



**LEBANON BOROUGH COMMON COUNCIL
MINUTES
February 16, 2011**

The Regular Meeting of the Lebanon Borough Common Council was called to order by Mayor Reino at 7:30 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 Reino.

ROLL CALL:

Present: Mayor Reino, Council President Berger, Councilman Burton, Councilman Knoble, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

Absent: Attorney Joseph Novak

Also Present: Clerk Karen M. Romano

MOMENT OF SILENCE:

Mayor Reino stated a total of 7061 United States Service Members had given their lives for our country for the war on terrorism. New Jersey total continues at 89. Mayor Reino 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 REPORT:

Mr. Tillou with DEI presented the Building Renovation Monthly Report.

MEMORANDUM

DATE: February 16, 2011

TO: LEBANON BOROUGH'S COUNCIL
FROM: DAVID G. TILLOU
RE: ADDITION & ALTERATIONS TO LEBANON BOROUGH HALL

Council,

A meeting was held on Saturday, February 5, 2011 to review the Council's "wish list" and the status of each. The Buildings & Grounds meeting was attended by Council members, Bonnie Schmidt and Jim Pittinger, Borough Clerk Karen Romano, and Dave Tillou of DEI. The following issues were presented by DEI and the **bolded type** is a synopsis of the February 5th discussion and the *italics type* is what we would like to discuss February 16th;

DEI solicited proposals for several different upgrades within the Borough Hall. The following is a result of these solicitations;

• **Security**

Proposed item	APS	Superior	Systems Sales	Sawyers
CCTV installed in the NW lobby	150.14	(A)	(A)	No bid
Devices including Six "chimes" (one on each exterior door) that indicates that door has been	811.62	(B)	(B)	

“activated”				
Monitor (with the ability to be expanded to eight cameras) hung in the Clerk’s office for convenient observation	923.99	(A)	(A)	
The ability to record activation of the camera for approximately 48 hours then record over	448.13	(A) Total 2,500.00	(A) Total 7,850.00	
A device to be used as a panic device for four people within the building. This device, when activated, should signal the central station that an emergency exists and they will dispatch the police immediately with no discussion	196.35	<u>No price</u>	(B)	
Motion detectors located in the upper corridor, lower vestibule, Executive Meeting room and the basement	<u>No price</u> but can be added easily	(B) Total 2,450.00	(B) Total 6,800.00	
Total	5,364.59	4,950.00	14,650.00	
Provide central station monitoring	25.00 per month	24.95 per mo., offer cellular for 39.95 per + 199.00	22.00 per month	

After a discussion, the assembled agreed to recommend engaging APS for the security installation. The only revision to be recommended is to add two cameras (at an additional cost of 300.28), one at the northeast entrance and one at the Clerk’s office. 2-16-11 – we would like to have the Council consider approving the APS proposal for \$5,665.00. **The Council resolved to award this contract to APS at \$5,665.00.**

- Repair all locks – Completed by Rampart under warranty. **DEI and the Clerk stated that one lock is still malfunctioning. DEI to follow up.**
2-15-11 – we discussed several issues with General Supply and wrote a memo dated February 12th to Karen regarding these issues.
- Repair drawer bottoms – Into shop by Cooper under warranty. **The Clerk stated that conversations were held with Cooper and they will accommodate the needs of the staff by replacing the units with broken drawers with a cabinet with stronger shelves. It may cost approximately \$600.00 to do so.**
- Dais

Sketch	Kitchen Crafters	Cooper Furniture	David Leiz
	Custom plastic laminate 11,300.00 plus 2,000.00 for casters	Series of “desks” with modesty panels and 1’ high barrier 3,848.40	Doesn’t want to bid

After a discussion, the assembled agreed to recommend Cooper Furniture’s proposal. Cooper is also working on furnishing samples for executive and audience chairs. DEI to follow up with another proposal for a dais.

