



LEBANON BOROUGH COMMON COUNCIL
Wednesday, April 21, 2021
7:30 pm

The Regular Meeting of the Lebanon Borough Common Council was called to order by Mayor James J Pittinger 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 Mayor Pittinger.

MOMENT OF SILENCE:

As of today, a total 8499 of American Service Members have given their lives for our Country in the war against terrorism, New Jersey total remains at 130. Mayor Pittinger 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: Mayor Pittinger, Council President Burton, Councilman Berger, Councilman Lance, Councilwoman Logan, Councilman Cortese and Councilwoman Baldinger

Absent:

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

PROCLAMATION:

Mayor Pittinger read the Arbor Day Proclamation

ARBOR DAY PROCLAMATION

April 30, 2021

WHEREAS, in 1872, J. Sterling Morgan proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in the **Borough of Lebanon** increase property value, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I, James J Pittinger, Mayor of the Borough of Lebanon, do hereby proclaim April 30, 2021, Arbor Day in the **Borough of Lebanon**, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens of the **Borough of Lebanon** to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

James J Pittinger, Mayor

RESOLUTION #65-2021:

Council President Burton made a motion to approve Resolution 65-2021 the Consent Agenda. With a second by Councilwoman Logan.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION # 65-2021
CONSENT AGENDA**

All matters listed under the Consent Agenda are 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.Statewide
2. Fire Marshal
- 3.Animal Control
3. Tax Assessor Report
4. Finance Report

Introduced and adopted: April 21, 2021.

Ayes: Lance, Burton, Berger, Logan, Cortese and Baldinger

Nays:

Abstain:

Absent:

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 April 21, 2021 force and effect as of the date I have subscribed my signature.

Date: April 21, 2021

Karen M. Romano, RMC
Borough Administrator/Clerk

The Motion was passed by the following vote:

YES: Councilman Lance, Council President Burton, Councilman Berger Councilwoman Logan, Councilman Cortese, and Councilwoman Baldinger

NO:

Abstain:

Absent:

APPROVAL OF MINUTES:

Council President Burton made a motion to approve the March 17, 2021 Regular minutes. With a second by Councilwoman Logan.

The Motion was passed by the following vote:

YES: Councilman Lance, Council President Burton, Councilman Berger Councilwoman Logan, Councilman Cortese, and Councilwoman Baldinger

NO:

Abstain:

Absent:

OPEN PUBLIC SESSION:

Council President Burton made a motion to open the public session. Councilwoman Logan seconded the motion with the unanimous approval of Council the floor was opened.

Auditor Bill Colantano stated the Municipal Tax for a Home with a value of \$300,000 will go down slightly. 2021 Municipal Taxes remained flat for 2021. He was hoping the Hotel Tax would come back in 2021 after being down significantly in 2020.

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

OPEN PUBLIC SESSION ORDINANCE 2021-01:

Mayor Pittinger requested a motion to open the floor to any question for ordinance 2021-01.

Council President Burton made a motion to open the public session. Councilman Lance seconded the motion with the unanimous approval of Council the floor was opened for questions on Ordinance 2021-01

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

ORDINANCE 2021 01:

Councilwoman Logan made a motion to approve Ordinance 2021-01 CAP Extension Adoption with a second by Councilman Berger.

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

ORDINANCE 2021-01

**AN ORDINANCE BY THE BOROUGH OF LEBANON
IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY
TO EXCEED THE INDEX RATE FOR THE 2021 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 up to 1% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 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 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 CY 2021 budget by up to 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 3.5% increase in the budget for said year, amounting to \$30,221.65 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Governing body 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 Borough of Lebanon, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Lebanon shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$42,310.31, and that the CY 2021 municipal budget for the Borough of Lebanon be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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 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 5 days after such adoption.

Vote upon introduction:

Ayes: Lance, Burton, Berger, Logan, Cortese, Baldinger

Nays: 0

Absent: 0

LEBANON BOROUGH COUNCIL

ATTEST:

Karen M. Romano, RMC
Borough Administrator/Clerk

Richard J. Burton, Council President

NOTICE

TAKE NOTICE that the above ordinance was introduced and passed at a regular meeting of the Borough Council of the Borough of Lebanon on March 17, 2021 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Lebanon to be held on April 21, 2021 at 7:30 p.m. in the Municipal Building, 6 High Street, Lebanon, New Jersey.

