



LEBANON BOROUGH COMMON COUNCIL
Wednesday, November 20, 2023
7:30 pm

The Regular Meeting of the Lebanon Borough Common Council was called to order by Mayor Pittinger at 7:30 pm. The meeting was held in person and virtually.

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 8519 of American Service Members have given their lives for our Country in the war against terrorism, New Jersey total remains at 131. Mayor Pittinger of collected 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 Councilwoman Logan, Councilman Crawford,

Absent: Councilman Lance and Councilman Kirchofer

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

LAND USE BOARD MAYORAL APPOINTMENT

Mayor Pittinger appointed Marianne Mathewson to the Land Use Board. With the approval of Council.

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilwoman Logan, Councilman Crawford

NO:

Abstain:

Absent: Councilman Lance and Councilman Kirchofer

OATH OF OFFICE

Judge Novak administered the oath of office to Marianne.

RESOLUTION #107-2023:

Council President Burton made a motion to approve Resolution 107-2023 the Consent Agenda. With a seconded by Councilman Berger.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION #107-2023**

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 Department Report
2. Animal Control Solutions Report

Introduced and adopted: November 20, 2023.

Ayes: Burton, Berger, Logan, Crawford,

Nays:

Abstain:

Absent: Lance, Kirchofer

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 November 20, 2023, force and effect as of the date I have subscribed my signature.

Date: November 20, 2023

Karen M. Romano, RMC
Borough Administrator/Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilwoman Logan, Councilman Crawford

NO:

Abstain:

Absent: Councilman Lance and Councilman Kirchofer

OPEN PUBLIC SESSION:

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

Trooper John Caemmerer reported nine active investigations in Lebanon.

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

OPEN PUBLIC SESSION: PUBLIC HEARING FOR ORDINANCE 2023-04 SALT SHED

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 Crawford 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: 04-2023 Salt Shed: Adoption

Council President Burton made a motion to Adoption Ordinance 04-2023 Salt Shed. With a seconded by Councilman Berger.

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

ORDINANCE #04-2023

Privately-Owned Salt Storage Structures

WHEREAS, it has been widely recognized that the open storage of salt and other solid, winter de-icing materials exposed to moisture, decomposition, runoff, and infiltration of storm water areas creates a public health and environmental hazard; and

WHEREAS, governmental entities, having recognized these problems, have taken remedial action to properly store and protect these types of materials, and

WHEREAS, it is necessary to prevent the personal and private storage of such materials to the detriment of public health and environment.

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Lebanon, County of Hunterdon and State of New Jersey, that the storage of salt and winter de-icing materials be regulated as follows:

SECTION I. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being openly exposed to the elements and subjected to possible runoff and stormwater dispersion.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials in structures and/or on properties not owned or operated by the municipality, or other governmental entities, and/or to include residential, commercial, or other privately owned properties or structures in the Borough of Lebanon, and in order to protect the environment, and the public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;

3. The structure shall be erected on an impermeable slab;
 4. The structure cannot be open sided; and
 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. “Resident” means a person who resides on a residential property where de-icing material is stored.

SECTION III. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

5. Containers must be sealed when not in use; and
6. The site shall be free of all de-icing materials between April 16th and October 14th.
 - B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
 - C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.
 - D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, who shall document in a written record, that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
 1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent, fully enclosed structure, they are not subject to the storage and inspection requirements in Section III above. Piles of loose de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION V. Violations and Penalties:

1. For violation of any of the provisions or sections of this Ordinance and Code of the Borough of Lebanon or any amendments, modifications, revisions or additions thereto (with the exception of housing or zoning violations), the maximum penalty upon conviction of each violation shall be one or more of the following:

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 Court 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.

2. Any person who is convicted of violating this Ordinance or Code of the Borough of Lebanon within one year of the date of a previous violation of the same Ordinance and who is fined for the previous violation, shall be sentenced by the Court to an additional fine as a repeat offender.

3. Any person convicted of a violation of any Ordinance or Code of the Borough of Lebanon, may, in the discretion of the Court by which the person was convicted, and in default of the payment of any fine imposed therefore, be imprisoned in the County jail or place of detention provided by the Court, for any term not exceeding ninety (90) days or be required to perform community service for a period not exceed ninety (90) day.

SECTION VI. Repealer: All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

SECTION VII. 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.

SECTION VIII. Effective Date: This Ordinance shall take effect upon final adoption and publication in accordance with the law.