2-16-11 – we would like to have the Council consider approving the Cooper proposal for \$3,848.00. **The Council resolved to award this contract to Cooper Furniture for a sum not-to-exceed \$3,848.00.**

- Landscape plan – **The assembled agreed that with any landscaping addition more maintenance would be required. Proposals are not being pursued.**
- New flagpole – **the assembled agreed that this was one of the lowest priorities and the pricing should be firmed up with options. DEI to follow up.**
- Roof replacement – The manufacturer of the new roof is GAF, the product is GAF-ELK, Royal Sovereign, 25 yr. warranty, color is Dove Gray – The roof that is on the building now seems to be about 15 years old. The shingles were not manufactured earlier than that. It should be a 20 – 25 year roof. **DEI explained that during discussions with people who have been engaged over the past years at the building, the roof is estimated to be 16 years old. It may have some longevity left. DEI will pursue more advice from roofers if it is necessary to replace, but again, this is a lower priority then other items.**
- Toilet room upgrades - Scope of work – Remove all fixtures, three sinks, two toilets, one urinal. Remove counters, wall tiles, toilet partitions and grab bars. Replace with new ceramic tile floor to ceiling, two new toilets (standard height), two new sinks, one new slop sink, new grab bars, new 4’ counters, two wall cabinets for storage of cleaners, paper products, etc. and new “toilet room” locks to effectively make the rooms single occupancy. Clean and re-grout floor tile. Paint the trim.
The assembled agreed to the scope of work. DEI has one proposal from Rampart and is actively pursuing other proposals.
2-16-11 – DEI has solicited proposals from Rampart Construction, Foran & Associates and Home Solutions.
- Basement repairs – scrape and clean all walls and floors, patch ceiling with ¼” plywood, paint all horizontal and vertical surfaces. Erect drywall partition at north stairwell.
The assembled agreed to the scope of work. DEI is actively pursuing other proposals.
2-16-11 – DEI has solicited proposals from Rampart Construction, Foran & Associates and Home Solutions.
- **Accessible doors** – contacted Eastern Door (Chuck Vetter) 2-1-11, and he said he would hold his pricing, and he could do this quickly. The only issue with the fire rated door (at the bottom of the ramp) is that it would have to be tied into the fire alarm system and the power gets turned off when the alarm is activated. Also, we need to have an electrician for the power to the devices.
DEI reported that this was previously approved by the Council for the retrofit of three doors. The northwest entrance, the door at the end of the ramp and the meeting room door for 5,804.00 (excluding electric modifications). DEI has contacted eastern Door and they are waiting for a Purchase Order, but they have the material in stock and the ability to commence work immediately.
2-16-11 – DEI met Eastern to review their electrical requirements. We have located each of the “buttons”. One issue was “dogging down” the meeting room doors, but that has been resolved. The electrical installations should take 1 ½ days or approximately \$1,440.00 plus material. The Council resolved to award the electric portion of this installation to J. Tufaro & Sons for a Time & Material price for approximately \$1,440..00.
- Fencing along property’s perimeter – **The assembled discussed the options. DEI was asked to assess the posts for their stability and price replacing the fabric with vinyl coated chain link and some hedges or plants to create a boundary.**
2-16-11 – DEI solicited proposals from several fence companies. The following replied;

York Fence Co	Central Jersey Fence	West Chester Fence
Remove and dispose of existing fabric Install vinyl covered fabric, green or black	Remove and dispose of existing fabric Install vinyl covered fabric, green or black	Remove and dispose of existing fabric Install vinyl covered fabric, green or black Repair 105 of pipe, straighten 20 posts
4,785.00	8,250.00	5,150.00

We would like to have the Council consider approving the West Chester Fence proposal for \$5,150.00. **The Council requested samples of the “regular” fabric and the upgraded fabric to review. DEI to follow up.**

We are also working on a wish list for the Office of Emergency Management Building including;

- New sign at 96 Main – discussed this with a few vendors. Possible to have sign relocated and two masonry piers erected with display between the piers.

DEI presented some photos of the display they propose. The assembled agreed to the basic concept of masonry piers with the display between the piers. A suggestion was made to have a roof over it and an attempt to retain the “small town” feel of the current sign. DEI to follow up with alternates and pricing.

2-16-11 – DEI solicited pricing from five companies. They all had similar requirements regarding the method of changing the sign. A laptop would be loaded with the appropriate software so the sign could be changed from a car in the vicinity of the sign. Each offered a demonstration when the Council is closer to purchasing the sign.