Karen M. Romano, RMC
Borough Administrator/Clerk

Vote after public hearing and upon final adoption:

Lance 1

Burton 1

Berger 1

Logan 1

Cortese 1

Baldinger 1

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

Veto in Whole or Part:

Approved:

James J Pittinger, Mayor
Date:

James J Pittinger, Mayor
Date: _____

Returned to Borough Clerk with
statement attached on _____

Introduced: March 17, 2021
Adopted

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE 2021-01**

**AN ORDINANCE BY THE BOROUGH OF LEBANON
IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY
TO EXCEED THE INDEX RATE FOR THE 2021 BUDGET**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Lebanon, in the County of Hunterdon, State of New Jersey, held in the Municipal Building on the 17th day of March 2021, and the same came up for final passage at a meeting of the said Borough Council on the 21st day of April, 2021 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 Administrator/ Clerk

**INTRODUCED: March 17, 2021
ADOPTED: April 21, 2021**

The Motion was passed by the following vote:

YES: Councilman Lance, Council President Burton, Councilman Berger Councilwoman Logan, Councilman Cortese, and Councilwoman Baldinger

NO:

Abstain:

Absent:

OPEN PUBLIC SESSION ORDINANCE 2021-01:

Mayor Pittinger requested a motion to open the floor to any question for ordinance 2021-02.

Council President Burton made a motion to open the public session. Councilman Lance seconded the motion with the unanimous approval of Council the floor was opened for questions on Ordinance 2021-02

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

ORDINANCE 2021 02:

Councilwoman Logan made a motion to approve Ordinance 2021-02 Comcast Franchise Introduction with a second by Council President Burton.

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

ORDINANCE NO. 2021-02

**AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO
COMCAST OF CENTRAL NEW JERSEY II, LLC. TO CONSTRUCT, CONNECT,
OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS
SYSTEM IN THE BOROUGH OF LEBANON, HUNTERDON COUNTY, NEW JERSEY**

**BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF
LEBANON, HUNTERDON COUNTY, NEW JERSEY, AS FOLLOWS:**

SECTION 1. PURPOSE OF THE ORDINANCE.

The Borough hereby grants to Comcast renewal of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets alleys, sidewalks, easements, public ways and public places in the Borough, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus, and equipment as may be necessary for the construction, operation and maintenance in the Borough of a cable television and communications system.

SECTION 2. DEFINITIONS.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms in supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act, 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act, N.J.S.A. § 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal and state definitions:

- a. "Borough" is the Borough of Lebanon, County of Hunterdon, State of New Jersey.
- b. "Company" or "Comcast" is the grantee of rights under this Ordinance and is known as Comcast of Central New Jersey II, LLC.
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. § 48:5A-1, et seq.

- d. "FCC" is the Federal Communications Commission.
- e. "Board" or "BPU" is the Board of Public Utilities, State of New Jersey.
- f. "Office" or "OCTV" is the Office of Cable Television of the Board.
- g. "Basic Cable Service" means any service tier, which includes the retransmission of local television broadcast signals as defined by the FCC.
- h. "Application" is the Company's Application for Renewal of Municipal Consent.
- i. "Primary Service Area" or "PSA" consists of the area of the Borough currently served with existing plant as set forth in the map annexed to the Company's Application for Municipal Consent.

SECTION 3. STATEMENT OF FINDINGS.

Public hearings conducted by the Borough, concerning the renewal of Municipal Consent herein granted to the Company were held after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearings, having been fully open to the public, and the Borough, having received at said public hearings all comments regarding the qualifications of the Company to receive this renewal of Municipal Consent, the Borough hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 4. DURATION OF FRANCHISE.

The non-exclusive Municipal Consent granted herein shall expire 10 years from the date of expiration of the previous Certificate of Approval issued by the Board.