Vote after public hearing and upon final adoption:

Burton__1__

Berger__1__

Crawford__1__

Kirchofer__1__

Lance_____

Logan__1__

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

_____, 2023

Veto in Whole or Part:

Approved:

_____ {or}

James Pittinger, Mayor

James Pittinger, Mayor

Date:

Date:

Returned to Borough Clerk with statement attached on _____, 2023

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on October 18, 2023 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 November 20, 2023 at 7:30 p.m. in the Municipal Building, located at 6 High Street, Lebanon, New Jersey

Karen M. Romano, Borough Adm/Clerk

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE NO. 2023-04**

Privately-Owned Salt Storage Structures

This ordinance establishes requirements for the storage of salt and other solid de-icing materials in structures and/or on properties not owned or operated by the municipality, or other governmental entities, and/or to include residential, commercial, or other privately owned properties or structures in the Borough of Lebanon, and in order to protect the environment, and the public health, safety and welfare, and to prescribe penalties for failure to comply.

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 18th day of October 2023, and the same came up for final passage at a meeting of the said Borough Council on the 20th day of November 2023 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: October 18, 2023
ADOPTED: November 20, 2023**

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilwoman Logan, Councilman Crawford

NO:

Abstain:

Absent: Councilman Lance and Councilman Kirchofer

APPROVAL OF MINUTES:

Councilman Crawford made a motion to approve the October regular minutes seconded by Councilman Berger.

The Motion was passed by the following vote:

YES: Council President Burton, Councilwoman Logan, Councilman Crawford, and Councilman Berger

NO:

Abstain:

Absent: Councilman Kirchofer and Councilman Lance

RESOLUTION 108-2023:

Councilman Berger made a motion to approve Resolution 108-2023 seconded by Council President Burton.

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

RESOLUTION # 108-2023

Chestnut Place Resurfacing Project

WHEREAS, the Borough of Lebanon has determined as part of its long-term road program to provide roadway improvements to Chestnut Place, and

WHEREAS, the Borough has received an allotment of \$80,000.00 from NJDOT for the resurfacing of Chestnut Place, and

WHEREAS, the Borough has entered into a contract with Capital Paving & Contracting in the total amount of \$78,514.94, in accordance with the resolution of award; and

WHEREAS, during the normal course of construction of the project improvements, actual quantities constructed of certain contract line items are different than the estimated contract quantities, and

WHEREAS, the Borough Engineer has prepared Change Order No. 1, which adjusts estimated quantities to final quantities; and

WHEREAS, the final quantities change order, Change Order No. 1 results in a net decrease of \$3,136.42 in the contract amount, and

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Lebanon that Change Order No. 1 in the amount of (\$3,136.42) be approved; and

BE IT FURTHER RESOLVED, that the contract amount for the **Chestnut Place Resurfacing Project** be reduced to \$75,378.52, and

BE IT FURTHER RESOLVED, that the Council President is hereby authorized to execute Change Order No. 1 and said change order shall be submitted to the NJDOT, Bureau of Local Aid, as required by the grant agreement.

Introduced and adopted: November 20, 2023

LEBANON BOROUGH COUNCIL

Ayes: Burton, Berger, Logan, Crawford

Nays: _____

Absent: Lance, Kirchofer

Rich Burton

Borough Council President

ATTEST:

Karen M. Romano
Borough Administrator/Clerk

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 November 20, 2023 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: November 20, 2023

Karen M. Romano

Borough Administrator/Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilwoman Logan, Councilman Crawford

NO:

Abstain:

Absent: Councilman Lance and Councilman Kirchofer

RESOLUTION 109-2023:

Councilwoman Logan made a motion to approve Resolution 109-2023 seconded by Councilman Berger.

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

RESOLUTION # 109-2023

Main Street Section 1 and Section 2

Phase 1 Improvement Project

WHEREAS, the Borough of Lebanon has determined as part of its long-term road program to provide roadway improvements to Main Street, and

WHEREAS, the Borough has received an allotment of \$125,000.00 from the NJDOT for work on Main Street Section 1, FY 2020, and an allotment of \$162,360.00 from the NJDOT for work on Main Street Section 2, FY 2022; and

WHEREAS, the Borough has entered into a contract with Topline Construction Corporation in the amount of \$186,805.61 for the combined Phase 1 work on Main Street Section 1 and Section 2

Improvement Project, which included base bid work on Section 1 in the amount of \$133,222.69 and alternate bid work on Section 2 in the amount of \$53,583.12; and

WHEREAS, during the normal course of construction of the project improvements, actual quantities constructed of certain contract line items are different than the estimated contract quantities, and

WHEREAS, NJDOT has required a separation of the contract amount based on the fiscal year of the NJDOT allotments, the Borough Engineer has prepared final quantities Change Order No. 1, which adjusts estimated quantities to final quantities for Main Street Section 1 and final quantities Change Order No. 1, which adjusts estimated quantities to final quantities for Main Street Section 2; and

WHEREAS, the final quantities change order, Change Order No. 1 for Main Street Section 1, Phase 1 results in a net decrease of \$13,831.63 in the contract amount; and

