



LEBANON BOROUGH COMMON COUNCIL
Wednesday, May 16, 2018

The Regular Meeting of the Lebanon Borough Common Council was called to order by Council President Richard J Burton at 7:30 pm.

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 Council President Richard J. Burton

MOMENT OF SILENCE:

As of today, a total 8412 of American Service Members have given their lives for our Country in the war against terrorism, New Jersey total wound 436 Died 82. Council President Burton requested a moment of silence in remembrance of all the service men and women who have paid the ultimate sacrifice. On behalf of a grateful nation, they are truly heroes.

ROLL CALL:

Present: Council President Burton, Councilman Berger, Councilman Junge,
and Councilwoman Baldinger

Absent: Mayor Reino , Councilman Piagentini, and Councilman Schneider

Also Present: Administrator /Clerk Karen M Romano RMC
and Attorney Joseph Novak Esq.

RESOLUTION #78-2018:

**Councilman Berger made a motion to approve Resolution 78-2018 the Consent Agenda.
With a second by Councilman Junge.**

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

**RESOLUTION # 78-2018
CONSENT AGENDA**

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. HC Agriculture Development Board
2. NJDEP
3. SWAC
4. NJ Highland Task 3 and 4
5. NJDOT Route 22 I 78 paving
6. JTG Bid withdrawal
7. NJDOT denial
8. NJ Highlands 2017 Annual Report
9. Finance Report

Introduced and adopted: May 16, 2018

Ayes: Burton, Berger, Junge and Baldinger

Absent: Piagentini and Schenider

LEBANON BOROUGH COUNCIL

Richard J. Burton, Council President

ATTEST: _____

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Administrator/ Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the May 16, 2018 force and effect as of the date I have subscribed my signature.

Date: May 16, 2018

Karen M. Romano, RMC
Borough Administrator/Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilman Junge and Councilwoman Baldinger
 NO: None
 ABSTAIN: None
 ABSENT: Councilman Piagentini and , Councilman Schneider

APPROVAL OF MINUTES:

Councilman Berger made a motion to approve the April 2018 minutes. With a second by Councilman Junge

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilman Junge and Councilwoman Baldinger
 NO: None
 ABSTAIN: None
 ABSENT: Councilman Piagentini and , Councilman Schneider

APPROVAL OF EXPENDITURES:

Councilman Berger made a motion to approve the bill list for May 2018. Council President Burton second the motion.

Lebanon Borough

List of Bills - (All Funds)

Meeting Date: 05/16/2018 For bills from 04/18/2018 to 05/14/2018

Vendor	Description	Payment	Check	Total
Current Fund				
746 - BETHLEHEM TOWNSHIP	PO 9016 Shared Service CFO-May 2018	2,141.18		2,141.18
766 - BKC CERTIFIED PUBLIC ACCOUNTANTS	PO 8975 AUDITING SERVICES, INV 2130	10,000.00		10,000.00
247 - COMCAST	PO 8995 96 MAIN ST. INTERNET/PHONE SVC, ACC	184.83		184.83
	PO 8996 6 HIGH ST. INTERNET/PHONE SVC, ACCT	262.27		447.10
652 - CONSTELLATION NEWENERGY INC	PO 8997 Electric Service	716.48		716.48
132 - COUNTY OF HUNTERDON	PO 8998 Food Inspections	100.00		100.00
39 - ELIZABETHTOWN GAS	PO 8976 Natural Gas - ACCT 2635600594/68223	606.70		606.70
46 - FERRIERO ENGINEERING	PO 8999 Engineering Services April 2018	137.00		137.00
769 - Great America Financial Services	PO 9017 Phone System Lease Acct 008-1223806	101.19		101.19
670 - HARRY HAUSHALTER	PO 9001 Tax Appeals March 2018	769.50		769.50
83 - HORIZON BLUE CROSS BLUE SHIELD NJ	PO 8977 DENTAL SVCS FOR MAY 2018, ACCT 1657	201.31		201.31
794 - JACQUELINE KLAPP	PO 8978 COURT REPORTER SERVICES	559.25		559.25
16 - JCP&L	PO 8979 STREET LIGHTING, ACCT 100002994141/	705.35		705.35
	PO 8980 ELECTRIC SVC, ACCT 200000052726	512.23		1,217.58
597 - JERSEY ELEVATOR COMPANY INC.	PO 9002 FULL MAINTENANCE SVC FOR May 2018,	137.63		137.63
401 - JOINT COURT BETHLEHEM/BLOOMSBURY	PO 9019 1st Qtr 2018 Shared Service Court	3,402.00		3,402.00
283 - JOSEPH HAUCK	PO 9003 REIMBURSE FOR PLANTINGS	150.55		150.55
167 - KAREN ROMANO	PO 8966 REIMBURSE FOR HOSTING FEE	55.88		55.88
167 - KAREN ROMANO	PO 9018 Cell Phone May 2018	100.00		100.00
557 - LANDMARK FIRE PROTECTION, INC.	PO 8981 2ND QTR TESTING OF SPRINKLER SYSTEM	459.50		459.50

