,000.00
3/24/2010	5714	184 SSP ARCHITECTURAL GROUP	4.95
3/24/2010	5715	354 T.M. BRENNAN CONTRACTORS, INC	68,814.35
3/24/2010	5716	390 TELE-DATA SOLUTIONS	4,884.00

			161,982.73
			=====
			161,982.73

Check Register - (0310101001) TRUST FUND CASH CHECKING

DATE	CHECK #	PAID TO	AMOUNT
VOID AMOUNT	VOID DATE	REASON	
3/03/2010	212	214 COUNTRY TOURS & TRAVEL	1,638.00
3/03/2010	213	398 SOUTH BOUND BROOK SENIOR CLUB	950.00
3/24/2010	203	321 NJ DEPT OF HEALTH & SENIOR SVCS	7.60
3/24/2010	214	214 COUNTRY TOURS & TRAVEL	192.00
3/24/2010	215	400 MARY ANN BADORE	60.00

			2,847.60
			=====
			2,847.60

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

Michael Geist of Lynwood Drive requested the status of the NJDEP, FEMA and NJOEM with regard to the flooding of Lynwood Drive. OEM Chairman Alexander Saharic and Councilman Reino stated they were still working with all state agencies to get the Geist and Mosko family's relief. Mr. Saharic stated he is also working with the County to increase the capacity of the stream. He is also talking to Clinton Township with regard to what can be done upstream.

Alexander Saharic, OEM Chairman stated he received a letter from the US Census stating the New Construction element of the Census was not complete. He stated his mapping responsibilities regarding the Census were completed and submitted. Mr. Saharic reminded Council of each individual's responsibilities with regard to the Census.

Alexander Patullo of Home Solutions Inc. Main Street stated he was denied a request to sit down and discuss his evaluation by Tax Assessor Curtis Schick. Attorney Novak explained the appeal process to Mr. Patullo. Once the appeal has been filed the Tax Assessor must wait for the review process to be completed.

Curtis Schick, Tax Assessor reported he was in the process of requesting permission from the state to perform a general reassessment of Lebanon Borough. Due to the number of appeals and the fact that the revaluation was done at the peak of the market he felt it was necessary to consider a reassessment.

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

OPEN PUBLIC SESSION ORDINANCE 2010-02:

Council President Quick 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 public comment Council President Quick made a motion to close the public session. Councilman Berger seconded the motion with the unanimous approval of Council the floor was closed.

ORDINANCE# 2010-02

Councilman Burton made a motion to adopt Ordinance 2010-02 with a second by Councilman Berger.

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

ORDINANCE #2010-02

**AN ORDINANCE TO REPEAL ORDINANCE NO. 89-14 REQUIRING THE LICENSING OF CATS IN
THE BOROUGH OF LEBANON**

WHEREAS, the Board of Health of the Borough of Lebanon has recommended the repeal of the Cat Licensing Ordinance #89-14;

WHEREAS, such recommendation was based upon the information made available by the Borough Veterinarian including the difficulties of effective administration and enforcement of the cat licensing Ordinance, the recognition that cat licensing is not required by the State of New Jersey, and recognition that cat owners will be more willing to take advantage of rabies inoculations for their cats without the necessity of annual cat licensing registration.

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Lebanon with the approval of the Mayor as follows:

Section 1 - Repeal.

Ordinance #89-14 “An Ordinance for the Licensing of Cats in the Borough of Lebanon, County of Hunterdon, State of New Jersey” is hereby repealed, effective immediately.

Section 2 – 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 3 - Effective Date

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

ATTEST:

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC
Borough Clerk

R. Gary Quick, 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 March 24, 2010.

Veto in Whole or Part:

Approved:

Mark Paradis, Mayor
Date:

Mark Paradis, Mayor
Date: March 24, 2010

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 February 17, 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 March 24, 2010 at 7:00 p.m. at 6 High Street, Lebanon, New Jersey 08833

Karen M. Romano, RMC
Borough Clerk

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

NOTICE OF FINAL PASSAGE

ORDINANCE 2010-2

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 17th day of February 2010, and the same came up for final passage at a meeting of the said Borough Council on the 24th day of March 2010 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: February 17, 2010
ADOPTED: March 24, 2010

The ordinance was adopted 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 ORDINANCE 2010-03:

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 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.