In the event that the Borough shall find that the Company has not substantially complied with the material terms and conditions of this Ordinance, the Borough shall have the right to petition the OCTV, pursuant to N.J.S.A. § 48:5A-47, for appropriate action, including modification AND/OR termination of the Certificate of Approval; provided, however, that the Borough shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

SECTION 5. FRANCHISE FEE.

Pursuant to the terms and conditions of the Act, and, except as where higher payment is otherwise required by the applicable law and regulations (including N.J.S.A. 48:5A-30), the Company shall, during each year of operation under the consent granted herein, pay to the Borough two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for cable

television reception service in the Borough or any higher amount permitted by the Act or otherwise allowable by law.

SECTION 6. FRANCHISE TERRITORY.

The consent granted under this Ordinance for the renewal of the franchise shall apply to the entirety of the Borough and any property subsequently annexed hereto.

SECTION 7. EXTENSION OF SERVICE.

The Company shall be required to proffer service to any residence along any public right-of-way in the Primary Service Area, as set forth in the Company's Application. Any extension of plant beyond the Primary Service Area shall be governed by the Company's Line Extension Policy, as set forth in the Company's Application, with a HPM ("homes-per-mile") of 25 dwellings per linear mile from the nearest active trunk or feeder line.

SECTION 8. CONSTRUCTION REQUIREMENTS.

a. Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as good a condition as existed prior to the commencement of said work.

b. Relocation: If at any time during the period of this consent, the Borough shall alter or change the grade of any street, alley or other way or place the Company, upon reasonable notice by the Borough, shall remove, re-lay or relocate its equipment, at the expense of the Company prior to approval of the board.

c. Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks or other public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables.

d. Temporary removal of cables: The Company shall, upon request of the Borough, at the company's expense, temporarily raise, lower or remove its lines in order to facilitate the moving of buildings or machinery or in other like circumstances, subject to the prior approval of the board.

e. Installation of equipment: The Company shall install equipment in the same location and manner as existing public utilities whenever possible, in order to minimize the impact of same on surrounding property.

SECTION 9. CUSTOMER SERVICE.

In providing services to its customers, the Company shall comply with N.J.A.C. § 14:18-1, et seq. and all

applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary company and industry standards in the delivery of customer service and shall be prepared to report on it to the Borough upon written request of the Borough Administrator or Clerk.

a. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.

b. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.

c. The Company shall use every reasonable effort to meet or exceed voluntary standards for telephone accessibility developed by the National Cable Television Association (“NCTA”).

d. Nothing herein shall impair the right of any subscriber or the Borough to express any comment with respect to telephone accessibility to the Complaint Officer or impair the right of the Complaint Officer to take any action that is permitted under law.

SECTION 10. MUNICIPAL COMPLAINT OFFICER.

The Office of Cable Television is hereby designated as the Complaint Officer for the Borough pursuant to N.J.S.A. § 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. § 14:17-6.5. The Borough shall have the right to request copies of records and reports pertaining to complaints by Borough customers from the OCTV.

SECTION 11. LOCAL OFFICE.

During the term of this franchise, and any renewal thereof, the Company shall maintain a business office or agent in accordance with N.J.A.C. § 14:18-5.1 for the purpose of receiving, investigating and resolving all local complaints regarding the quality of service, equipment malfunctions, and similar matters. Such a business office shall have a publicly listed toll-free telephone number and be open during standard business hours.

SECTION 12. PERFORMANCE BOND.

During the life of the franchise the Company shall give to the Borough a bond in the amount of Twenty-Five Thousand Dollars (\$25,000). Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

SECTION 13. SUBSCRIBER RATES.

The rates of the Company shall be subject to regulation as permitted by federal and state law.