Salecaster	Electronic Signs	A+ Signs
5’6” X 2’9” double sided 17mm, 48/96 pixels	5’6” X 2’9” double sided 17mm, 48/96 pixels	5’3” X 3’4” double sided With Added option - Faux brick piers
16,000.00	14,640.00	21,000

- Parking lot paving – limited area of paving to be repaired and replaced with “heavy duty” paving, i.e. 6” stone base, 3’ stabilized base, 1 ½” topping. All paving to be properly pitched to drain water.

DEI explained the weight of the equipment using the lot is damaging the lot. DEI suggested a limited scope of work, but the assembled suggested DEI to solicit a unit price for the entire parking lot.

- Roof – remove and replace entire roof with GAF-ELK, Royal Sovereign, 25 year warranty, color to be Dove Gray so all pricing would be comparable. **DEI to follow up with pricing.**
2-16-11 – DEI has solicited proposals from Rampart Construction, Foran & Associates and Home Solutions.

- Siding – suggestion is to have the existing siding cleaned, caulked and painted or have an alternate price to apply vinyl siding to create a maintenance free exterior. Must remove and replace soffit and fascia, paint to match. Remove existing gutters and replace with commercial grade gutters (6” wide)

The assembled agreed to have pricing for the scope of work above, but add a price for vinyl siding matching the firehouse.

2-16-11 – DEI has solicited proposals from Rampart Construction, Foran & Associates and Home Solutions.

- Carpeting – the Council should consider replacing the carpet throughout the building. Perhaps some high-traveled areas should have floor tile.

- Windows – remove and replace all windows with the same size, but energy efficient windows.

DEI suggested pricing replacement of all windows with insulated glass and the doors with weather stripped frames.

2-16-11 – DEI visited the interior of the building February 25th. Many windows have insulated glass. We will revise our scope of work to only replace the windows without insulated glass. DEI has solicited proposals from Rampart Construction, Foran & Associates and Home Solutions.

- Front steps – the sidewalk was replaced, but the steps are in need of repair. Remove and replace the failing edges.

DEI showed the assembled a photo of the steps failing. DEI to solicit pricing.

2-16-11 – DEI has solicited proposals from Rampart Construction, Foran & Associates and Home Solutions.

- Ramp and stairs at the Playground.
A discussion took place regarding this, but the assembled tabled this discussion until the spring.

Addition & Alteration Project financial status

- Rampart Construction – they have reconciled all of their change orders and now are assembling their close out documents, including the Consent of Surety to final payment. After they replace the roof over the southwest entrance, their final payment will be 70,795.00.
Please see the email from SSP (attached) in response to the request they co-sign the change order prepared by DEI
- TM Brennan Contractors – the balance in their contract is 62,366.76

RESOLUTION # 41-2011:

Councilman Burton made a motion to approve Resolution 41-2011 the Consent Agenda with a seconded by Councilwoman Schmidt.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION # 41-2011
CONSENT AGENDA**

February 16, 2011

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. Resolution from Clinton Township regarding Opposing S-1
2. Freeholder letter regarding Central Street Bridge
3. Lebanon Fire Company Monthly Reports
3. Elizabethtown Gas
4. DOT award of \$160,000 for Cherry Street
5. St. Hubert Report
6. Rutgers Refund
7. State Department letter regarding Campaign Contributions
8. Comcast right- a-way check

Introduced and adopted: February 16, 2011

Ayes: 6
Nays: 0
Absent: 0

Sam Berger, Council President

ATTEST: _____

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the February 16, 2011 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: February 16, 2011

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

APPROVAL OF MINUTES:

Council President Berger made a motion to accept the Regular Meeting and Executive Minutes of January 19, 2011. With a second by Councilman Knoble.

The motion passed by the following roll call vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt and Councilman Coyle

NO: None

ABSTAIN: Councilman Pittinger

ABSENT: None

Council President Berger made a motion to accept the Special Meeting Minutes of January 28, 2011. With a second by Councilman Burton.

The motion passed by the following roll call vote:

YES: Council President Berger, Councilman Burton, Councilwoman Schmidt, and Councilman Coyle

NO: None

ABSTAIN: Councilman Pittinger and Councilman Knoble

ABSENT: None

APPROVAL OF EXPENDITURES:

Council President Berger made a motion to approve the bill list for February 2011. Councilman Knoble seconded the motion.