559 - LANZA & LANZA LLP	PO 9005	Lebanon Boro vs. SSP Architectural	1,502.25	1,502.25
59 - LEBANON BOROUGH BOARD OF EDUCATION	PO 8982	School Taxes May1 2018	265,483.30	265,483.30
119 - LEBANON FIRE COMPANY	PO 9013	2018 Annual Contribution-partial p	8,950.80	8,950.80
119 - LEBANON FIRE COMPANY	PO 9014	2017 Smoke Detector Fees	2,600.00	2,600.00
715 - Messer consulting P.A.	PO 8990	MASTER PLAN AMENDMENT, PROJ LEB007	363.00	363.00
253 - NEW JERSEY STATE POLICE	PO 8984	POLICE SERVICE FOR MARCH 2018	3,619.34	3,619.34
54 - NJ ADVANCE MEDIA	PO 9007	LEGAL ADS, ACCT 1160904	74.77	74.77
31 - NOVAK & NOVAK LLC	PO 9015	Legal Services Retainer May 2018	3,550.00	3,550.00
233 - PITNEY BOWES	PO 9008	POSTAGE MACHINE LEASE, ACCT 0010904	75.00	75.00
28 - PREMIER DISPOSAL, INC	PO 9009	GARBAGE DISPOSAL FOR APRIL 2018, AC	8,143.57	8,143.57
20 - QUILL CORPORATION	PO 8985	OFFICE SUPPLIES, ACCT C3816685	186.17	
	PO 9020	Colored Paper and Self-Inking Stamp	59.46	245.63
176 - SHOPRITE OF HUNTERDON COUNTY	PO 8986	SENIOR CITIZENS & PLANNING BD SUPPL	54.80	54.80
540 - STATEWIDE INSURANCE FUND	PO 8987	WORKERS COMPENSATION 2018, INV 18B4	8,633.25	8,633.25
390 - TELE-DATA SOLUTIONS, INC.	PO 9010	TELEPHONE CHARGES, ACCT 147137-5269	230.54	230.54
43 - TOWN OF CLINTON	PO 9022	Water Bill Feb., Mar., Apr 2018	120.04	120.04
698 - US BANK CUST FOR PC6, LLC	PO 9012	REDEMPTION OF TAX SALE CERTIFICATE	18,503.94	18,503.94
782 - US Bank cust for PC7 firsttrust Bank	PO 9021	Redemption of Tax Sale Certificate	614.87	614.87
348 - VAIL ENERGY SERVICES, LLC	PO 8988	HVAC LABOR FOR MAY1 2018	320.00	
	PO 9011	HVAC LABOR, INV 63144	157.50	477.50
718 - VIKING PEST CONTROL	PO 9023	Pest Control May 2018	151.75	151.75
27 - WASTE MANAGEMENT OF NJ INC	PO 8989	TRASH REMOVAL SVCS FOR FEBRUARY TAX	4,046.49	4,046.49

GENERAL CAPITAL FUND

46 - FERRIERO ENGINEERING	PO 9000	Engineering Services February 2018	1,663.50	1,663.50
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ANIMAL CONTROL FUND

321 - NJ DEPT OF HEALTH & SENIOR SVCS	PO 9006	Animal License Fee April 2018	7.20	7.20
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SENIOR CITIZEN FUND

607 - BELLA PIZZA	PO 8994	SENIORS MEALS	367.53	367.53
498 - JOSEPHINE HOBBIE	PO 9004	REIMBURSE FOR CANCELLED TRIP	70.00	70.00

DEVELOPERS ESCROW

369 - STICKEL KOENIG & SULLIVAN & DRILL L	PO 9024	Mardin Realty-Metropolitan Seafood-	668.25	668.25
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TOTAL

351,520.17

Total to be paid from Fund 01 Current Fund	348,743.69
Total to be paid from Fund 04 GENERAL CAPITAL FUND	1,663.50
Total to be paid from Fund 12 ANIMAL CONTROL FUND	7.20
Total to be paid from Fund 13 SENIOR CITIZEN FUND	437.53
Total to be paid from Fund 14 DEVELOPERS ESCROW	668.25
	=====
	351,520.17