SECTION 14. COMMITMENTS BY THE COMPANY.

a. The Company shall provide Expanded Basic or a similar tier of cable television service to one (1)

outlet to each qualified existing and future school in the Borough, public and private, elementary, intermediate and secondary, provided the school building is within two hundred (200) feet of active cable distribution plant or through customer owned conduit. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the school requesting service.

b. The Company shall provide Expanded Basic or a similar tier of cable television service to one (1) outlet to every Borough building and each qualified existing and future municipal building, police, fire, emergency management facility and public library in the Borough, provided the facility is located within two hundred (200) feet of active cable distribution plant or through customer owned conduit. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the Borough.

c. The Communications Act of 1934, as amended [47 U.S.C. § 543 (b)], allows the Company to itemize and/or identify: (1.) the amount on the subscriber bill assessed as a franchise fee and the identity of the governmental authority to which the fee is paid; (2.) the amount on the bill assessed to satisfy any requirements imposed on the Company by the cable franchise to support public, education, and/or governmental access channels or the use of such channels; and (3.) any grants or other fees on the bill or any tax, assessment, or charge of any kind imposed by any governmental authority on the transaction between the operator and the subscriber. The Company reserves its external cost, pass-through rights to the full extent permitted by law.

SECTION 15. GOVERNMENTAL ACCESS

a. The Company shall continue to make available one shared education and governmental (E/G) access channel. The E/G channel is currently administered by Hunterdon Central High School, and the Borough has the ability to air E/G programming and bulletin board information.

b. The Company does not relinquish its ownership of or ultimate right of control over a channel by designating it for E/G access use. An EG access user – whether an educational or government user - acquires no property or other interest by virtue of the use of a channel so designated and may not rely on the continued use of a particular channel number, no matter how long the same channel may have been designated for such use.

c. The Company will maintain the cable, modulators, and equipment necessary for the Borough or its designee GCIT to send a signal to the Company, and to receive the return feed of the signal.

d. The Company shall not exercise editorial control over any educational or governmental use of channel capacity, except Company may refuse to transmit any educational or governmental access program or portion of any educational or governmental access program that contains obscenity, indecency, or nudity.

e. Educational Access. “Educational Access” shall mean noncommercial use by educational institutions such as public or private schools, but not “home schools,” community colleges, and universities.

f. Government Access. "Government Access" shall mean noncommercial use by the Borough for the purpose of showing the local government at work.

g. Company Use of Fallow Time. Because blank or underutilized E/G channels are not in the public interest, in the event the Borough or other qualified E/G access users elect not to fully program their E/G access channel, Company may program unused time on those channels subject to reclamation by the Borough upon no less than 60 days written notice.

h. Within six months of the issuance of a Renewal Certificate of Approval by the BPU, the Company shall provide to the Borough a one-time E/G Access Capital Grant in the amount of \$10,000.00 to meet the E/G Access capital needs of the community.

i. The Communications Act of 1934, as amended [47 U.S.C. § 543 (b)], allows the Company to itemize and/or identify: (1.) the amount on the subscriber bill assessed as a franchise fee and the identity of the governmental authority to which the fee is paid; (2.) the amount on the bill assessed to satisfy any requirements imposed on the Company by the cable franchise to support public, education, and/or governmental access channels or the use of such channels; and (3.) any grants or other fees on the bill or any tax, assessment, or charge of any kind imposed by any governmental authority on the transaction between the operator and the subscriber. The Company reserves its external cost, pass-through rights to the full extent permitted by law.

SECTION 16. EMERGENCY USES.

a. The Company will comply with the Emergency Alert System ("EAS") rules in accordance with applicable state and federal statutes and regulations.

b. The Company shall in no way be held liable for any injury suffered by the Borough or any other person, during an emergency, if for any reason the Borough is unable to make full use of the cable television system as contemplated herein.

SECTION 17. LIABILITY INSURANCE.

The Company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of One Million Dollars (\$1,000,000) covering liability for any death, personal injury, property damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or "umbrella") policy in the amount of Five Million Dollars (\$5,000,000).

SECTION 18. INCORPORATION OF THE APPLICATION.

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendment thereto, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with

application State or Federal law.

SECTION 19. COMPETITIVE EQUITY.

Should the Borough grant municipal consent for a franchise to construct, operate and maintain a cable television system to any other person, corporation or entity on terms materially less burdensome or more favorable than the terms contained herein, the Company may substitute such language that is more favorable or less burdensome for the comparable provision of this Ordinance subject to the provisions of N.J.A.C. § 14:17-6.7.

