



**LEBANON BOROUGH COMMON COUNCIL
MINUTES
February 20, 2013**

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 Burton, Councilman Berger, Councilman Knoble, Councilwoman Schmidt, Councilman Pittinger and Councilman Junge

Absent:

Also Present: Attorney Novak, Clerk Karen M. Romano

MOMENT OF SILENCE:

Mayor Reino stated a total of 8086 United States Service Members had given their lives for our country for the war on terrorism. New Jersey total continues at 119. 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.

RESOLUTION # 35-2013:

Council President Burton made a motion to approve Resolution 35-2013 the Consent Agenda with a second by Councilman Knoble.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION # 35-2013
CONSENT AGENDA**

February 20, 2013

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. Hunterdon County letter regarding 300th year Anniversary
2. Kaplan letter requesting Bond release
3. Clinton Water Maintenance of Hydrants
4. Raritan Valley Rail Coalition
5. Highlands Executive Director change
6. Comcast Franchise Fee
7. Nuisance Ordinance: Frenchtown
8. Finance Monthly Report.

Introduced and adopted February 20, 2013

Ayes: 6
Nays: 0
Absent: 0

Richard J. Burton, 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 20, 2013 force and effect as of the date I have subscribed my signature.

Date: February 20, 2013

Karen M. Romano, RMC
Lebanon Borough Clerk

The motion was passed by the following vote:

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

NO: None

ABSTAIN: None

ABSENT: None

LBSA ENGINEER:

Jim Hill stated he will be conducting a Smoke Test of the sewer system to detect leaks due to cracks. The test is done about every ten years. Anita and Karen will be notifying the residents and business owners via the Electronic Bulletin Board, the Lantern and reverse 911. The test will begin on March 25, 2013 taking approximately three to four days.

HUNTERDON COUNTY FREEHOLDER OFFICE:

Marcia Karrow and Cynthia Yard presented the plans for the 300th year Anniversary of Hunterdon County. It was requested of the Borough to purchase a "Blue Sky" print of the Hunterdon Court House in support. Lebanon Borough was also asked to plan one event of their choice and presented by October 1st for approval, and have one Lebanon Borough volunteer present at each of the County planning meeting throughout 2013.

APPROVAL OF MINUTES:

Councilman Knoble made a motion to accept the Regular Meeting Minutes of January 16, 2013. With a second by Councilman Pittinger.

The motion passed by the following roll call vote:

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

NO: None

ABSTAIN: None

ABSENT: None

APPROVAL OF EXPENDITURES:

Councilwoman Schmidt made a motion to approve the bill list for February 2013. Councilman Berger seconded the motion.

Report Printed 2013-02-19 11:49:28 Lebanon Borough

List of Bills - (All Funds)