Checks Previously Disbursed

5182018	BOROUGH OF LEBANON-EMAIL SERVICE	PO# 8983	EMAIL SERVICES	165.50	5/14/2018
20180430	LEBANON BOROUGH PAYROLL		PAYROLL 4/15/2018	9,463.57	4/30/2018
51518	NJ STATE HEALTH BENEFITS PLAN	PO# 8993	Health Benefits April 2018	4,283.43	5/04/2018

				13,912.50	

				13,912.50	

Total for this Bills List: 365,432.67

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilman Junge and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: Councilman Piagentini and , Councilman Schneider

OPEN PUBLIC SESSION:

Councilwoman Baldinger made a motion to open the public session. Councilman Junge seconded the motion with the unanimous approval of Council the floor was opened.

Trooper Tim Sanderson reported the Central Sign look great. The notice sent out by the Height

Seems to be working well. Anyone that has been stopped has been given a warning.

Ben Valliere of Brunswick Ave request a Stop sign be place at the corner of Brunswick and Maple to slow down traffic. Ben also said he attend and enjoy the Flag ceremony held be the Boy Scouts in the park.

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

RESOLUTION #79-2018:

Councilman Junge made a motion to approve Resolution #79-2018 with a second by Councilman Berger.

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

RESOLUTION # 79-2018

2018 Road and Drainage Improvement Project

WHEREAS, the Borough of Lebanon has determined as part of its long term road program to provide drainage and roadway improvements to Lynwood Drive and Locust Drive, and

WHEREAS, the Borough of Lebanon as part of its continued roadway maintenance and operation of its storm drainage system has determined that additional drainage structures; repair of drainage structures; and isolated repairs to deteriorated pavement are from time to time required, and

WHEREAS, the Streets and Roads Committee, along with assistance from the Borough Engineer has advised the Council that certain drainage structures are required on Central Street; certain inlet and pavement repairs are required on Clark Road; certain pavement repairs are required on Cokesbury Road; and certain drainage structures and pavement repairs are required at the fire house parking lot, and

WHEREAS, the Borough, solicited bids, which includes a base bid for improvements to Lynwood Drive and Locust Drive; an alternate bid for additional drainage work on Central Street (Alternate Bid 1); an alternate bid for inlet and pavement repairs on Clark Road (Alternate Bid 2); an alternate bid for pavement repairs on Cokesbury Road (Alternate Bid 3); and an alternate bid for drainage and pavement repairs at the fire house parking lot (Alternate Bid 4), and

WHEREAS, seven (7) bids for this project were received on April 25, 2018 and

WHEREAS, JTG Contracting has submitted the lowest bid, under any combination of award of the base bid plus alternates, and

WHEREAS, JTG Contracting has submitted a letter dated April 26, 2018 requesting that their bid, which was significantly lower than the next responsive bidder, be withdrawn due to an error in the estimating spreadsheet used to calculate the bid items, and

WHEREAS, the Streets and Roads Committee, along with the Borough Engineer, has reviewed the remaining bids and thoroughly analyzed the long term capital plan for the Borough's drainage and roadway system, and

WHEREAS, the Streets and Roads Committee, along with the Borough Engineer, has determined that it is in the best interest of the Borough, as outlined in the April 30, 2018 letter of recommendation from the Borough Engineer, based on priority, to complete the improvements contemplated on Lynwood Drive and Locust Drive; the drainage improvements to Central Street; and the drainage and pavement repairs to the fire house parking lot, and

WHEREAS, M Sky Construction has submitted the next lowest total bid when combining the base bid plus alternate bids 1 and 4, which includes a bid of \$285,230.00 for the base bid work on Lynwood Drive and Locust Drive; a bid of \$12,600.00 for Alternate Bid No. 1 (additional drainage improvements on Central Street); and a bid of \$60,600.00 for Alternate Bid No. 4, (fire house parking area improvements); and

WHEREAS, the Borough Engineer has recommended that the Borough accept the bid withdrawal request from JTG Construction in order to avoid pressing a contractor into a bad contractual situation by ignoring the claimed mistake, which ultimately would not be in the best interest of the Borough, and

WHEREAS, the Borough Engineer has recommended an award in the total amount of \$358,430.00, which includes the Base Bid plus Alternate Bids 1 and 4, to the next responsive bidder, M Sky Construction, and

WHEREAS, the Borough Engineer has recommended the bids for the remaining alternates, 2 and 3 be rejected, and

WHEREAS, sufficient funds have been appropriated to undertake the said project.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Lebanon that a contract be awarded to M Sky Construction in the amount of \$358,430.00 for the 2018 Road and Drainage Improvement Project.

