



LEBANON BOROUGH COMMON COUNCIL
Wednesday, June 16, 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, Councilman Cortese
and Councilwoman Baldinger
Absent: Councilwoman Logan
Also, Present: Administrator /Clerk Karen M Romano RMC
and Attorney Joseph Novak Esq.

RESOLUTION #76-2021:

Council President Burton made a motion to approve Resolution 76-2021 the Consent Agenda. With a second by Councilman Lance.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION # 76-2021
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. Fire Marshall Report
2. Finance Report
3. Tax Assessor Report
4. Animal Control Report
5. NJLM Conference
6. NJDOT Safe Route to Schools
7. Lebanon Fire Company Financial Statement

Introduced and adopted: June 16, 2021.

Ayes: Lance, Burton, Berger, Cortese, Baldinger

Nays:

Abstain:

Absent: Logan

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 June 16, 2021, force and effect as of the date I have subscribed my signature.

Date: June 16, 2021

Karen M. Romano, RMC
Borough Administrator/Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

APPROVAL OF MINUTES:

Councilman Cortese made a motion to approve the May 2021 Regular minutes. With a second by Council President Burton.

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

OPEN PUBLIC SESSION:

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.

Planning Board Chair Lex Saharic spoke of the Amendment to the Shed ordinance. He suggested making a third option for and shed larger than 100 sq ft but smaller than 200 sq ft. Council liked the idea.

John Saharic of Chestnut Place explained to Council the history of the Dolly Madison sign that hung on Main Street over many years. He also informed Council the town's residents bought back the sign through a Go Fund Me Page. John asked Council if the sign could hang in the Council room. Council agreed.

There being no further public comment Councilman Lance 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 FOR ORDINANCE 2021-03 Cannabis:

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

ORDINANCE 2021 03:

Councilman Burton made a motion to approve Ordinance 2021-03 Cannabis for Adoption with a second by Councilman Lance.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE NO. 2021-03**

AN ORDINANCE OF THE BOROUGH OF LEBANON, COUNTY OF HUNTERDON TO AMEND THE GENERAL CODE OF THE BOROUGH OF LEBANON AND ALL LAND USE AND ZONING REGULATIONS SO AS TO PROBIHIT ALL CLASSES OF CANNABIS AND BUSINESS WITHIN THE BOROUGH

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least twenty-one years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults twenty-one years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1: Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2: Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3: Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4: Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5: Cannabis Retailer license, for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6: Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities, by ordinance, to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner, and times of operation of such establishments, distributors, or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities, by ordinance, to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (i.e., by August 22, 2021); and

WHEREAS, the Act requires affirmative Municipal action to prohibit various “Cannabis Use Classes” within a Municipality; which concept of zoning is contrary to the traditional requirements of local Ordinances whereby a particular use is prohibited, unless it is specifically permitted by Ordinance. Thus pursuant to section 31b of the Act, the failure of the Borough to prohibit such use would mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling, and reselling of cannabis and cannabis items would be and shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, the Governing Body has reviewed the Master Plan and re-examination reports of the Planning Board of the Borough of Lebanon, and has taken into consideration the nature and environment of the Lebanon Borough Community, including its elementary school, various religious facilities, civic and volunteer organizations and the overall density and zoning of the Borough in reaching its conclusions as contained in this Ordinance. In addition thereto, the Governing Body has determined that due to present widely acknowledged uncertainties regarding the potential future impacts that allowing one or more of the designated Cannabis business classes might have on Municipalities, and in particular, the Borough of Lebanon, the Governing Body finds that, in the best interest of the health, safety and welfare of the Borough residents and members of the general public who visit, travel, or conduct business in the Borough, it is advisable to amend the Borough’s General Ordinance regulations and all Zoning Regulations, so as to prohibit all manners of marijuana-related land use and business class development within the Borough.

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

1. **Legislative History.** The foregoing legislative history and preamble to this ordinance are hereby incorporated as if fully restated herein.

2. **Purpose.** The purpose of this chapter is the regulation of the retail sale, cultivation, manufacturing and testing of recreational cannabis within the Borough of Lebanon, County of Hunterdon, in accordance with the provisions of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16.)