Total	Vendor	Description	Payment	Check
	Current Fund			
976.26	314 - B & B PRESS INC.	PO 5170 LEBANON LANTERN NEWSLETTER PRINTING	976.26	
3,490.00	534 - CEDAR RIDGE LAWN MAINTENANCE, LLC	PO 5191 SNOW REMOVAL SERVICE FOR INVOICES 1	3,490.00	
5,214.50	534 - CEDAR RIDGE LAWN MAINTENANCE, LLC	PO 5209 SNOW REMOVAL SERVICE FOR INVOICES	5,214.50	
302.64	202 - CENTURYLINK	PO 5210 TELEPHONE SERVICE, ACCT 310227467/3	302.64	
21.10	247 - COMCAST	PO 5112 INTERNET SVC, ACCT 01729182935013	21.10	
288.07	247 - COMCAST	PO 5192 INTERNET/PHONE SERVICE FOR FEB 2013	288.07	
400.00	132 - COUNTY OF HUNTERDON	PO 5172 REGULAR HEALTH INSPECTIONS FROM 10/	400.00	
474.31	38 - COUNTY OF HUNTERDON	PO 5193 GASOLINE/DIESEL FUEL FOR DECEMBER 2	474.31	
38.96	152 - NEW JERSEY PRESS MEDIA	PO 5114 REORGANIZATION MEETING AD, ACCT 203	38.96	
28,096.91	345 - DATA VENTURES I LLC (DVI)	PO 5222 REDEMPTION OF TAX SALE CERTIFICATE	28,096.91	
250.00	111 - ELIZABETH C MCKENZIE	PO 5194 THIRD ROUND COMPLIANCE FOR JAN 201	250.00	
1,356.90	39 - ELIZABETH TOWN GAS	PO 5171 NATURAL GAS SVC, ACCT 2635600594/68	1,356.90	
151.00	46 - FERRIERO ENGINEERING	PO 5115 ENGINEERING SVCS FOR DECEMBER 2012,	151.00	
1,164.00	46 - FERRIERO ENGINEERING	PO 5211 ENGINEERING SVC, INV 52110/52112/52	1,164.00	
240.00	550 - FREY ENGINEERING LLC	PO 5120 ENGINEERING SVCS FOR HIGHLANDS WMP,	240.00	
90.00	187 - GPANJ, INC	PO 5116 2013 MEMBERSHIP DUES	90.00	
245.81	83 - HORIZON BLUE CROSS BLUE SHIELD NJ	PO 5151 DENTAL INSURANCE FOR MARCH 2013, AC	245.81	
92.50	54 - NJN PUBLISHING	PO 5117 LEGAL ADS, ACCT L901188	92.50	
146.32	54 - NJN PUBLISHING	PO 5174 LEGAL ADS, ACCT L901188	146.32	
19.94	54 - NJN PUBLISHING	PO 5212 LEGAL AD, ACCT L901188	19.94	
25.00	53 - HUNTERDON COUNTY MUNIC CLERK'S ASSO	PO 5173 CLERKS LUNCHEON MEETING	25.00	
27.00	53 - HUNTERDON COUNTY MUNIC CLERK'S ASSO	PO 5195 CLERKS MINI CONFERENCE - KAREN ROMA	27.00	
6.50	16 - JCP&L	PO 5118 STREET LIGHTING, ACCT 100063644775	6.50	
1,281.31	16 - JCP&L	PO 5175 ELECTRIC SVC, ACCT 200000052726	1,281.31	
1,156.01	16 - JCP&L	PO 5176 ELECTRIC SVC, ACCT 100064140559/641	1,156.01	
6,503.12	583 - JOSEPH N. NICASTRO	PO 5213 REFUND OF 2011/2012 TAXES , BLK 13	6,503.12	
3,000.00	264 - JOSEPH S. NOVAK	PO 5140 MONTHLY LEGAL SERVICE FOR FEB 2013	3,000.00	
100.00	167 - KAREN ROMANO	PO 5129 CELL PHONE ALLOWANCE FOR FEBRUARY 2	100.00	
50.00	167 - KAREN ROMANO	PO 5197 REIMBURSE FOR MUNICIPAL CLERKS CERT	50.00	
42.79	167 - KAREN ROMANO	PO 5221 REIMBURSE FOR MILEAGE FOR COAH TRAI	42.79	
139.08	104 - KAY WINZENRIED	PO 5196 REIMBURSE FOR POLICE SCANNER	139.08	
400.00	559 - LANZA & LANZA LLP	PO 5198 JANUARY LEGAL SERVICES, ACCT 1323-0	400.00	
226,860.00	59 - LEBANON BOROUGH BOARD OF EDUCATION	PO 5220 LOCAL SCHOOL TAX FOR FEB 2013	226,860.00	
5,000.00	119 - LEBANON FIRE COMPANY	PO 5161 MONTHLY APPROPRIATION FOR FEB 2013	5,000.00	
40.00	562 - MID-STATE REGISTRARS ASSOC.	PO 5200 SEMINAR ATTENDANCE FOR LISA SAHARIC	40.00	

The motion passed by the following roll call vote:

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

NO: None

ABSTAIN: None

ABSENT: None

OPEN PUBLIC SESSION #1:

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

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

ORDINANCE #2013-01

Council President Burton made a motion to Introduce Ordinance 2013-01 to extend the Budget Cap with a second by Councilwoman Schmidt.

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

ORDINANCE 2013-01

**AN ORDINANCE BY THE BOROUGH OF LEBANON
IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY
TO EXCEED THE INDEX RATE FOR THE 2013 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 2013 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 \$13,733.86 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 2013 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 \$32,045.68, and that the 2013 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

Richard J. Burton, Council President

Vote after public hearing and upon final adoption:

- Burton
- Knoble
- Schmidt
- Junge
- Pittinger
- Berger

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

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 20, 2013
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 20, 2013 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 20, 2013 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 Burton, Councilman Knoble, Councilman Berger,
Councilwoman Schmidt, Councilman Pittinger and Councilman Junge**

NO: None

ABSTAIN: None

ABSENT: None

Mayor Reino called for a motion to approve Resolutions #36-2013 through #44-2013.