Report Printed 2011-03-11 13:03:53 Lebanon Borough

Check Register - (0110101001) CASH CHECKING

	DATE	CHECK #	PAID TO	AMOUNT
VOID AMOUNT	VOID DATE	REASON		
	2/15/2011	99999	85 LEBANON BOROUGH PAYROLL	6,150.97
(Transfer)				
	2/16/2011	6233	19 AMAZON CREDIT PLAN	13.41
	2/16/2011	6234	202 CENTURYLINK	230.14
	2/16/2011	6235	357 CLARKE CATON HINTZ	1,623.04
	2/16/2011	6236	357 CLARKE CATON HINTZ	2,820.25
	2/16/2011	6237	247 COMCAST	10.17
	2/16/2011	6238	247 COMCAST	280.44
	2/16/2011	6239	132 COUNTY OF HUNTERDON	1,600.00
	2/16/2011	6240	38 COUNTY OF HUNTERDON	550.00
	2/16/2011	6241	152 GANNETT NJ NEWSPAPERS	59.20
	2/16/2011	6242	39 ELIZABETHTOWN GAS	1,471.35
	2/16/2011	6243	46 FERRIERO ENGINEERING	859.39
	2/16/2011	6244	83 HORIZON BLUE CROSS BLUE SHIELD NJ	245.81
	2/16/2011	6245	54 NJN PUBLISHING	5.00
	2/16/2011	6246	54 NJN PUBLISHING	192.74
	2/16/2011	6247	438 INTERNATIONAL SALT	3,855.00
	2/16/2011	6248	16 JCP&L	4,296.89

2/16/2011	6249	16 JCP&L	299.94
2/16/2011	6250	451 JOHN REINO	200.00
2/16/2011	6251	451 JOHN REINO	58.84
2/16/2011	6252	264 JOSEPH S. NOVAK	3,000.00
2/16/2011	6253	104 KAY WINZENRIED	41.48
2/16/2011	6254	59 LEBANON BOROUGH BOARD OF EDUCATION	219,031.10
2/16/2011	6255	59 LEBANON BOROUGH BOARD OF EDUCATION	222,327.10
2/16/2011	6256	452 MATARAZZO EXCAVATION & MASONRY	7,467.50
2/16/2011	6257	452 MATARAZZO EXCAVATION & MASONRY	3,870.78
2/16/2011	6258	452 MATARAZZO EXCAVATION & MASONRY	796.25
2/16/2011	6259	452 MATARAZZO EXCAVATION & MASONRY	2,345.00
2/16/2011	6260	452 MATARAZZO EXCAVATION & MASONRY	367.50
2/16/2011	6261	294 MEENAN OIL CO	567.77
2/16/2011	6262	71 MUNICIPAL CLERKS ASSO OF NJ	175.00
2/16/2011	6263	253 NEW JERSEY STATE POLICE	3,261.20
2/16/2011	6264	52 NJAPZA	45.00
2/16/2011	6265	70 NO HUNTERDON-VOORHEES REG HS DIST	251,020.39
2/16/2011	6266	35 NORTH HUNTERDON MUNICIPAL COURT	674.22
2/16/2011	6267	233 PITNEY BOWES	99.00
2/16/2011	6268	37 PITNEY BOWES - RESERVE ACCOUNT	200.00
2/16/2011	6269	68 POLAND SPRING WATER CO	26.35
2/16/2011	6270	28 PREMIER DISPOSAL, INC	4,832.96
2/16/2011	6271	20 QUILL CORPORATION	256.50
2/16/2011	6272	61 RECOGNITION GRAPHICS	455.50
2/16/2011	6273	48 RECORDER PUBLISHING CO., INC	46.86
46.86	2/16/2011	duplicate payment	
	2/16/2011	6274 457 RUTGERS, THE STATE UNIVERSITY	37.00
	2/16/2011	6275 303 SHARP ELECTRONICS CORPORATION	184.46
	2/16/2011	6276 390 TELE-DATA SOLUTIONS	180.00
	2/16/2011	6277 368 THOMAS L YAGER & ASSOC	112.50
	2/16/2011	6278 11 VITAL SERVICES GROUP	100.00
	2/16/2011	6279 192 WALMART BUSINESS	180.79
	2/16/2011	6280 27 WASTE MANAGEMENT OF NJ INC	3,292.21
	2/18/2011	99999 95 NJ STATE HEALTH BENEFITS PLAN	2,594.07
(Transfer)			
(Transfer)	2/28/2011	99999 85 LEBANON BOROUGH PAYROLL	10,835.17