ORDINANCE# 2010-03

Councilman Reino made a motion to adopt Ordinance 2010-03 with a second by Councilman Burton.

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

ORDINANCE # 2010-03

AN ORDINANCE OF THE BOROUGH OF LEBANON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY TO PROHIBIT LITTERING

WHEREAS, littering of public and/or private property creates unhealthy and unsightly conditions to the detriment of the general public, neighboring property owners, and the community at large; and

WHEREAS, the legislature has delegated to municipalities, the authority to adopt Ordinances as they may deemed necessary for the protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants pursuant to the N.J.S.A. 40:48-2 et. seq.

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Lebanon with the approval of the Mayor, an Ordinance prohibiting litter within the Municipality as follows:

LITTER

Section 1 – Definitions

As used in this chapter:

“Garbage” means putrescible animal and vegetable waste resulting from the handling, preparation, cooking or consumption of food.

“Litter” means garbage, refuse and rubbish as defined herein and all other waste material.

“Private premises” means any dwelling house, commercial/industrial/or otherwise building, or other structure, designed or used either wholly or in part for private residential purposes, or for business or commercial or other purposes, whether uninhabited or temporarily or continuously inhabited or vacant, and shall include, but not be limited to, any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building, or other structure.

“Public place” means all streets, sidewalks, boulevards, alleys, or other public ways, and all public parks, squares, spaces, grounds and buildings.

“Refuse” means all putrescible and nonputrescible solid waste (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial waste.

“Refuse Container” means any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails and plastic trash bags.

“Rubbish” means nonputrescible (not likely to grow rotten) solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery, vehicles or vehicle parts, rubber tires, appliances, furniture and similar materials.

“Vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively on stationary rails or tracks.

Section 2 – General prohibitions.

A. No person shall sweep, throw, deposit or dump litter in or upon any property whether occupied, open or vacant, with or without improvements, and whether owned by that person or by someone else, or in a public place or pond, lake or stream or other body of water within the Borough, except in public receptacles or in authorized private receptacles for collection.

B. No person shall throw or drop any bundle, object, article, litter or debris of any nature from a vehicle whether in motion or not when such vehicle is on a borough road or any other public highway in the Borough.

C. No person shall throw, place, deposit, discharge or drop any bundle, object, article or debris of any nature on any borough road, right-of-way, easement or on any other publicly owned land, except when acting under the authority of the Borough Governing Body.

D. No person shall store or permit the storage of household appliances, furniture, mattresses or tires on any residential property, except in a fully enclosed structure, or on specific days designated for the collection of such items by a private hauler, the Borough, or its agents.

E. No owner, agent or contractor in charge of a construction or demolition site shall permit the accumulation of litter, refuse, rubbish or garbage, before, during or after completion of any construction or demolition project. It shall be the duty of the owner, agent and contractor in charge of a construction site to furnish containers adequate to accommodate flyable and nonflyable debris, litter or trash at areas convenient to the construction areas, and to maintain and empty the receptacles in such a manner and with such frequency as to prevent spillage of the litter.

F. No owner, lessee, tenant, occupant or person in charge of any residential or commercial property shall permit open or overflow waste disposal bin on his or her property.

G. No person shall throw, deposit or store litter, junk or waste on any occupied private property within the Borough, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection and removal of same in such manner that same shall not be unsightly and detrimental to the surrounding neighborhood. The owner or person in control of any private property shall at all times maintain the premises free of litter.

H. No person shall throw or deposit litter on any open or vacant private property within the Borough, whether owned by such person or not. No person or persons shall throw, dump or place any garbage, trash, debris or other water material on any private property not his own within the limits of the Borough of Lebanon.

I. The owner, lessee, tenant, occupant or person in charge of any residential or other

property, including but not limited to, commercial property shall keep and cause to be kept the sidewalk and curb abutting the residence, structure or building free from obstruction or nuisances of every kind, and to keep sidewalks, areaways, backyards, courts and alleys free from litter. No person shall sweep into or deposit in any gutter, street, catch basin or other public place, any accumulation of litter from any public or private sidewalk or driveway. Every person who owns or occupies property shall keep the sidewalk in front of his or her premises free of litter. All sweepings shall be collected and properly containerized for disposal.