3. **Cannabis businesses prohibited.** Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16) (the “Act”), all classes of cannabis establishments, cannabis distributors or cannabis delivery services as said terms are defined in section 3 of the Act are hereby prohibited from operating

anywhere in the Borough of Lebanon, except for the delivery of cannabis items and related supplies within the Borough by a licensed delivery service located outside of the Borough. All sections of all provisions of the Ordinances of the Borough of Lebanon, and specifically all Zoning and Development regulations, shall be amended to add the above enumerated classes and uses to the list of prohibited uses.

4. **Smoke Free.** The smoking of a cannabis product shall be prohibited in any and all areas, places, and zones, which are presently established as smoke free areas, by Municipal, County and/or State regulations.

5. **Violations and Penalties.** Any person(s) who shall violate any of the provisions of this Ordinance shall be subject to the penalties as set forth in the General Penalty Provision of the Lebanon Borough Ordinances (Ord. #2010-4); that is:

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

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

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

6. **Repealer.** All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

7. **Severability.** In event that any clause, section, paragraph, or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason; it shall be deemed severable, and the Borough Council hereby declares its intent that the balance of the Ordinance shall not be affected by the said invalidity, and the remainder shall remain in full force and effect.

8. **Effective Date.**

This Ordinance shall take effect upon final adoption and publication in accordance with the law and filing of same with the Hunterdon County Planning Board.

Vote after public hearing and upon final adoption:

Burton 1
Berger 1
Baldinger 1
Cortese 1
Lance 1
Logan 0

Ordinance approved by the Governing
Body and presented to the Mayor on
_____, 2021

Veto in Whole or Part:

Approved:

James Pittinger, Mayor
Date:

{or}

James Pittinger, Mayor
Date:

Returned to Borough Clerk with statement attached on _____, 2021

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on May 19, 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 June 16, 2021 at 7:30 p.m. in the Municipal Building, located at 6 High Street, Lebanon, New Jersey

Karen M. Romano,
Borough Administrator/Clerk

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

ORDINANCE 2021-03

AN ORDINANCE OF THE BOROUGH OF LEBANON, COUNTY OF HUNTERDON TO AMEND THE GENERAL CODE OF THE BOROUGH OF LEBANON AND ALL LAND USE AND ZONING REGULATIONS SO AS TO PROBIHIT ALL CLASSES OF CANNABIS AND BUSINESS WITHIN THE BOROUGH

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Lebanon, in the County of Hunterdon, State of New Jersey, held in the Municipal Building on the 19th day of May 2021, and the same came up for final passage at a meeting of the said Borough Council on the 16th day of June, 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: May 19, 2021
ADOPTED: June 16, 2021

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

RESOLUTION 77-2021:

Council President Burton made a motion to approve Resolution 77-2021 with a second by Councilman Lance.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION #77-2021**

**RESOLUTION REQUESTING APPROVAL OF
ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the

amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Lebanon in the County of Hunterdon, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$4,000.00, which is now available from Clean Communities Grant in the amount of \$4,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$4,000.00 is hereby appropriated under the caption Clean Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey in the amount of \$4,000.00.

Introduced and adopted:

LEBANON
BOROUGH COUNCIL

Ayes: Lance, Burton, Berger, Cortese, Baldinger

Nays: 0

Absent: 0

Council President, Richard Burton

Abstain: Logan

ATTEST:

Karen M. Romano, RMC
Lebanon Borough Clerk

CERTIFICATION

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

June 16, 2021

Karen M. Romano, RMC
Lebanon Borough Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

RESOLUTION 78-2021:

Council President Burton made a motion to approve Resolution 78-2021 with a second by Councilman Lance.

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

RESOLUTION #78-2021

**A RESOLUTION AUTHORIZING THE PURCHASE OF POLE
MOUNTED SPEED MONITORING SIGNS FROM
TRAFFICLOGIX, SPRING VALLEY, NY**

WHEREAS, the Public Safety Committee has reviewed four proposals to reduce the speeding of motor vehicles within the limits of the Borough of Lebanon: and

WHEREAS, the Public Safety Committee, in consultation with the New Jersey State Police have determined that speed monitoring signs which would alert approaching drivers as to their speed have been beneficial in reducing speeding on residential streets; and

WHEREAS, funds have been previously appropriated for various public safety devices and the Certified Financial Officer of the Borough has certified the availability of funds for this public safety purpose; and

WHEREAS, a public information session has been conducted by All Traffic Solutions on their Speed Sentry radar display sign in conjunction with the New Jersey State Police and the Lebanon Borough Council.