BE IT FURTHER RESOLVED, by the Council of the Borough of Lebanon that the bid withdrawal request submitted by JTG Construction be accepted.

BE IT FURTHER RESOLVED, by the Council of the Borough of Lebanon that the bids submitted for Alternate Bid No. 2 and Alternate Bid No. 3 be rejected.

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

Introduced and adopted May 16, 2018

LEBANON BOROUGH COUNCIL

Ayes: Burton, Berger, Junge, Baldinger

Nays:

Absent: Piagentini and Schneider

Richard J. Burton

Borough Council President

ATTEST:

Karen M. Romano
Borough Clerk

CERTIFICATION

I, Karen M. Romano Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on May 16, 2018 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: May 16, 2018

Karen M. Romano
Borough Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilman Junge and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: Councilman Piagentini and , Councilman Schneider

RESOLUTION #80-2018:

Councilman Junge made a motion to approve Resolution #80-2018 with a second by Councilman Berger.

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

RESOLUTION #80-2018

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF
COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION'S**

**“Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964”**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF HUNTERDON

We, members of the governing body of the *Borough of Lebanon* being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Common Council of the Borough of Lebanon in the county of Hunterdon;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.)

(L.S.)

_____ (L.S.)	_____ (L.S.)
_____ (L.S.)	_____ (L.S.)
_____ (L.S.)	_____ (L.S.)
_____ (L.S.)	_____ (L.S.)

Sworn to and subscribed before me this
day of _____
Notary Public of New Jersey

Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964”**

FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Common Council of the Borough of Lebanon hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON May 16, 2018.

Clerk

Introduced and adopted:
Ayes: Burton, Berger, Junge, Baldinger
Nays: _____
Absent: Piagentini and Schneider
Dated

LEBANON BOROUGH COUNCIL

Richard Burton

Borough Council President

ATTEST:

Karen M. Romano, RMC Dated
Borough Clerk

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Borough Council at a meeting duly held on May 16, 2018, 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.

Karen Romano, RMC

Borough Administrator/Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilman Junge and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: Councilman Piagentini and , Councilman Schneider

RESOLUTION #81-2018:

Councilman Junge made a motion to approve Resolution #81-2018 with a second by Councilman Berger.

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

RESOLUTION #81-2018

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 redemption of tax sale a certificate.

Block	Lot		Cert #	Name/Address	Amount
5	35.01	C60904	2015-002	US Bank Cust for PC6, LLC Sterling 50 South 16 th St. STE 2050 Philadelphia, PA 19102	\$16,103.94

Premium \$2,400.00

Introduced and adopted: May 16, 2018
Ayes: Burton, Berger, Junge and Baldinger
Nays:
Absent: Piagentini and Schneider

LEBANON BOROUGH COUNCIL

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 May 16, 2018.

Karen Romano
Borough Administrator/Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilman Junge and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: Councilman Piagentini and , Councilman Schneider

RESOLUTION #82-2018:

Councilman Junge made a motion to approve Resolution #82-2018 with a second by Councilman Berger.

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

RESOLUTION #82-2018

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 redemption of tax sale a certificate.

Block	Lot	Cert #	Name/Address	Amount
10	2	C6147	2017-003	
			US Bank Cust for PC7, Firsttrust Bank 50 South 16 th St. STE 2050 Philadelphia, PA 19102	\$ 614.87

Introduced and adopted: May 16, 2018
Ayes: Burton, Berger, Junge, Baldinger
Nays:
Absent: Piagentini and Schneider

LEBANON BOROUGH COUNCIL

Richard Burton, Borough Council President

ATTEST:

Karen Romano

Borough Administrator / Clerk

I certify that the foregoing is a true copy of the Resolution adopted by the Borough Council at a meeting held on May 16, 2018.

Karen Romano
Borough Administrator/ Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilman Junge and Councilwoman Baldinger

NO: None

ABSTAIN: None

ABSENT: Councilman Piagentini and , Councilman Schneider

DISCUSSION:

MISCELLANEOUS:

COUNCIL COMMITTEES:

Streets and Road : Council President Ricard Burton report Central Street is being looked at for a better solution to the traffic making a left from Conover Terrace. He also stated Parking on Main Street and a Fire Zone was being considered.

Shade Tree: Joe Hauck report he was planting Shade Tree in the right ways throughout the Borough.

ADJOURN:

Councilman Junge moved and Councilman Berger seconded a motion to adjourn, there being no further business to come before Council. The meeting was adjourned at 8:35 pm by unanimous vote.

Respectfully Submitted

Karen M. Romano, RMC
Borough Administrator/Clerk

LBCC
7-17-13
19

LBCC
7-17-13
20