WHEREAS, the final quantities change order, Change Order No. 1 for Main Street Section 2, Phase 1 results in a net decrease of \$5,468.19 in the contract amount; and

WHEREAS, the final quantities change orders for Main Street Section 1 and Section 2, Phase 1, result in a total net decrease of \$19,299.82 in the contract amount, and

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Lebanon that Change Order No. 1 for Section 1 in the amount of (\$13,831.63) and Change Order No. 1 for Section 2 in the amount of (\$5,468.19) be approved; and

BE IT FURTHER RESOLVED, that the total contract amount for the **Main Street Section 1 and Section 2 Phase 1 Improvement Project** be reduced to \$167,505.79, and

BE IT FURTHER RESOLVED, that the Council President is hereby authorized to execute Change Order No. 1 for both Main Street Section 1 and Section 2 and said change order shall be submitted to the NJDOT, Bureau of Local Aid, as required by the grant agreement.

Introduced and adopted: November 20, 2023

LEBANON BOROUGH COUNCIL

Ayes: Burton, Berger, Logan, Kirchofer

Nays:

Absent: Lance, Kirchofer

Rich Burton
Borough Council President

ATTEST:

Karen M. Romano
Borough Administrator/ Clerk

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 November 20, 2023, 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: November 20, 2023

Karen M. Romano
Borough Administrator/ Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilwoman Logan, Councilman Crawford

NO:

Abstain:

Absent: Councilman Lance and Councilman Kirchofer

RESOLUTION 110-2023:

Councilman Berger made a motion to approve Resolution 110-2023 seconded by Councilwoman Logan.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON**

STATE OF NEW JERSEY

RESOLUTION # 110-2023

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, Lebanon Borough (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-26 *et seq.*; and

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

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

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

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

1. Lebanon Borough hereby appoints Spiro Molfetas with be Acrisure d/b/a Polaris Galaxy its local Risk Management Consultant.
2. The **Administrator/Clerk Karen Romano and** (*authorized representative of the public entity*) and Spiro Molfetas of Acrisure d/b/a Polaris Galaxy the Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2024. in the form attached hereto.

Introduced and adopted:

Ayes: Burton, Berger, Logan, Crawford,

Nays: 0

Absent: Lance, Kirchofer

LEBANON BOROUGH COUNCIL

Richard J. Burton, Council President

ATTEST: _____

Karen M. Romano
Borough Administrator/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 November 20, 2023, 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: November 20, 2023

Karen M. Romano
Borough Administrator/Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilwoman Logan, Councilman Crawford

NO:

Abstain:

Absent: Councilman Lance and Councilman Kirchofer

RESOLUTION 111-2023:

Council President Burton made a motion to approve Resolution 111-2023 seconded by Councilwoman Logan.

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

RESOLUTION #111-2023

**STATEWIDE INSURANCE FUND
RESOLUTION APPOINTING FUND COMMISSIONER**

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

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

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Lebanon Karen M. Romano is hereby appointed as the Fund Commissioner for the Local Unit for the year 2024; and

BE IT FURTHER RESOLVED that Council President Richard Burton is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2024; and

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

Introduced and adopted: November 20, 2023

Ayes: Burton, Berger, Logan, Crawford

Nays:

Absent: Lance and Kirchofer

LEBANON BOROUGH COUNCIL

Richard J. Burton, Council President

ATTEST: _____

Karen M. 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 20th of November 2023 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: November 20, 2023

Karen M. Romano, RMC
Borough Administrator/ Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilwoman Logan, Councilman Crawford

NO:

Abstain:

Absent: Councilman Lance and Councilman Kirchofer

RESOLUTION 112-2023:

Council President Burton made a motion to approve Resolution 112-2023 seconded by Councilwoman Logan.

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

RESOLUTION # 112-2023

**2024 FUND YEAR
STATEWIDE INSURANCE FUND**

RISK MANAGEMENT CONSULTANT'S AGREEMENT

THIS AGREEMENT entered into this 21st day of November 2023, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, Borough of Lebanon ("MEMBER") and Spiro Molfelas Acrisure d/b/a Polaris Galaxy ("CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

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

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

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

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

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

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

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
 - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.

- (h) assist in the claim's settlement process, if required, by MEMBER or FUND.
 - (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
 - (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
 - (k) act in good faith and fair dealing to the FUND.
 - (l) perform other duties for the FUND as January be required from time to time by the FUND.
2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:
- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of all lines assessment (excluding any fees, PLIGA, and loss ratio apportionment); and 10% of Selective umbrella assessment (excluding fees, PLIGA and administrative expenses).
 - (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
 - (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
3. If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties. The term of this Agreement shall be from **January 1, 2024 to January 1, 2025**. However, this Agreement January be

terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.