NOW THEREFORE BE IT RESOLVED by Public Safety Committee and the Borough Council of the Borough of Lebanon that a sum, not to exceed \$5200.00 is hereby authorized to be expended for the purchase and installation of Speed Sentry radar display signs within the Borough, in locations determined by the Borough Council in consultation with the Borough Engineer and New Jersey State Police.

Introduced and adopted: June 16, 2021

LEBANON BOROUGH COUNCIL

Ayes: Lance, Burton, Berger, Cortese, Baldinger

Nays 0

Absent: Logan

Richard 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 16th day of June 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.

Karen M. Romano, RMC
Borough Administrator/Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

RESOLUTION 79-2021:

Council President Burton made a motion to approve Resolution 79-2021 with a second by Councilman Berger.

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

RESOLUTION # 79-2021

**A RESOLUTION AUTHORIZING THE
CLOSING OF STREETS ON JULY 4TH**

BE IT RESOLVED, that the Borough of Lebanon close the following streets on July 4th, 2021, from 10:00 AM to 5:00 PM:

MAIN ST from MYRTLE AVE all the way East to the Borough line.
All of MYRTLE AVE
All of BRUNSWICK AVE
All of MAPLE ST.
All of HIGH ST.
All of SUTTON PL.
CHERRY ST. from MAIN ST. to EDGERTON DR.
COKESBURY RD. from MAIN ST. to ROUTE 22

Introduced and adopted: June 16, 2021
Ayes: Lance, Burton, Berger, Cortese, Baldinger
Absent:

LEBANON BOROUGH COUNCIL

Absent: Logan

Richard J. Burton, Borough
Council President

ATTEST:

Karen Romano, RMC
Borough Administrator/ Clerk

CERTIFICATION

I, Karen M. Romano, Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Council at a meeting duly held on the 16th day of June, 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: June 16, 2021

Karen M. Romano, RMC
Borough Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

RESOLUTION 80-2021:

Council President Burton made a motion to approve Resolution 80-2021 with a second by Councilman Lance.

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

RESOLUTION # 80-2021

**SOCIAL PERMIT
JULY 4TH PARADE**

WHEREAS, an application for Social Permit has been made by the Lebanon Borough July 4th Parade, 6 High Street, Lebanon NJ.; and

WHEREAS, the submitted form is complete and all fees have been waived;

NOW, THEREFORE BE IT RESOLVED by the Lebanon Borough Common Council to approve the above-named application and authorize the Borough Clerk to sign said application and file it with the NJ Division of Alcoholic Beverage Control.

Introduced and adopted: June 16, 2021

LEBANON BOROUGH COUNCIL

Ayes: Lance, Burton, Berger, Cortese, Baldinger

Nays: 0
Absent: Logan

Richard J. Burton,
Borough, Council President

ATTEST:

Karen Romano, RMC
Borough Administrator/Clerk

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk hereby certify that this resolution was duly adopted by the Borough of Lebanon Common Council at a meeting duly held on the 16th of June 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: June 16, 2019

Karen M. Romano, RMC
Borough Administrator /Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

RESOLUTION 81-2021:

Council President Burton made a motion to approve Resolution 81-2021 with a second by Councilman Berger.

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

RESOLUTION #81-2021

Interlocal Service Agreement with the Borough of High Bridge for street sweeping.

WHEREAS, the Borough of Lebanon wishes to have street sweeping services prior to July 4th, 2021, and

WHEREAS, the Borough of High Bridge is able to provide these services for \$2500.00, and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Lebanon, County of Hunterdon, State of New Jersey, that the interlocal agreement between the Borough of High Bridge to provide street sweeping services to the Borough of Lebanon be generated and services rendered for \$3600.00.

Introduced and adopted: June 16, 2021.

Ayes Lance, Burton, Berger, Cortese, Baldinger

Nays: 0

Absent: Logan

Abstain: 0

LEBANON BOROUGH COUNCIL

By: Richard J. Burton, Council President

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Clerk, hereby certify that this resolution was duly adopted by the Borough of Lebanon Common Council at a meeting duly held on the 16th day of June 2019; 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.