RESOLUTIONS #36-2013 through #44-2013:

Council President Burton made a motion to approve Resolution #36-2013 through #43-2013 with a second by Councilwoman Schmidt.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION #36-2013**

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 payment for the redemption of a tax sale certificate.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Certificate #</u>	<u>Amount</u>
6	28	Tad Dabrowski 329 Durham Rd South Plainfield, NJ 07080	2012-04 premium	89.42 <u>200.00</u> 289.42
13.02	1015	Data Ventures I LLC PO Box 20 Lebanon, NJ 08833	2011-06 premium	18,906.91 <u>10,000.00</u> 28,096.91

The Treasurer is hereby authorized to make the following payment for the refund of taxes.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Year</u>	<u>Amount</u>
13	609	Joseph Nicastro 9 Fisher Ct Lebanon NJ 08833	2011 2012 Total	1473.12 <u>5030.00</u> 6503.12

Introduced and adopted: February 20, 2013
Ayes: 6
Nays: 0
Absent: 0

LEBANON BOROUGH COUNCIL

Richard Burton, Borough Council President

ATTEST:

Karen 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 on February 20, 2013 .

Karen Romano, RMC
Borough Clerk

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION # 37-2013**

**2012 FUND YEAR
STATEWIDE INSURANCE FUND**

RISK MANAGEMENT CONSULTANT'S AGREEMENT

THIS AGREEMENT entered into this 13th day of Feb. 2013, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, Lebanon Borough ("MEMBER") and David Quinn ("CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to

the Member's operation and coverage.

- (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
 - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
 - (h) assist in the claims settlement process, if required, by MEMBER or FUND.
 - (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
 - (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
 - (k) act in good faith and fair dealing to the FUND.
 - (l) perform other duties for the FUND as may be required from time to time by the FUND.
2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:
- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of all lines assessment (excluding any fees, PLIGA, and loss ratio apportionment); and 10% of Selective umbrella assessment (excluding fees, PLIGA and administrative expenses).
 - (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
 - (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
 - (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.
3. The term of this Agreement shall be from **January 1, 2012** to

January 1, 2013. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.

4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

ATTEST:

Member Representative

ATTEST:

Corporate Officer

Risk Management Consultant

ATTEST:

Statewide Insurance Fund Chairperson

**EXHIBIT A
STATEWIDE INSURANCE FUND**

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE

(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

**GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE
CONTRACTS**

This form is a summary of the successful professional service entity's requirement to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

The successful professional service entity shall submit to the Statewide Insurance Fund, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

- (a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

- (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

OR

(c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Statewide Insurance Fund during normal business hours.

The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.

The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

COMPANY: _____
SIGNATURE: _____
PRINT NAME: _____
TITLE: _____ DATE: _____

Introduced and adopted: February 20, 2013
Ayes: 6
Nays: 0
Absent: 0

LEBANON BOROUGH COUNCIL

Richard Burton, Borough Council President

ATTEST:

Karen 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 on February 20, 2013.

Karen Romano, RMC
Borough Clerk

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION #38-2013**

STATEWIDE INSURANCE FUND

INDEMNITY AND TRUST AGREEMENT

THIS AGREEMENT made this 13 day of Feb2013, in the County of Morris, State of New Jersey, by and between the Statewide Insurance Fund (hereinafter "FUND"), and

Borough of Lebanon in the County of Hunterdon a duly constituted local unit of government (hereinafter "LOCAL UNIT");

WHEREAS, two or more local units have collectively formed a joint insurance fund as such an entity is authorized and described in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the LOCAL UNIT has agreed to become a member of the FUND in accordance with and to the extent provided for in the Bylaws of the FUND and in consideration of such obligations and benefits to be shared by the membership of the FUND; and

WHEREAS, the LOCAL UNIT has complied with relevant law with regard to the acquisition of insurance;

NOW, THEREFORE, it is agreed as follows:

1. The LOCAL UNIT, upon entering the FUND, agrees to be bound by and to accept and comply with each and every provision of the FUND's Bylaws, Risk Management Program, as it applies to the LOCAL UNIT and the applicable statutes and administrative regulations pertaining to joint insurance funds.

2. The LOCAL UNIT agrees to participate in the FUND with respect to those coverage listed in the LOCAL UNIT's "Resolution to Join" in accordance with the FUND's Bylaws and Risk Management Program.

3. The LOCAL UNIT agrees to become a member of the FUND until **January 1, 2015**, at 12:01 a. m. eastern standard time. The commencement date shall be the effective date as established by the FUND's Bylaws and policies.

4. The LOCAL UNIT certifies that it has not been canceled for non-payment of insurance premiums for a period of at least two (2) years prior to the date hereof, or, if self-insured, that it has never defaulted on any claims.