J. No operator of a vehicle shall permit any vehicle to be driven, moved, stopped or parked, on any highway unless such vehicle is constructed or loaded to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. Any person operating a vehicle from which any glass or objects have fallen or escaped, which could cause an obstruction, damage a vehicle, or otherwise endanger travelers or public property, shall immediately cause the public property to be cleaned of all glass or objects and shall pay the costs therefore.

K. The person who controls, whether owned, leased, or operated, a refuse container or dumpster must insure that such container or dumpster is covered at all times, and shall prevent refuse from spilling out or overflowing. The person who owns, leases or otherwise uses a refuse container or dumpster must insure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the Borough of Lebanon storm sewer system. Exceptions to this prohibition shall be litter receptacles (other than dumpsters or bulk containers), individual home trash and recycling containers, refuse containers at facilities authorized to discharge storm water under a valid NJPDES permit, and large bulky items (for example, furniture, bound carpet and padding, white goods placed curbside for pickup).

Section 3 – Use of litter receptacles.

A container suitable for the depositing of litter (litter receptacles) and their servicing is required at the following public places which exist in the municipality, including:

A. Sidewalks used by pedestrians in active retail commercially zoned areas, such that at a minimum there shall be no single linear quarter-mile without a receptacle;

B. Buildings held out for use by the public, including schools, government buildings, parks and drive-in restaurants;

C. All construction sites; gasoline service station islands; shopping centers; parking lots, and street vendor locations or self-service refreshment areas;

D. And at special events to which the public is invited, including sporting events, parades, carnivals and festivals.

The proprietors of these places or the sponsors of these events shall be responsible for providing and servicing litter receptacles and that adequate containerization is available.

Section 4 – Removal of Litter.

No person shall permit, allow or maintain litter in or on any of his property, either improved or vacant land and whether owned or leased in the Borough.

Section 5. Enforcement of provisions; Penalties.

The zoning enforcement officer, construction official, or any state police officer of the municipality is designated as officer in charge with the enforcement of this chapter. The governing body may designate by resolution, such assistant enforcement officers for the purposes of the enforcement of this chapter as are needed for such purposes.

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereto, be subject to a fine or other penalty in the discretion of the Court and in accordance with the General Penalty Provisions of the Lebanon Borough Ordinances/Code. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

Section 6. 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 2 - Effective Date

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

ATTEST:

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC
Borough Clerk

R. Gary Quick, 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 March 24, 2010.

Veto in Whole or Part:

Approved:

Mark Paradis, Mayor
Date:

Mark Paradis, Mayor
Date: March 24, 2010

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 February 17, 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 March 24, 2010 at 7:00 p.m. at 6 High Street, Lebanon, New Jersey 08833.

Karen M. Romano, RMC
Borough Clerk

INTRODUCED: February 17, 2010
ADOPTED: March 24, 2010

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

NOTICE OF FINAL PASSAGE

ORDINANCE 2010-3

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 17th day of February 2010, and the same came up for final passage at a meeting of the said Borough Council on the 24th day of March 2010 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: February 17, 2010
ADOPTED: March 24, 2010

The motion to adopt 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 ORDINANCE 2010-04:

Council President Quick 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 public comment Council President Quick made a motion to close the public session. Councilman Burton seconded the motion with the unanimous approval of Council the floor was closed.

ORDINANCE# 2010-04

Councilman Reino made a motion to adopt Ordinance 2010-04 with a second by Councilman Coyle.

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

ORDINANCE NO. 2010-4

**AN ORDINANCE OF THE BOROUGH OF LEBANON, COUNTY OF HUNTERDON
TO AMEND THE VARIOUS PENALTY PROVISIONS OF CURRENT ORDINANCES WITH THE
ADOPTION OF A GENERAL PENALTY PROVISION**

WHEREAS, from its date of incorporation, the Borough of Lebanon has adopted numerous regulatory Ordinances, some of which provide for penalties upon violation; and

WHEREAS, several of the Ordinances have never been updated, with many penalty provisions being disparate, inappropriate or fail to address current circumstances, and

WHEREAS, the governing body has determined that uniformity in Ordinance penalty provisions can best be established through utilization of the power granted by the enabling state statute, N.J.S. 40:49-5. "Penalties for Violations of Municipal Ordinances."

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Lebanon with the approval of the Mayor, that there is hereby enacted an Ordinance, to repeal prior penalty provisions and establish a General Penalty Ordinance as follows:

Section 1 - There is hereby enacted a General Penalty article of the Lebanon Borough Ordinances as follows:

Title: General Penalty.