Dated: June 16, 2021

Karen M. Romano, RMC
Borough Administrator/ Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

RESOLUTION 82-2021:

Council President Burton made a motion to approve Resolution 82-2021 with a second by Councilman Lance.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 82-2021**

**BALANEY CONTRACTING LLC
Park Gravel Installation**

WHEREAS the Borough finds the need to install mulch to maintenance Borough Park; and

WHEREAS, a quotation package was prepared, and two quotes were solicited, Balaney Contracting, LLC 1 Shipman Rd. Stewartville, NJ 08886 being the contractor to be awarded the contract to install the 50 tons of gravel in the Borough Park: and

WHEREAS, the quote has been reviewed and it has been determined that the quote is a qualified provider of such services.

NOW THEREFORE BE IT RESOLVED by the Lebanon Borough Council that a contract for the provision of maintenance to the Borough Park be entered into with Balaney Contracting, LLC not to exceed \$2,400.00.

BE IT FURTHER RESOLVED that the Mayor, Council President and Administrator/Clerk are authorized to execute such Contract on behalf of the Borough of Lebanon.

Introduced and adopted June 16, 2021:

LEBANON BOROUGH COUNCIL

Ayes: Lance, Burton, Berger, Cortese, Baldinger
Nays: 0
Absent: Logan

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 June 16, 2021 force and effect as of the date I have subscribed my signature.

Date : June 16, 2021

Karen M. Romano, RMC
Borough Administrator/Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

RESOLUTION 83-2021:

Council President Burton made a motion to approve Resolution 83-2021 with a second by Councilman Lance.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 83-2021**

**BALANEY CONTRACTING LLC
Park Mulch Installation**

WHEREAS the Borough finds the need to install mulch to maintenance Borough Park;
and

WHEREAS, a quotation package was prepared, and two quotes were solicited, Balaney Contracting, LLC 1 Shipman Rd. Stewartsville, NJ 08886 being the contractor to be awarded the contract to install the 50 yards of mulch in the Borough Park: and

WHEREAS, the quote has been reviewed and it has been determined that the quote is a qualified provider of such services.

NOW THEREFORE BE IT RESOLVED by the Lebanon Borough Council that a contract for the provision of maintenance to the Borough Park be entered into with Balaney Contracting, LLC not to exceed \$1,100.00.

BE IT FURTHER RESOLVED that the Mayor, Council President and Administrator/Clerk are authorized to execute such Contract on behalf of the Borough of Lebanon.

Introduced and adopted June 16, 2021:

LEBANON BOROUGH COUNCIL

Ayes: Lance, Burton, Berger, Cortese, Baldinger

Nays: 0

Absent: Logan

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 June 16, 2021 force and effect as of the date I have subscribed my signature.

Date : June 16, 2021

Karen M. Romano, RMC
Borough Administrator/Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

RESOLUTION 84-2021:

Council President Burton made a motion to approve Resolution 84-2021 with a second by Councilman Cortese

BOROUGH OF LEBANON

**COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 84-2021**

**BALANEY CONTRACTING LLC
Main Street Roadside Weed Control and Memorial Bench Installation**

WHEREAS the Borough finds the need to install mulch to maintenance Main Street; and

WHEREAS, a quotation package was prepared, and two quotes were solicited, Balaney Contracting, LLC 1 Shipman Rd. Stewartsville, NJ 08886 being the contractor to be awarded the contract to install the 50 yards of mulch on Main Street and install two memorial Benches at Borough Hall: and

WHEREAS, the quote has been reviewed and it has been determined that the quote is a qualified provider of such services.

NOW THEREFORE BE IT RESOLVED by the Lebanon Borough Council that a contract for the provision of maintenance to the Borough be entered into with Balaney Contracting, LLC not to exceed \$1,180.00.

BE IT FURTHER RESOLVED that the Mayor, Council President and Administrator/Clerk are authorized to execute such Contract on behalf of the Borough of Lebanon.

Introduced and adopted June 16, 2021:

LEBANON BOROUGH COUNCIL

Ayes: Lance, Burton, Berger, Cortese, Baldinger

Nays: 0

Absent: Logan

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 June 16, 2021 force and effect as of the date I have subscribed my signature.

Date : June 16, 2021

Karen M. Romano, RMC

Borough Administrator/Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

RESOLUTION 85-2021:

Council President Burton made a motion to approve Resolution 85-2021 with a second by Councilman Cortese.