5. In consideration of membership in the FUND, the LOCAL UNIT agrees that it shall jointly and severally assume and discharge the liability of each and every member of the FUND in accordance with statute and regulation, and by execution hereof the full faith and credit of the LOCAL UNIT is pledged to the punctual payment of any sums which shall become due to the FUND in accordance with the Bylaws thereof, this Agreement or any applicable statute or regulation.

6. If the FUND, in the enforcement of any part of this Agreement, shall incur necessary expense or become obligated to pay attorney's fees and/or court costs, the LOCAL UNIT agrees to reimburse the FUND for all such reasonable expenses, fees and costs on demand.

7. The LOCAL UNIT and the FUND agree that the FUND shall hold in trust all monies paid by the LOCAL UNIT to the FUND and those monies will be used in accordance with all applicable statutes, the FUND's Bylaws and the Risk Management Program.

8. If required by the Commissioner of Insurance or applicable statutes or

regulations, the FUND shall establish separate trust fund accounts in accordance with N.J.S.A. 40A:10-36, et seq. and any other statutes or regulations that may be applicable. Said trust accounts shall be used solely for the payment of claims made against members of the FUND, excess insurance premiums and/or the administration of the FUND, or for such other purposes as now or hereunder permitted by statute or regulation.

9. Each LOCAL UNIT which shall become a member of the FUND shall be obligated to execute an agreement similar in form to this Agreement.

10. To the extent required by law, the LOCAL UNIT shall provide notice of this

11. Agreement to the Office of the State Comptroller.

Lebanon Borough, Mayor

Michael F. Reino

ATTEST:

By: _____

Title: Mayor

Karen M. Romano, RMC

STATEWIDE INSURANCE FUND

By: _____

Chairman

ATTEST: _____
Secretary

Dated: _____

Introduced and adopted: February 20, 2013

LEBANON BOROUGH COUNCIL

Ayes: 6
Nays: 0
Absent: 0

Richard Burton,
Borough Council President

ATTEST:

Karen 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 on February 20, 2013.

Karen Romano, RMC
Borough Clerk

BOROUGH OF LEBANON

**COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION #39-2013**

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, Lebanon Borough (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Hunterdon and State of New Jersey, as follows:

1. Lebanon Borough hereby appoints David Quinn as its local Risk Management Consultant.
2. The Town Clerk (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2012 in the form attached hereto.

Name of Entity:
Lebanon Borough Mayor

Attest:

Name and title

Certification

I, Karen Romano, Clerk of the Lebanon Borough, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on February 13, 2013

Clerk

Witness my hand and seal of the

_____ of _____

This day of _____, 20____

Introduced and adopted: February 20, 2013

Ayes: 6

Nays: 0

Absent: 0

LEBANON BOROUGH COUNCIL

Richard Burton,

Borough Council President

ATTEST:

Karen 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 on February 20, 2013.

Karen Romano, RMC
Borough Clerk

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION #40-2013**

STATEWIDE INSURANCE FUND

RESOLUTION TO JOIN (RENEW) THE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund ("FUND"), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, Lebanon Borough ("LOCAL UNIT") has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2012** terminating on **January 1, 2015** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked "Yes":

YES **NO**

Workers' Compensation & Employer's Liability

***Liability, Property, Crime-Faithful Performance and Fidelity,
Inland Marine, Boiler and Machinery, Comprehensive General
Liability, Auto Liability, Auto Physical Damages
and Professional Liability***

Pollution Liability

BE IT FURTHER RESOLVED that Karen Romano (*name of member employee*) is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Member name: Lebanon Borough Mayor

By:

Title: _____

ATTEST:

(Clerk)

Dated: _____

Introduced and adopted: February 20, 2013
Ayes: 6
Nays: 0
Absent: 0

LEBANON BOROUGH COUNCIL

Richard Burton,
Borough Council President

ATTEST:

Karen 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 on February 20, 2013.

Karen Romano, RMC
Borough Clerk

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION #41-2013**

**2013 FUND YEAR
STATEWIDE INSURANCE FUND**

RISK MANAGEMENT CONSULTANT'S AGREEMENT

THIS AGREEMENT entered into this 13th day of Feb 2013, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, Lebanon Borough ("MEMBER") and David Quinn ("CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT;
and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

2. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
 - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
 - (h) assist in the claims settlement process, if required, by MEMBER or FUND.
 - (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
 - (j) comply with the obligations imposed upon Risk Managers in the FUND'S Bylaws.
 - (k) act in good faith and fair dealing to the FUND.
 - (l) perform other duties for the FUND as may be required from time to time by the FUND.
2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:
 - (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of all lines assessment (excluding any fees, PLIGA, and loss ratio apportionment); and 10% of Selective umbrella assessment (excluding fees, PLIGA and administrative expenses).
 - (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.