Penalties for Violation of Municipal Ordinances

1. For violation of any of the provisions or sections of the Ordinances and Codes of the Borough of Lebanon or any amendments, modifications, revisions or additions thereto (with the exception of housing or zoning violations), the maximum penalty upon conviction of each violation shall be one or more of the following:

A fine not exceeding \$2,000.00; and/or a period of community service not exceeding ninety (90) days; and/or imprisonment in the County Jail or in any other place provided by the Municipality for the retention of prisoners for a term not exceeding ninety (90) days, as determined by the Court. (N.J.S. 40:49-5)

With regard to housing or zoning code violations, the maximum penalty for each violation shall be a fine not to exceed \$1,250.00.

Each day that a violation continues shall be deemed and treated as a separate and distinct violation for purposes of penalties to be imposed.

2. Any person who is convicted of violating an Ordinance or Code of the Borough of Lebanon within one year of the date of a previous violation of the same Ordinance and who is fined for the previous violation, shall be sentenced by the Court to an additional fine as a repeat offender.
3. Any person convicted of a violation of any Ordinance or Code of the Borough of Lebanon, may, in the discretion of the Court by which he was convicted, and in default of the payment of any fine imposed therefore, be imprisoned in the County jail or place of detention provided by the Municipality, for any term not exceeding ninety (90) days or be required to perform community service for a period not exceed ninety (90) day.

Section 2. Upon the enactment, publication, and this Ordinance becoming effective, the provisions of all previously adopted Ordinances of the Borough of Lebanon establishing specific penalties for violation thereof shall be amended to remove such provision, and thereafter, the violation thereof shall be penalized in accordance with the provisions of the General Penalty section enacted hereinabove. Ordinance #97-05 of the Borough of Lebanon establishing fines and penalties is hereby repealed

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:

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC
Borough Clerk

R. Gary Quick, 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 March 24, 2010.

Veto in Whole or Part:

Approved:

Mark Paradis, Mayor
Date:

Mark Paradis, Mayor
Date: March 24, 2010

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 February 17, 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 March 24, 2010 at 7:00 p.m. at 6 High Street, Lebanon, New Jersey 08833.

Karen M. Romano, RMC
Borough Clerk

INTRODUCED: February 17, 2010
ADOPTED: March 24, 2010

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

NOTICE OF FINAL PASSAGE

ORDINANCE 2010-4

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 17th day of February 2010, and the same came up for final passage at a meeting of the said Borough Council on the 24th day of March 2010 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: February 17, 2010
ADOPTED: March 24, 2010

The motion to adopt 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 ORDINANCE 2010-05:

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 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.

ORDINANCE# 2010-05

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

**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

R. Gary Quick, Council President

Vote after public hearing and upon final adoption:

Berger _____

Bross _____

Coyle _____

Quick _____

Reino _____

Schmidt _____

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 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:

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 # 49-2010:

Councilman Coyle made a motion to approve Resolution 49-2010 with a second by Councilman Berger.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION # 49-2010**

BE IT RESOLVED, by the Council of the Borough of Lebanon, County of Hunterdon, State of New Jersey that the CFO is hereby authorized to make the following payments for the redemption of a tax sale certificate.

Block	Lot	Name/address	lien #	Amount
6	28	US Bank Collateral Trustee MD SASS 2 Liberty Place TLGS 50 South 16 th St Suite 1950 Philadelphia, PA 19102	09-01	468.79

Introduced and adopted: March 24, 2010

Ayes: 5

Nays: 0

Absent: 1

ATTESTED

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC

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 March 24, 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: March 24, 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 #50-2010:

Councilman Reino made a motion to approve Resolution# 50-2010 with a second by Councilman Berger.

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

RESOLUTION # 50-2010

PUBLIC ALLIANCE INSURANCE COVERAGE FUND

RESOLUTION APPOINTING A RISK MANAGEMENT CONSULTANT

WHEREAS, the Borough of Lebanon, has resolved to join the Public Alliance Insurance Coverage Fund ("PAIC") following a detailed analysis; and

WHEREAS, the Bylaws of PAIC require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

WHEREAS, the Bylaws indicate that PAIC shall pay each Risk Management Consultant a fee to be established by the Executive Committee;

NOW THEREFORE, BE IT RESOLVED that the Borough of Lebanon hereby appoints David Quinn of the Hughes-Plumer & Associates, as its Risk Management Consultant in accordance with the Fund's Bylaws.