SECTION 20. SEPARABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and its validity or unconstitutionality shall not affect the validity of the remaining portions of the Ordinance.

SECTION 21. THIRD PARTY BENEFICIARIES.

Nothing in this Franchise or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements or Franchise.

SECTION 22. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon issuance of a Renewal Certificate of Approval from the BPU.

Vote upon introduction:

Ayes: Lance, Burton, Berger, Logan, Cortese and Baldinger

Nays: 0

Absent:

LEBANON BOROUGH COUNCIL

ATTEST:

Karen M. Romano, RMC
Borough Administrator/Clerk

Richard J. Burton, Council President

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on March 17, 2021 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Lebanon to be held on April 21, 2021 at 7:30 p.m. in the Municipal Building, 6 High Street, Lebanon, New Jersey.

Karen M. Romano, RMC
Borough Administrator/Clerk

Vote after public hearing and upon final adoption:

Lance 1

Burton 1

Berger 1

Logan 1

Cortese 1

Baldinger 1

Ordinance approved by the Governing Body
and presented to the Mayor on:

Veto in Whole or Part:

Approved:

James J Pittinger, Mayor

Date:

James J Pittinger, Mayor

Date: _____

Returned to Borough Clerk with
statement attached on _____

Introduced: March 17, 2021
Adopted

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE 2021-02**

**AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO
COMCAST OF CENTRAL NEW JERSEY II, LLC. TO CONSTRUCT, CONNECT,
OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS
SYSTEM IN THE BOROUGH OF LEBANON, HUNTERDON COUNTY, NEW JERSEY**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Lebanon, in the County of Hunterdon, State of New Jersey, held in the Municipal Building on the 17th day of March 2020, and the same came up for final passage at a meeting of the said Borough Council on the 21st day of April, 2020 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 Administrator/ Clerk

**INTRODUCED: March 17, 2021
ADOPTED: April 21, 2021**

The Motion was passed by the following vote:

YES: Councilman Lance, Council President Burton, Councilman Berger Councilwoman Logan, Councilman Cortese, and Councilwoman Baldinger

NO:

Abstain:

Absent:

RESOLUTION 66-2021:

Council President Burton made a motion to approve Resolution 66-2021 with a second by Councilman Berger.

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

RESOLUTION #66-2021

ADOPTION OF 2021 BUDGET

2021 Available in the Clerk's Office

Introduced and adopted: April 21, 2021

LEBANON BOROUGH COUNCIL

Ayes: Lance, Burton, Berger, Logan, Cortese, Baldinger

Nays: 0

Absent:

Richard J. Burton
Borough Council President

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Common Council at a meeting duly held on the 21st of April 2021; 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: April 21, 2021

Karen M. Romano, RMC
Borough Administrator/ Clerk

The Motion was passed by the following vote:

YES: Councilman Lance, Council President Burton, Councilman Berger Councilwoman Logan, Councilman Cortese, and Councilwoman Baldinger

NO:

Abstain:

Absent:

RESOLUTION 67-2021:

Councilwoman Logan made a motion to approve Resolution 67-2021 with a second by Council President Lance.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION # 67-2021**

2021 Municipal Budget Amendment

WHEREAS, the local municipal budget for the year 2021 was introduced on the 17th day of March 2021 and,

WHEREAS, the public hearing on said budget will be held as advertised on April 8, 2021 and,

THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Lebanon, County of Hunterdon that the following amendments to the introduced budget of 2021 be made:

CURRENT FUND

GENERAL REVENUES

Miscellaneous Revenues- Section F- Special items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services- Public and Private Revenues

	<u>From</u>	<u>To</u>	
Recycling Grant	\$ _____	\$ _____	\$10,686.82
Total		\$ _____	\$10,686.82
 Total General Revenues		<u>\$2,052,307.52</u>	<u>\$2,062,994.34</u>

GENERAL APPROPRIATIONS

Municipal Purposes within "CAPS"
Public and Private Programs Offset by Revenues

Recycling Tonnage Grant	\$ _____	\$ _____	\$10,686.82
Total		\$ _____	\$10,686.82
 Total Appropriations		<u>\$2,052,307.52</u>	<u>\$2,062,994.34</u>

BE IT FURTHER RESOLVED, that two(2) certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget adopted by the Governing Body on the 21st day of April 2021.