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

RESOLUTION #85-2021

Ben Shaffer 50 yards of Mulch

WHEREAS, the governing body has the need to obtain 50 yards of Playground Certified Mulch to maintain the requirements of the State:

WHEREAS, being the Morris County Coop certified Playground Mulch State Contract the was quote given to Ben Shaffer Recreation Inc. PO Box 844 Lake Hopatcong, NJ 07849 and;

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Lebanon with regard to the Park Playground Mulch contract with Ben Shaffer Recreation Inc. PO Box 844 Lake Hopatcong, NJ 07849 for a sum not-to-exceed \$1,229.00.

Introduced and adopted: June 16, 2021
Ayes: Lance, Burton, Berger Cortese, Baldinger
Nays: 0
Absent: Logan

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 Common Council at a meeting duly held on the 16th day of June 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: June 16, 2021

Karen M. Romano, RMC, CMR
Lebanon Borough Administrator/ Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

RESOLUTION 86-2021:

Council President Burton made a motion to approve Resolution 86-2021 with a second by Councilman Berger.

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

RESOLUTION #86-2021

SALARIES YEAR 2021

BE IT RESOLVED, by the Lebanon Borough Common Council the following is a schedule of salaries and wages for the various positions in the Borough of Lebanon for the year 2021.

Borough Administrator	\$1,637.25 per month
Borough Clerk/PB Sec/BOH Sec/Assess Search Officer, HR, Treasurer	\$92,525.00
Deputy Clerk/Recreation/Environmental Secretary, Asst. Treasurer	\$53,188.75
Senior Club, Shade Tree Committee and Historical Committee Secretary	
Tax Collector	\$15,680.75
QPA	\$2,575.00
Tax Assessor	\$16,854.00

Dog/Cat Licensing Agent	\$854.50
Registrar of Vital Statistics	\$1013.25
Deputy Registrar of Vital Statistics	\$1013.25
Zoning Officer	\$14,879.75
Adult School Crossing Guard Supervisor	\$26.50/hr.
Adult School Crossing Guards	\$23.00/hr.
Special & Part Time Patrol Officers	\$ 38.00 to 175.00/hr.
Summer Park Program Director - Contract	\$3,500.00
Recycling Coordinator	\$ 3,974.25
Summer Park Counselors	\$ 10.00 to 15.00/hr.
Handyman Services	\$ 11.00 to 25.00/hr.
Clerical Temporary Staff	\$ 10.00 to 20.00/hr.
General Labor	\$ 12.00 to 25.00/hr
Custodial/Cleaning Service - Contract	Full Service: \$150.00 Partial Service: \$75.00
Mileage	Rate as determined by IRS per mile standard

Introduced and adopted: June 16, 2021

Ayes: Lance, Burton, Berger, Cortese, Baldinger

Absent:

Abstain: Logan

LEBANON BOROUGH COUNCIL

Richard Burton, Council President

CERTIFICATION

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

Dated: June 16, 2021

Karen M. Romano, RMC

Borough Administrator / Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

APPROVAL OF EXPENDITURES:

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

Lebanon Borough

List of Bills - (All Funds)