Introduced and adopted: March 24, 2010

Ayes: 5

Nays: 0

Absent: 1

ATTESTED

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC

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 March 24, 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: March 24, 2010

Karen M. Romano, RMC

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 #51-2010:

Councilman Reino made a motion to pass Resolution #51-2010 with a second by Council President Quick.

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

RESOLUTION # 51-2010

March 24, 2010

THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

GRANT IDENTIFIER:

GOVERNING BODY RESOLUTION

The governing body of Borough of Lebanon desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$7,000.00 to fund the following project:

2009 Business Stimulus Fund Grant (BSF)
for Landscaping to Borough Hall 6 High Street Lebanon, NJ 08833

Therefore, the governing body resolves that Joseph Hauck, Vice Chairman of the Borough of Lebanon Shade Tree Commission is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$7,000.00 and not more than \$7,000.00, and (c) to execute thereto which do not increase the Grantee's obligations.

The Borough of Lebanon authorizes and hereby agrees to match n/a % of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. n/a % of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).*

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced and adopted: March 24, 2010

Ayes: 5
Nays: 0
Absent: 1

ATTESTED

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC

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 March 24, 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: March 24, 2010

Karen M. Romano, RMC
Borough Clerk

(signature) *

(print name)

(print title)

Date: _____ **

* Certification must be signed by an official other than the individual authorized to execute the agreement.

** This date must be no more than sixty (60) days prior to the Grantee's execution of the agreement. If the original certification expires prior to the Grantee's execution, Grantee must submit a currently certified copy of this Attachment C when it returns the executed agreement to the Department.

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 # 52-2010:

Councilman Reino made a motion to approve Resolution 52-2010 with a second by Councilman Berger.

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

RESOLUTION # 52-2010

BE IT RESOLVED, by the Council of the Borough of Lebanon, County of Hunterdon, State of New Jersey that the CFO is hereby authorized to make the following budget transfers.

TRANSFERS 3-24-2010	<u>FROM</u>	<u>TO</u>
01-203-20-180-200,(2009) PLANNING BOARD - OTHER EXPENSE		\$ 15.00
01-203-26-280-200,(2009) PUBLIC WORKS-OTHER EXPENSE		\$7,500.00
01-203-26-313-020,(2009) SHADE TREE-OTHER EXPENSES		<u>\$ 485.00</u>
01-203-26-280-010,(2009) PUBLIC WORKS SALARY & WAGES	\$ 3,000.00	
01-203-26-305-200,(2009) REFUSE COLLECTION - OTHER EXPENSE	<u>\$ 5,000.00</u>	
TOTAL	\$ 8,000.00	\$8,000.00
ATTEST:	LEBANON BOROUGH COUNCIL	

Karen M. Romano, RMC
Borough Clerk

R. Gary Quick, Council President

Introduced and adopted:

Ayes: 5

Nays: 0

Absent 1

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Municipal Clerk hereby certify that this resolution was duly adopted by the Council of the Borough of Lebanon at a meeting duly held on the 24th day of March, 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: March 24, 2010

Karen Romano, RMC
Municipal 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 # 53-2010:

Councilman Burton made a motion to approve Resolution 53-2010 with a second by

Councilman Berger.

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

RESOLUTION #53-2010

A RESOLUTION AUTHORIZING A TEMPORARY CAPITAL BUDGET
FOR THE BOROUGH OF LEBANON FOR THE YEAR 2010

1 of 2

WHEREAS, NJAC 5:30-4 requires that every Municipality within the State of New Jersey must have a Capital Budget which reflects that Municipality's planned capital expenditures for the next three (3) years, and

WHEREAS, The Borough of Lebanon desires to pass a temporary Capital Budget for the years 2010-2012 to reflect such capital expenditures, and

WHEREAS, the Temporary Capital Budget will be included in full in the 2010 Local Municipal Budget of the Borough of Lebanon,

NOW, THEREFORE BE IT RESOLVED that the following Temporary Capital Budget be passed by the governing body of the Borough of Lebanon

CAPITAL BUDGET
(Current Year Action)
2010

		Planned Funding Service		
Debt	Improvement	Project	Estimated	Grant
Project	Fund	#	Total Cost	Funds
Authorized	Fund			
Improvement to Roads		10-1	\$ 700,000	\$ -0-
			\$ 700,000	\$ -0-