			743,666.03
			19,580.21 Bank
Transfers			
			-46.86 **
Voided			
			=====
			763,199.38

List of Bills - (0410101001) cash checking

GENERAL CAPITAL FUND

Check#	Vendor	Description	Payment	Check Total
6230	328 - DESIGN ENTERPRISES, INC.	PO 3664 CONSTRUCTION MANAGEMENT SVCS FOR SE	1,040.00	1,040.00
6231	46 - FERRIERO ENGINEERING	PO 3623 NOV 2010 ENG SVCS - CENTRAL STREET	17,085.40	17,085.40
6232	448 - TOP LINE CONSTRUCTION CORP	PO 3645 ESTIMATE #2 CENTRAL STREET SIDEWALK	66,295.86	66,295.86
	TOTAL		84,421.26	

Total to be paid from Fund 04 GENERAL CAPITAL FUND 84,421.26

=====
84,421.26

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

OPEN PUBLIC SESSION #1:

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

STREETING OPENING:

Mayor Reino requested a motion to approve the Street Opening Permit for 51 Main Street for Elizabethtown Gas. Councilman Burton made a motion to approve the stated Street Opening. With a seconded from Council President Berger.

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

ORDINANCE 2011-01 OPEN PUBLIC SESSION :

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

ORDINANCE# 2011-01:

Council President Berger made a motion to ADOPT Ordinance #2011-01 with a second by Councilman Burton.

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

ORDINANCE NO. 2011-01

**AN ORDINANCE OF THE BOROUGH OF LEBANON ENABLING THE GOVERNING BODY
TO SERVE AS THE LOCAL BOARD OF HEALTH**

WHEREAS, pursuant to N.J.S.A 26: 3-1 the Board of Health of the Borough of Lebanon was established by Ordinance adopted on May 18, 1954 providing for the appointment six citizen members by the Mayor with the advise and consent of the Council; and

WHEREAS, the Lebanon Borough Board of Health has functioned as a separate entity regulating, controlling and carrying out its responsibilities through the adoption of Ordinances, Resolutions, rules and regulations, and establishing policy governing health issues in the Borough; and

WHEREAS, the Hunterdon County Board of Health was designated as the agent of the local Board of Health to fulfill all of it's inspection and related responsibilities, such that the Lebanon Board of Health served only as a policy making body, meeting irregularly throughout the year; and

WHEREAS, the Board of Health has adopted resolution #10-2010 BOH recommending that the original enabling Ordinance establishing it as a separate entity be amended to provide that the Mayor and Council be appointed to serve as the local Board of Health

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

Section 1 - The enabling Ordinance adopted by the Borough of Lebanon on May 19, 1954 establishing the Board as a separate entity with citizen member representatives is hereby repealed upon this Ordinance being adopted taking full legal effect.

Section 2- There is hereby established pursuant to N.J.S.A. 26:3-1, et seq. the Board of Health of the Borough of Lebanon, New Jersey.

1. Purpose: The purpose of this Ordinance is to carry out the mandate of the New Jersey Statutes requiring that every Municipality establish a local Board of Health to address and regulate public health within its boundaries.
2. Membership Composition, Appointment and Term of Office. The Board of Health of the Borough of Lebanon, New Jersey shall consist of seven members, each of whom shall be a member of the Governing Body, and at the annual reorganization of the municipality, shall be appointed by the Mayor with the advise and consent of the Council. The term of each member shall run concurrently with their term of elected office.
3. Powers. The Lebanon Borough Board of Health shall have the power to pass, alter, or amend Ordinances, Resolutions, and make rules and regulations with regard to public health within the boundaries of the Borough of Lebanon, and more particularly for the purposes as set forth in N.J.S.A. 26:3-3-1.
4. Delegation. The Lebanon Borough of Health may delegate by resolution, any of its powers to any member of the Board or any officer thereof, or the County Board of Health, as the Lebanon Borough Board of Health may deem proper and appropriate to carry out its responsibilities.
5. Budget. The Lebanon Borough Board of Health, shall each year, before the budget of municipal taxes to be levied for the year shall be determined, present to the

Governing Body of the Municipality, an estimate of the appropriation which it believes necessary for health purposes. The Governing Body shall appropriate the amount of such estimate or such amount as it may determine to be sufficient to accomplish the responsibilities of the Board of Health.