Meeting Date: 06/10/2021 For bills from 05/20/2021 to 06/10/2021

Vendor	Description	Payment	Check Total
Current Fund			
746 - BETHLEHEM TOWNSHIP	PO 11230 Shared Services CFO: June 2021	2,249.58	2,249.58
883 - Business Information Systems, Inc.	PO 11241 Superscope PMR-61 Digital Recording Syst	495.00	495.00
247 - COMCAST	PO 11253 96 Main Street: Internet / Phone Service	237.60	
	PO 11257 6 High Street: Internet/Phone Service 6/	472.20	709.80
652 - CONSTELLATION NEWENERGY INC	PO 11235 Electricity - 6 High Street 4/13/2021 -	700.00	700.00
39 - ELIZABETHTOWN GAS	PO 11236 Natural Gas: 6 High Street: 4/19/2021 -	269.50	269.50
39 - ELIZABETHTOWN GAS	PO 11237 Natural Gas: 96 Main Street 4/19/2021 -	68.49	68.49
46 - FERRIERO ENGINEERING	PO 11232 Misc. 2021	507.50	
	PO 11258 Engineering Misc. May 2021	833.75	1,341.25
885 - General Code	PO 11266 50% of Intial Build on contract signing	2,497.50	2,497.50
769 - Great America Financial Services	PO 11240 Phone System Lease May 2021	101.19	101.19
670 - HARRY HAUSHALTER	PO 11252 Professional Services Tax Appeals May 20	904.50	904.50
83 - HORIZON BLUE CROSS BLUE SHIELD NJ	PO 11242 Employee Dental 6/1/2021 - 7/1/2021	201.31	201.31
16 - JCP&L	PO 11226 Electricity	662.19	
	PO 11234 Electricity	550.09	1,212.28
597 - JERSEY ELEVATOR COMPANY INC.	PO 11256 Monthly Maintenance June 2021	146.79	146.79
872 - JPMonzo Municipal Consulting, LLC	PO 11248 Seminar: Karen Romano	50.00	50.00
167 - KAREN ROMANO	PO 11231 Cell Phone June 2021	100.00	
	PO 11244 Bluehost Website Hosting 2021	167.88	267.88
499 - KONA ICE	PO 11255 Movie Night 5/22/2021	400.00	400.00
119 - LEBANON FIRE COMPANY	PO 11228 2021 Annual Contribution: June 2021	6,942.80	6,942.80
253 - NEW JERSEY STATE POLICE	PO 11223 Billable Police Services (Hourly Basis)	7,176.04	7,176.04
54 - NJ ADVANCE MEDIA	PO 11250 Advertising: Ordinance 2021 -03 / Planni	150.07	150.07
31 - NOVAK & NOVAK LLC	PO 11229 Legal Services Retainer June 2021	4,410.00	4,410.00
20 - QUILL CORPORATION	PO 11207 Coffee / Cleaning Supplies	162.84	
	PO 11225 Office Supplies / Soap, Paper Towels	46.84	209.68
830 - Republic Services	PO 11239 Monthly Garbage/Residential Service 5/1/	6,765.00	6,765.00
646 - ROBERT WALKER PLUMBING & HEATING IN	PO 11238 Leaking Toilet: 96 Main Street	247.15	247.15
884 - Rutgers Nursey	PO 11268 Shade Tree: Beech Fernleaf Tree	596.70	596.70
765 - Tele Cloud, LLC	PO 11224 Monthly Phone Service 5/1/2021 - 5/31/20	253.16	253.16
808 - Thermal Service of New Jersey Inc.	PO 11249 Monthly Billing of PM Service Contract J	349.00	349.00
718 - VIKING PEST CONTROL	PO 11245 Pest Control: 96 Main Street & 6 High St	121.17	121.17
11 - VITAL COMMUNICATIONS, INC	PO 11265 MOD IV Tax Master File	100.00	100.00
27 - WASTE MANAGEMENT OF NJ INC	PO 11251 Municipal Waste: 5/1/2021 - 5/31/2021	6,686.62	6,686.62
GENERAL CAPITAL FUND			
46 - FERRIERO ENGINEERING	PO 11262 Clark Road Improvements	2,465.00	2,465.00
ANIMAL CONTROL FUND			
321 - NJ DEPT OF HEALTH & SENIOR SVCS	PO 11247 Animal License Fee May 2021	2.40	2.40
DEVELOPERS ESCROW			
46 - FERRIERO ENGINEERING	PO 11232 Misc. 2021	688.75	
	PO 11233 Town Center @ Lebanon LLC - B4 Ll.03 & 1	5,163.75	5,852.50
46 - FERRIERO ENGINEERING	PO 11259 Superior Towing Site Plan	1,885.00	1,885.00
46 - FERRIERO ENGINEERING	PO 11260 Town Center	6,846.25	
	PO 11261 Clinton Water Main Replacement	870.00	7,716.25
879 - Hamal Associates, Inc	PO 11165 Traffic Engineering Services - Town Cent	4,587.50	
	PO 11254 Traffic Engineering Services: Town Cente	2,158.10	6,745.60
369 - STICKEL KOENIG & SULLIVAN & DRILL L	PO 11154 Town Center At Lebanon LLC	175.00	

864 - T & M Associates	PO 11190 Town Center at Lebanon LLC, February 202 PO 11215 Town Center at Lebanon LLC PO 11144 Corporate Drive Redevelopment Plan PO 11263 Town Center at Lebanon PO 11264 Superior Towing LLC PO 11267 Corporate Drive Redevelopment Plan	210.00 1,863.75 7,385.00 426.00 2,493.00 15,061.00	2,248.75 25,365.00	----- 97,902.96
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TOTAL	97,902.96
Total to be paid from Fund 01 Current Fund	45,622.46
Total to be paid from Fund 04 GENERAL CAPITAL FUND	2,465.00
Total to be paid from Fund 12 ANIMAL CONTROL FUND	2.40
Total to be paid from Fund 14 DEVELOPERS ESCROW	49,813.10
	=====
	97,902.96