CERTIFIED BY ME

Date

Municipal Clerk

It is hereby certified that this resolution has been reviewed and the 2021 budget as amended by the resolution has been found to be in balance.

Date

Registered Municipal Accountant

Introduced and adopted: April 21, 2021.

Ayes: Lance, Burton, Berger, Logan, Cortese, Baldinger

Nays:

Abstain:

Absent:

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 April 21, 2021 force and effect as of the date I have subscribed my signature.

Date: April 21, 2021

Karen M. Romano, RMC
Borough Administrator/Clerk

YES: Councilman Lance, Council President Burton, Councilman Berger Councilwoman Logan, Councilman Cortese, and Councilwoman Baldinger

NO:

Abstain:

Absent:

RESOLUTION 68-2021:

Council President Burton made a motion to approve Resolution 68-2021 with a second by Councilwoman Lance.

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

RESOLUTION #68-2021

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. (also return Premium)

Block	Lot	Cert #	Name/Address	Amount
5	35.01 C0903	2017-001	Stuart Lasher PO Box 83 Milltown, NJ 08850	\$ 972.84

Premium \$ 100.00

Introduced and adopted: April 21, 2021

Ayes: Lance, Burton, Berger, Logan, Cortese, Baldinger

Nays:

Absent:

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 April 21, 2021.

Karen Romano
Borough Administrator/ Clerk

The Motion was passed by the following vote:

YES: Councilman Lance, Council President Burton, Councilman Berger Councilwoman Logan, Councilman Cortese, and Councilwoman Baldinger

NO:

Abstain:

Absent:

RESOLUTION 69-2021:

Councilwoman Logan made a motion to approve Resolution 99-2021 with a second by Council President Burton.

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

**RESOLUTION #69-2021
RESOLUTION TO APPOINT ROBERT L. ALEXANDER AS MUNICIPAL COURT
JUDGE FOR THE BOROUGH OF LEBANON**

WHEREAS, the position of Municipal Court Judge is filled by a person providing a service; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Lebanon Hunterdon County, New Jersey as follows:

That Robert L. Alexander be appointed Municipal Court Judge beginning January 1, 2019 thru December 31, 2021.

Introduced and adopted: April 21, 2021
Ayes: Lance, Burton, Berger, Logan, Cortese, Baldinger
Nays:
Absent:

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 April 21, 2021.

Karen Romano
Borough Clerk

The Motion was passed by the following vote:

YES: Councilman Lance, Council President Burton, Councilman Berger Councilwoman Logan, Councilman Cortese, and Councilwoman Baldinger

NO:

Abstain:

Absent:

APPROVAL OF EXPENDITURES:

Councilman Berger made a motion to approve the bill list for April 2021. Council President Burton second the motion.

Lebanon Borough

List of Bills - (All Funds)