Section 3- All Ordinances, Resolutions and rules and regulations heretofore adopted by the Lebanon Borough Board of Health are continued in full force and effect, without interruption, and to the extent necessary by law, are hereby readopted so that there is no lapse of any Ordinance, Resolution, rule or regulation.

Section 4 - 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 5 – 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

Samuel Berger, Council President

Vote after public hearing and upon final adoption:

Berger 1

Burton 1

Coyle 1

Knoble 1

Pittinger 1

Schmidt 1

Ordinance approved by the Governing Body and presented
to the Mayor on _____, 2011.

Veto in Whole or Part:

Approved:

Michael F. Reino, Mayor
Date:

Michael F. Reino, Mayor
Date:

Returned to Borough Clerk with statement attached on _____, 2011

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on January 19, 2011 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 February 16, 2011 at 7:30 p.m. at 6 High Street, Lebanon, New Jersey.

Karen M. Romano, R.M.C.
Borough Clerk

NOTICE OF FINAL PASSAGE

ORDINANCE 2011-01

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 19th day of January 2011, and the same came up for final passage at a meeting of the said Borough Council on the 16th day of February 2011 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: January 19, 2011

ADOPTED: February 16, 2011

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

ORDINANCE 2011-02 OPEN PUBLIC SESSION :

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

ORDINANCE# 2011-02:

Council President Berger made a motion to Introduce Ordinance #2011-02 with a second by Councilman Knoble.

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

ORDINANCE 2011-02

**AN ORDINANCE BY THE BOROUGH OF LEBANON
IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY
TO EXCEED THE INDEX RATE FOR THE 2011 BUDGET**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to two and one-half percent (2.5%) unless authorized by ordinance to increase it to three and one-half percent (3.5%) the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, NJSA 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the three and one-half (3.5%) percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Governing Body of the Borough of Lebanon in the County of Hunterdon finds it advisable and necessary to increase its 2011 budget by up to three and one half percent (3.5%) over the previous year's final appropriations, in the interest of promoting the health, safety, and welfare of the citizens; and

WHEREAS, the Governing Body hereby determines that a three and one half percent (3.5%) increase in the budget for said year, amounting to \$14,697.29 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

WHEREAS, the Governing Body of the Borough of Lebanon hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Lebanon, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2011 budget year, the final appropriations of the Borough of Lebanon shall, in accordance with the ordinance and NJSA 40A: 4-45.14 be increased by 3.5%, amounting to \$34,293.67, and that the 2011 municipal budget for the Borough of Lebanon be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

ATTEST:

LEBANON BOROUGH COUNCIL

Karen M. Romano, RMC
Borough Clerk

Sam Berger, Council President

Vote after public hearing and upon final adoption:

Burton

Knoble

Ordinance approved by the Governing Body
and presented to the Mayor on _____.

Schmidt

Coyle

Pittinger

Berger

Veto in Whole or Part:

Approved:

Michael F. Reino, Mayor
Date:

Michael F. Reino, Mayor
Date: _____

Returned to Borough Clerk with
statement attached on _____

Introduced: February 16, 2011
Adopted:

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on February 16, 2011 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 16, 2011 at 7:30 p.m. in the Municipal Building, 6 High Street, Lebanon, New Jersey.

Karen M. Romano, RMC
Borough Clerk

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

RESOLUTION # 29-2011:

Councilman Burton made a motion to approve Resolution 29-2011 with a second by Councilman Knoble.

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

RESOLUTION #29-2011

THE LEBANON BOROUGH PLANNER

WHEREAS, the Borough of Lebanon Council has determined a need for the services of Clarke Caton Hintz PP,AICP,ASLA,400 Sullivan Way Trenton, NJ 08628; and

WHEREAS, the Borough Council has elected to enter into a professional services agreement pursuant N.J.S.A. 40A:11-1 et seq. and shall enter into such contract on a non-affair and open contract basis pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough Council has determined in consultation with the Borough Attorney, that Clarke Caton Hintz, PP, AICP, ASLA has the requisite experience for such specialized matters;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council and the Borough of Lebanon as follows:

1. Clarke Caton Hintz, PP, AICP, ASLA is hereby retained as Planner to the Borough of Lebanon as of January 1, 2011.
2. The Mayor and Clerk are hereby authorized to execute a professional services contract with Clarke Caton Hintz, PP, AICP, ASLA on the condition that the Planner shall complete a Business Entity Disclosure Certification.
3. This resolution authorizes a contract to be awarded without competitive bidding with such contract to be prepared and finally approved by the Borough Attorney.
4. A notice of this action shall be published in the legal newspaper of the Borough.