- (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
- (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

3. The term of this Agreement shall be from **January 1, 2013** to **January 1, 2014**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.

4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.

5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

ATTEST:

Member Representative

ATTEST:

Corporate Officer

Risk Management Consultant

ATTEST:

Statewide Insurance Fund Chairperson

**EXHIBIT A
STATEWIDE INSURANCE FUND**

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE

(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

**GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE
CONTRACTS**

This form is a summary of the successful professional service entity's requirement to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

The successful professional service entity shall submit to the Statewide Insurance Fund, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

OR

(c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Statewide Insurance Fund during normal business hours.

The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.

The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

COMPANY: _____
SIGNATURE: _____
PRINT NAME: _____
TITLE: _____ DATE: _____

Introduced and adopted: February 20, 2013

LEBANON BOROUGH COUNCIL

Ayes: 6
Nays: 0
Absent: 0

Richard Burton, Borough Council President

ATTEST:

Karen Romano
Borough Clerk

I certify that the foregoing is a true copy of the Resolution adopted by the Borough Council at a meeting held on February 20, 2013.

Karen Romano, RMC
Borough Clerk

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

RESOLUTION #42-2013

**STATEWIDE INSURANCE FUND
RESOLUTION APPOINTING FUND COMMISSIONER**

WHEREAS, Lebanon Borough (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the that Karen M. Romano is hereby appointed as the Fund Commissioner for the Local Unit for the year 2013; and

BE IT FURTHER RESOLVED that Kay Winzenreid is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2013; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Introduced and adopted: February 20, 2013

LEBANON BOROUGH COUNCIL

Ayes: 6
Nays: 0
Absent: 0

Richard Burton,
Borough Council President

ATTEST:

Karen Romano
Borough Clerk

I certify that the foregoing is a true copy of the Resolution adopted by the Borough Council at a meeting held on February 20, 2013.

Karen M. Romano, RMC, CMR
Borough Clerk

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

RESOLUTION #43-2013

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, Lebanon Borough (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Hunterdon and State of New Jersey, as follows:

1. Lebanon Borough hereby appoints David Quinn its local Risk Management Consultant.
2. The Karen M. Romano (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2013 in the form attached hereto.

Introduced and adopted: February 20, 2013

LEBANON BOROUGH COUNCIL

Ayes: 6
Nays: 0
Absent: 0

Richard Burton, Borough Council President

ATTEST:

Karen M. Romano RMC, CMR
Borough Clerk

I certify that the foregoing is a true copy of the Resolution adopted by the Borough Council at a meeting held on February 20, 2013.

Karen M. Romano RMC, CMR

Borough Clerk

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

RESOLUTION 44-2013

<u>Account</u>	<u>Description</u>	<u>From</u>	<u>To</u>
01-203-20-140-200	(2012) COMPUTERIZED DATA PROCESSING		400.00
01-203-20-155-200	(2012) LEGAL SERVICES - OTHER EXPENSE		900.00
01-203-23-220-200	(2012) EMPLOYEE GROUP INSURANCE		410.00
01-203-26-310-200	(2012) BUILDINGS AND GROUNDS - OTHER EXP		750.00
01-203-31-460-200	(2012) GASOLINE		200.00
01-203-20-165-200	(2012) ENGINEERING- OTHER EXPENSE	2,660.00	

Introduced and adopted: February 20, 2013

LEBANON BOROUGH COUNCIL

Ayes:

Nays:

Absent:

Richard Burton, Borough Council President

ATTEST:

Karen 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 on February 20, 2013.

Karen Romano, RMC
Borough Clerk

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

NO: None

ABSTAIN: None

ABSENT: None

DISCUSSION

The Budget Meeting was confirmed for February 12, 2013 at 6:30 pm

COUNCIL COMMITTEES:

STREETS AND ROADS: Councilman Knoble stated the plans for Myrtle Street were complete and they would be sending out letters to meet with the residents.

OPEN PUBLIC SESSION #2:

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

Alex Patullo with Coach House LLC: Expressed disappointment in the rate in which his taxes increased and in the manner his complaint was handled.

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

MISCELLANEOUS:

Councilman Pittinger moved and Councilman Knoble seconded a motion to adjourn, there being no further business to come before Council. The meeting was adjourned at 8:20 PM by unanimous vote.

Respectfully Submitted

Karen M. Romano, RMC
Borough Clerk