Meeting Date: 04/21/2021 For bills from 03/18/2021 to 04/19/2021

Vendor	Description	Current Fund	Payment	Check Total
19 - AMAZON CREDIT PLAN	PO 11034 Bissell Vacuum		249.99	
255 - BANISCH ASSOC., INC	PO 11125 Rake and Lock for baseball field box		187.93	437.92
	PO 11108 Professional Planning Services: February		125.00	
	PO 11157 Planning Services March 2021		700.00	825.00
518 - BEAVER BROOK COUNTRY CLUB	PO 11129 Volunteer Dinner 2021		500.00	500.00
659 - BECKAGE SEALCOATING	PO 11161 Pot Hole Repairs Throughout Borough		3,899.99	3,899.99
746 - BETHLEHEM TOWNSHIP	PO 11119 Shared Services CFO April 2021		2,248.76	2,248.76
26 - BOROUGH OF LEBANON - PETTY CASH	PO 11160 Petty Cash/Change Fund		222.84	222.84
861 - Building Systems & Services, Inc.	PO 11158 Maintenance Agreement 1/1/2021 - 6/30/20		1,250.00	1,250.00
881 - Colliers Engineering & Design	PO 11131 Professional Services: Affordable Housin		36.25	36.25
247 - COMCAST	PO 11146 96 Main Street: Internet / Phone Service		236.77	
	PO 11149 6 High Street: Internet / Phone Service		473.28	710.05
125 - COMMONS AT LEBANON HOMEOWNERS	PO 11106 2019 Snow removal, branch and leaf pick		2,531.05	2,531.05
652 - CONSTELLATION NEWENERGY INC	PO 11164 High Street Electricity: 2/11/2021 - 3/1		827.66	827.66
118 - DEPENDABLE FIRE EQUIPMENT CO.	PO 11132 Annual Maintenance 2021		944.65	944.65
39 - ELIZABETHTOWN GAS	PO 11127 6 High Street Natural Gas: 2/16/2021 - 3		618.27	618.27
39 - ELIZABETHTOWN GAS	PO 11128 96 Main Street Natural Gas: 2/16/2021 -		195.51	195.51
127 - GARDEN STATE HIGHWAY PRODUCTS, INC	PO 11126 RS-2 NO Trucks Sign		135.45	135.45
769 - Great America Financial Services	PO 11121 Phone System Lease March 2021		101.19	101.19
153 - HOME DEPOT CREDIT SVCS	PO 11148 Batteries		179.58	179.58
83 - HORIZON BLUE CROSS BLUE SHIELD NJ	PO 11111 Employee Dental: 4/1/2021 - 5/1/2021		201.31	201.31
16 - JCP&L	PO 11112 Electricity		657.94	
	PO 11124 Electricity		170.20	
	PO 11163 Electricity		930.40	1,758.54
597 - JERSEY ELEVATOR COMPANY INC.	PO 11135 Monthly Maintenance April 2021		146.79	146.79
103 - JIM PITTINGER	PO 11115 Reimbursement for Recreation: Lowes & Hu		424.97	424.97
167 - KAREN ROMANO	PO 11120 Cell Phone Reimbursement April 2021		100.00	
	PO 11123 Reimbursement - UniFi Dream Machine Pro		404.11	
	PO 11133 Reimbursement: Postage Lantern		116.54	
	PO 11134 Reimbursement: Costco		61.04	
	PO 11150 Reimbursement for Recreation: Easter Con		130.44	812.13
557 - LANDMARK FIRE PROTECTION, INC.	PO 11156 2021 2nd Qtr. Semi-Annual Fire Sprinkler		460.00	460.00
59 - LEBANON BOROUGH BOARD OF EDUCATION	PO 11114 Local School Tax April 2021		288,552.10	288,552.10
119 - LEBANON FIRE COMPANY	PO 11117 2021 Annual Contribution - Partial Payme		6,942.80	6,942.80
253 - NEW JERSEY STATE POLICE	PO 11113 Billable Police Services (Hourly Basis)		6,964.98	6,964.98
253 - NEW JERSEY STATE POLICE	PO 11159 March 2021 Billable Police Services		4,432.26	4,432.26
54 - NJ ADVANCE MEDIA	PO 11109 Advertising: Recreation Meetings 2021		14.34	
	PO 11136 Advertising: Ordinance 2021-01 (to excee		90.91	
	PO 11137 Advertising: Ordinance 2021-02 (Comcast		311.76	
	PO 11147 Advertising: 2021 Municipal Budget		42.35	459.36
42 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 11155 2020 League Virtual Conference		55.00	55.00
31 - NOVAK & NOVAK LLC	PO 11118 Legal Services April 2021		4,410.00	4,410.00
20 - QUILL CORPORATION	PO 11099 Office / Cleaning Supplies		117.83	
	PO 11122 Office Supplies		66.83	
	PO 11142 Office Supplies / Clorox Wipes		142.95	327.61
830 - Republic Services	PO 11107 Monthly Garbage / Recycling Disposal: 3		7,112.70	7,112.70
369 - STICKEL KOENIG & SULLIVAN & DRILL L	PO 11153 Affordable Housing: 3/4/2021 - 3/26/2021		3,966.06	3,966.06
291 - STORM WATER COMPLIANCE SOLUTIONS LL	PO 11151 Stormwater Services		2,005.00	2,005.00
882 - Stuart Lasher	PO 11138 Redemption of Tax Certificate # 2017-001		1,072.84	1,072.84
765 - Tele Cloud, LLC	PO 11140 Monthly Phone Service: 4/1/2021 - 4/30/20		249.42	249.42
808 - Thermal Service of New Jersey Inc.	PO 11145 Monthly Billing of PM Service Contract A		349.00	349.00
43 - TOWN OF CLINTON	PO 11152 1st Qtr. Water Billing - Jan/Feb/Mar 202		6,287.25	6,287.25
718 - VIKING PEST CONTROL	PO 11141 Pest Control: 6 High Street / 96 Main St		121.17	121.17
27 - WASTE MANAGEMENT OF NJ INC	PO 11143 Municipal Waste Services: 3/1/2021 - 3/3		6,359.05	6,359.05
ANIMAL CONTROL FUND				
321 - NJ DEPT OF HEALTH & SENIOR SVCS	PO 11130 Animal License Fees March 2021		27.60	27.60
DEVELOPERS ESCROW				
879 - Hamal Associates, Inc	PO 11110 Traffic Engineering Services: Town Cente		1,348.75	1,348.75
369 - STICKEL KOENIG & SULLIVAN & DRILL L	PO 11044 Joann Pellegrino 56 Brunswick Ave		472.50	472.50
TOTAL				360,983.36
Total to be paid from Fund 01 Current Fund		359,134.51		
Total to be paid from Fund 12 ANIMAL CONTROL FUND		27.60		
Total to be paid from Fund 14 DEVELOPERS ESCROW		1,821.25		
				360,983.36
Checks Previously Disbursed				
41521	NJ STATE HEALTH BENEFITS PLAN	PO# 11139	Employee Health Benefits March 2021	3,559.64 4/16/2021
3312021	LEBANON BOROUGH PAYROLL		PAYROLL 3/15/2021	10,996.65 3/26/2021
41821	BOROUGH OF LEBANON-EMAIL SERVICE	PO# 11116	E-Mail Services 2/18/2021 - 3/17/2	227.50 3/29/2021
				14,783.79
Totals by fund		Previous Checks/Voids	Current Payments	Total
Fund 01 Current Fund		14,783.79	359,134.51	373,918.30
Fund 12 ANIMAL CONTROL FUND			27.60	27.60
Fund 14 DEVELOPERS ESCROW			1,821.25	1,821.25
BILLS LIST TOTALS		14,783.79	360,983.36	375,767.15