Ayes: 6
Nays: 0
Absent: 0

Sam Berger
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 16th day of February, 2011; 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: February 16, 2011

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

RESOLUTION # 42-2011:

Councilwomen Schmidt made a motion to approve Resolution 42-2011 with a second by Councilman Knoble.

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

RESOLUTION #42-2011

A RESOLUTION AUTHORIZING A TONNAGE GRANT APPLICATION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2010 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Lebanon Borough to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Common Council of the Borough of Lebanon that the Borough of Lebanon hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Borough Clerk, Karen Romano to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Introduced and adopted: February 16, 2011
Ayes: 6
Nays: 0
Absent: 0

LEBANON BOROUGH COUNCIL

Sam Berger
Borough Council President

ATTEST:

Karen M. Romano, RMC
Borough Clerk

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Municipal Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Common Council at a meeting duly held on the 16th day of February, 2011; 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: February 16, 2011

Karen M. Romano, RMC
Clerk

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

RESOLUTION # 43-2011:

Councilman Burton made a motion to approve Resolution 43-2011 with a second by Councilwoman Schmidt.

BOROUGH OF LEBANON HUNTERDON COUNTY STATE OF NEW JERSEY

RESOLUTION #43-2011

Pay to Play

WHEREAS, on January 1, 2010, the “New Jersey Local Unit Pay-to-Play” Law, *N.J.S.A.* 19:44A-20.4 et. seq., became effective; and

WHEREAS, the Borough of Lebanon has a need to award certain professional contracts for services required by the municipality in calendar year 2011; and

WHEREAS, the Pay-to-Play Law permits such services to be acquired through two processes, including the “non-fair and open” process as defined in *N.J.S.A.* 19:44A-20.7 on those contracts where it is anticipated that the total cost will exceed \$17,500.00; and

WHEREAS, the public good and interest of the citizens of the Borough of Lebanon will best be served by the “non-fair and open” process to secure experienced professional services, rather than the “fair and open” process of awarding a contract to the lowest bidder; and

WHEREAS, each professional will be required to first complete and submit a Business Entity Disclosure Certification.

NOW, THEREFORE, BE IT RESOLVED, by the President and Borough Council of the Borough of Lebanon, as follows:

1. The following professional 2011 contracts shall be awarded under the “non-fair and open” process:
- Clarke Caton Hintz Planner
2. The said professionals, prior to securing such contract, shall execute and file with the Clerk of the municipality, a 2011 Business Entity Disclosure Certification pursuant to *N.J.S.A. 19:44A-20.8*

Introduced and adopted: February 16, 2011
Ayes: 6
Nays: 0
Absent: 0

LEBANON BOROUGH COUNCIL

Sam Berger, Council President

ATTEST: _____

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the 16th day of February 2011; 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: February 16, 2011

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

RESOLUTION # 44-2011:

Councilman Coyle made a motion to approve Resolution 44-2011 with a second by Councilman Berger.

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

**RESOLUTION # 44 - 2011
J. Tufaro & Sons – Electric to automatic doors**

WHEREAS, the governing body has commenced the renovation of the Borough Municipal Building, working in conjunction with its Buildings and Grounds Committee on the Borough upgrade 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 complete this portion of 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 Buildings & Grounds Committee recommends engagement of J. Tufaro & Sons to perform specific electric energizing and associated services for a sum not-to-exceed \$1,440.00 has been approved.

Introduced and adopted: February 16, 2011

LEBANON BOROUGH COUNCIL

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Council President, Sam Berger

ATTEST:

Karen M. Romano, RMC
Lebanon Borough Clerk

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the February 16, 2011, 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: February 16, 2011

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None
ABSTAIN: None
ABSENT: None

RESOLUTION # 45-2011:

Councilman Coyle made a motion to approve Resolution 45-2011 with a second by Councilman Pittinger.