**3 YEAR CAPITAL PROGRAM 2010-2012
ANTICIPATED PROJECT SCHEDULE
AND FUNDING REQUIREMENT**

2 of 2

Project	Project #	Estimated Total Cost	Estimate Complete Time
Improvement to Roads	10-1	\$ 700,000	3 Years
		\$ 700,000	

3 YEAR CAPITAL PROGRAM 2010-2012
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Grant Funds</u>	<u>Bond and Notes</u>
Improvement to Roads	\$ 700,000	\$ -0-	\$
	<u>\$ 700,000</u>	<u>\$ -0-</u>	<u>\$</u>

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Division of Local Government Services.

Introduced and adopted: March 24, 2010

Ayes: 5
Nays: 0
Absent: 1

ATTESTED

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC

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 March 24, 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: March 24, 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 #54-2010:

Councilman Reino made a motion to approve Resolution 54-2010 with a second by Council President Quick .

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

RESOLUTION #54-2010

Supporting Governor Christie

WHEREAS, Chris Christie was elected by the people of New Jersey as the 55TH Governor of the State of New Jersey; and

WHEREAS, in the Governor's inaugural speech he spoke to the people of New Jersey stating "you voted for change and today change has arrived"; and

WHEREAS, in the same speech Governor Christie stated New Jersey has the largest budget deficit per person of any State, the highest tax rates in the nation, the highest unemployment rate in over 25 years and our people are suffering under the burden government as placed on them;

WHEREAS, this change has been identified and prioritized in Governor Christie's February 11, 2010 address to the Special Session of New Jersey Legislature "to reduce and reform New Jersey's habit of excessive government spending, to reduce taxes, to encourage job creation, to shrink the bloated government, and to fund our responsibilities on a pay-as-you-go basis and not leave them for future generations' ; and

WHEREAS, the legislature has enacted laws, regulation, policies including but not limited to COAH, binding arbitration, contractual entitlements, mandated school funding and unfunded mandates which forces local Counties, Municipalities and School Districts to tax its citizens to perpetuate these legislative decision benefiting special interest groups on the backs of the hardworking taxpayers of New Jersey; and

WHEREAS, Governor Christie has asked the legislature to "resist the traditional, selfish call to protect your own turf at the cost of our State; leave the corner, join the sacrifice, come to the center of the room voluntarily and be a part of the solution".

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Lebanon supports Governor Christie's efforts to reduce spending and to relieve the burdens place on the taxpayers of the State of New Jersey.

BE IT FURTHER RESOLVED that the Borough of Lebanon urges all municipal, county and school districts to join in their support of Governor Christie's efforts.

Introduced and adopted: March 24, 2010

Ayes: 4

Nays: 1

Absent: 1

ATTESTED

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC

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 March 24, 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: March 24, 2010

Karen M. Romano, RMC
Borough Clerk

The motion passed by the following roll call vote:

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

NO: Councilman Burton

ABSENT: Councilwoman Bross

ABSTAIN: None

Mayor Paradis stated if given the opportunity he would also have voted yes. Councilman Burton stated he strongly disagreed.

RESOLUTION #55-2010:

Councilman Burton made a motion to approve Resolution 55-2010 with a second by Council President Quick.

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

**RESOLUTION #55 - 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 excess of their contract, specifically running additional lines for computer usage, for a sum not to exceed \$1,600.00 has been approved.

Introduced and adopted: March 24, 2010

Ayes: 5

Nays: 0

Absent: 1

ATTESTED

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC

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 March 24, 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: March 24, 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:

Chairman Hauck reported the Community Forest Five Year Plan has been approved. A history presentation was given with regard to the 20th Anniversary of Lebanon Borough School. The subject was when the Telephone came to Lebanon.

Councilman Burton reported the School Budget increase will be \$36 dollars per household.

Chairman Saharic reported the Janina restaurant has opened. JDN properties are waiting for sewer approval.

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 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 #56-2010:

Councilman Reino made a motion to approve Resolution 56-2010 with a second by Councilman Coyle.

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

RESOLUTION # 56-2010

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 March 24, 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.

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

ADJOURN:

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

Respectfully Submitted

Karen M. Romano, RMC
Borough Clerk

LBCC

3-24-10

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