The Motion was passed by the following vote:

YES: Councilman Lance, Council President Burton, Councilman Berger Councilwoman Logan, Councilman Cortese, and Councilwoman Baldinger

NO:

Abstain:

Absent:

OPEN PUBLIC SESSION:

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

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

DISCUSSION:

MISCELLANEOUS:

COUNCIL COMMITTEES:

Recreation: Mayor Pittinger stated the Yard Sale was taking place and Permits were being sold at Boro Hall for \$5.00. Recreation had a great turn out for the Coloring contest as well as the Contest to find the Bunny prints.

Public Safety: Councilwoman Logan reported the Public Safety committee met to discuss upgrading the speed tracking signs on Main Street. She presented their finds and Council decided on Yellow signs.

Codification: Councilwoman Logan stated she, Council President Burton and Councilman Cortese and Administrator Romano met with two Codification companies and felt General Code had the strongest plan and components. Council President Burton and Councilman Cortese agreed.

Beautification: Councilwoman Logan stated she would be filling the Planters around the Borough in May and would like to dedicate the Planter to former Mayor Felter's wife Phyllis Felter

Lantern: Mayor Pitter stated the Lantern brought in two new advertisers which meant the size of the Lantern would increase by four pages. The deadline for the next Lantern would be June 1st. Councilwoman Logan volunteer to assist with a Student section honoring the graduates of Lebanon.

ADJOURN:

Councilman Lance moved, and Councilman Cortese 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.

Karen M. Romano, RMC
Borough Administrator/Clerk

LBCC
7-17-13
47

LBCC
7-17-13
48