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

RESOLUTION # 45 - 2011
American Protective Services – Security

WHEREAS, the governing body has commenced the renovation of the Borough Municipal Building, working in conjunction with its Buildings and Grounds Committee on the Borough upgrade 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 complete this portion of 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 Buildings & Grounds Committee recommends engagement of American Protective Systems, Inc. to perform specific security and associated services for a sum not-to-exceed \$5,665.00 has been approved.

Introduced and adopted: February 16, 2011

LEBANON BOROUGH COUNCIL

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Council President, Sam Berger

ATTEST:

Karen M. Romano, RMC
Lebanon Borough Clerk

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the February 16, 2011, 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: February 16, 2011

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

RESOLUTION # 46-2011:

Councilman Coyle made a motion to approve Resolution 46-2011 with a second by

Councilwoman Schmidt.

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

**RESOLUTION # 46 - 2011
Cooper furniture – Dais furniture**

WHEREAS, the governing body has commenced the renovation of the Borough Municipal Building, working in conjunction with its Buildings and Grounds Committee on the Borough upgrade 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 complete this portion of 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 Buildings & Grounds Committee recommends engagement of Cooper Furniture to perform specific furniture and associated services for a sum not-to-exceed \$3,848.00 has been approved.

Introduced and adopted: February 16, 2011

LEBANON BOROUGH COUNCIL

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Council President, Sam Berger

ATTEST:

Karen M. Romano, RMC
Lebanon Borough Clerk

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the February 16, 2011, 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: February 16, 2011

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None
ABSTAIN: None
ABSENT: None

OPEN PUBLIC SESSION #2:

Mayor 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 Mayor 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 Reino requested a motion to enter into executive session.

RESOLUTION # 47-2011:

Councilman Burton made a motion to approve Resolution 47-2011 with a second by Councilwoman Schmidt.

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

RESOLUTION # 47-2011

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: February 16, 2011
Ayes: 6
Nays: 0
Absent: 0

LEBANON BOROUGH COUNCIL

Sam Berger, 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 February 16, 2011.

Karen Romano, RMC
Borough Clerk

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

Mayor Reino requested a motion to come out of executive session and re-enter the regular meeting of February 16, 2011.

Council President Berger made a motion to exit executive session and re-enter the February 16, 2011 meeting. With a second by Councilman Knoble.

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

RESOLUTION # 48-2011:

Councilman Coyle made a motion to approve Resolution 48-2011 with a second by Councilman Berger.

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

**RESOLUTION # 48 - 2011
Office Business Systems**

WHEREAS, the governing body has commenced the renovation of the Borough Municipal Building, working in conjunction with its Buildings and Grounds Committee on the Borough upgrade 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 complete this portion of 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 Buildings & Grounds Committee recommends engagement of Office Business Systems under state contract to perform specific projection, sound system and associated services for a sum not-to-exceed \$24,535 has been approved.

Introduced and adopted: February 16, 2011

LEBANON BOROUGH COUNCIL

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Council President, Sam Berger

ATTEST:

Karen M. Romano, RMC
Lebanon Borough Clerk

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the February 16, 2011, 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: February 16, 2011

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

YES: Council President Berger, Councilman Knoble, Councilman Burton, Councilwoman Schmidt, Councilman Pittinger and Councilman Coyle

NO: None

ABSTAIN: None

ABSENT: None

COMMITTEE/COMMISSIONS/BOARD UPDATES

Tax Assessor Curtis Schick stated the reassessment is completed. The new assessed values will be mailed in August.

Communication Committee Councilwoman Schmidt reported the Lantern will be printed for the end of March. She also hopes to have the website up and running by April 1st.

Also Councilwoman Schmidt reported welcome bags for new residents and business are in the development stage

Utilities Committee Councilman Knoble stated he will present an energy alternative company at the March meeting.

Finance Committee Council President Berger invited everyone to the Budget Meeting March 7th.

Shade Tree Committee Chairman Hauck stated the state was out to inspect the trees planted on the Municipal lawn and we have \$2800.00 left on the stimulus grant.

Recreation Committee Councilman Pittinger reported Park School will be extended to six weeks this summer.

MISCELLANEOUS:

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

Respectfully Submitted,

Karen M. Romano, RMC
Borough Clerk