Checks Previously Disbursed

61521	NJ STATE HEALTH BENEFITS PLAN	PO# 11246	Employee Health Benefits: May 2021	3,559.64	6/10/2021
6152021	LEBANON BOROUGH PAYROLL		PAYROLL 6/15/2021	14,514.02	6/07/2021
5302021	LEBANON BOROUGH PAYROLL		PAYROLL 5/15/2021	10,805.81	5/28/2021
61821	BOROUGH OF LEBANON-EMAIL SERVICE	PO# 11227	Email Services	227.50	5/24/2021

				29,106.97	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 Current Fund	29,106.97	45,622.46	74,729.43
Fund 04 GENERAL CAPITAL FUND		2,465.00	2,465.00
Fund 12 ANIMAL CONTROL FUND		2.40	2.40
Fund 14 DEVELOPERS ESCROW		49,813.10	49,813.10
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BILLS LIST TOTALS	29,106.97	97,902.96	127,009.93
			=====

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

OPEN PUBLIC SESSION:

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

Shade Tree Chairman Joe Hauck stated the Schneider Family Tree was planted.

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

DISCUSSION:

MISCELLANEOUS:

COUNCIL COMMITTEES:

Recreation: Mayor Pittinger stated the Recreation Committee was scheduling a Concert in the Park on August 28th Local food and the KONA ice truck will be there.

July 4th: Chairman Sam Berger said everything was coming together and looked great!

Lantern: Mayor Pitter stated the Lantern deadline for submittal was next week.

Shade Tree: Chairman Hauck stated a tree there were Ash and Mulberry trees in the park that needed to be taken down, which was Shade Tree's next project.

Mayor called to enter executive session.

RESOLUTION 87-2021

Councilman Berger made a motion TO APPROVE Resolution 87-2021 to enter executive. Council President Burton second the motion.

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

RESOLUTION #87-2021

Whereas, the Open Public Meetings Act allows the Mayor and Council to exclude the public from a portion of a meeting in certain circumstances,

Now therefore, be it Resolved, by the Council of the Borough of Lebanon, that the public shall be excluded from discussion of the following matter(s):

- 1. A confidential matter under Federal or State Law or Court Rule.
- 2. A matter involving information that may jeopardize the Borough's rights to receive funds from the United States Government.
- 3. A matter constituting an unwarranted invasion of an individual's privacy rights.
- 4. Collective Bargaining Agreement or negotiation of the Agreement.
- 5. Matters involving the purchase, lease or acquisition of real property.
- 6. Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.
- 7. Litigation Tax Court Matters _____ Anticipated Litigation _____
Contract Negotiations: _____

- ___ 8. Matters falling within the attorney-client privilege:_____.
- ___ 9. Personnel matters involving a specific employee or officer of the Borough: Policies__.
- ___ 10. Deliberations involving a public hearing which may result in the imposition of a specific civil penalty or suspension or loss of a license or permit.

The approved Executive Session minutes will be placed on file in the Borough Clerk's Office and will be available to the public as provided for by Law.

Be it further Resolved, that this Resolution shall take effect immediately.

Introduced and adopted: June 16, 2021

Ayes: Lance, Burton, Berger, Cortese, Baldinger

Nays: 0

Absent:

Abstain: Logan

LEBANON BOROUGH COUNCIL

By: Richard J. Burton, Council
President

CERTIFICATION

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

Dated: June 16, 2021

Karen M. Romano, RMC
Borough Administrator/ Clerk

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

Mayor Pittinger requested a motion to enter the regular meeting of June 16th.
Councilman Berger made a motion to enter the Regular meeting. Council President Burton second the motion.

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

Mayor Pittinger called for a motion of consent to move forward preparing for potential litigation.

Council President Burton made a motion to move forward. Councilman Berger second the motion.

The Motion was passed by the following vote:

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

NO:

Abstain:

Absent: Councilwoman Logan

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 7:45 pm by unanimous vote.

Karen M. Romano, RMC
Borough Administrator/Clerk

LBCC
7-17-13
49

LBCC
7-17-13
50