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

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

ATTEST:

Member Representative

ATTEST:

Officer

Risk Management Consultant Corporate

ATTEST:

Statewide Insurance Fund Chairperson

LBCB
11-20-2023
24

EXHIBIT A
STATEWIDE INSURANCE FUND

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE

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

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

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

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

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

OR

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

OR

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

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

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

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

COMPANY: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____ DATE: _____

Introduced and adopted:

Ayes: Burton, Berger, Logan, Crawford,

Nays: 0

Absent: Lance and Kirchofer

LEBANON BOROUGH COUNCIL

Richard J. Burton, Council President

ATTEST: _____

Karen M. Romano
Borough Administrator/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 November 20, 2023 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: November 20, 2023

Karen M. Romano
Borough Administrator/Clerk

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilwoman Logan, Councilman Crawford

NO:

Abstain:

Absent: Councilman Lance and Councilman Kirchofer

APPROVAL OF EXPENDITURES: Councilman Berger made a motion to approve the Bill list for November 2023. Councilman Crawford seconded the motion.

Meeting Date: 11/20/2023 For bills from 10/21/2023 to 11/18/2023

		Current Fund	
557 - LANDMARK FIRE PROTECTION, INC.	PO 12980 2023 2nd quarterly fire sprinkler testin	260.00	260.00
46 - FERRIERO ENGINEERING	PO 12982 Prepare Ordinance: Salt Storage	111.00	
	PO 12983 E-Code Review & Analysis	2,035.00	
	PO 12988 WaWa/Codification	148.00	
	PO 13022 Clinton Water Main Replacement	1,887.00	4,181.00
42 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 12986 Renewal: Legislative Bulletin 2023-2024	7.00	7.00
176 - SHOPRITE OF HUNTERDON COUNTY	PO 12987 Building & Grounds / Recreation	9.66	9.66
16 - JCP&L	PO 12989 Electricity Master Account: 9/14/2023 -	193.83	
	PO 12998 Electricity	739.52	
	PO 13023 Electricity	137.86	
	PO 13040 Electricity	4.09	1,075.30
167 - KAREN ROMANO	PO 12990 Reimbursement: RMC Renewal	50.00	
	PO 12995 Cell Phone Reimbursement November 2023	100.00	
	PO 13028 Reimbursement: Recreation Christmas (Sno	31.96	
	PO 13029 Reimbursement Christmas String Lights (R	511.63	
	PO 13039 Reimbursement: Annual Website Domain Lis	259.00	
	PO 13045 Reimbursement: League of Municipalities	919.63	1,872.22
20 - QUILL CORPORATION	PO 12991 Building & Grounds	156.39	
	PO 13008 Office Supplies/Building & Grounds	317.84	
	PO 13009 Office Supplies	215.97	690.20
830 - Republic Services	PO 12992 Residential Service: 10/1/2023 - 10/31/2	7,876.99	7,876.99
31 - NOVAK & NOVAK LLC	PO 12994 Legal Services Retainer November 2023	4,723.33	4,723.33
59 - LEBANON BOROUGH BOARD OF EDUCATION	PO 12996 Local School Tax November 2023	293,323.10	293,323.10
70 - NO HUNTERDON-VOORHEES REG HS DIST	PO 12997 Regional School Tax November 2023	279,777.00	279,777.00
403 - AMERICAN PROTECTIVE SYSTEMS, INC	PO 12999 Service Call: replace panel batteries at	284.71	284.71
176 - SHOPRITE OF HUNTERDON COUNTY	PO 13000 Recreation Halloween Party 10/28/2023	191.90	191.90

LBCC
11-20-2023
28

910 - Office Concepts, Inc.	PO 13001 Copier Maintenance 10/15/2023 - 11/14/20	127.05	127.05
223 - JERSEY CENTRAL ELECTRIC	PO 13002 Replaced trace recess lights in front fo	2,080.00	2,080.00
765 - TeleCloud LLC	PO 13003 Monthly Phone Service 11/1/2023 - 11/30/	441.90	441.90
718 - VIKING PEST CONTROL	PO 13004 Pest Control: 6 High Street & 96 Main St	141.51	141.51
907 - Dorsey & Semrau, LLC	PO 13005 Special Tax Counsel: Tax Appeals October	384.00	384.00
597 - JERSEY ELEVATOR COMPANY INC.	PO 13006 Monthly Maintenance: November 2023	162.41	162.41
762 - MR. BUG'S LAWN CARE	PO 13007 Mowing: September & October	2,310.00	2,310.00
838 - EA Boniakowski Insurance Services	PO 13010 Renewal Snow Liability Streets & Roads 0	8,437.50	8,437.50
559 - LANZA & LANZA LLP	PO 13011 Litigation Clinton Water	999.00	999.00
43 - TOWN OF CLINTON	PO 13012 Water Bill: 96 Main Street & 6 High Stre	131.25	131.25
247 - COMCAST	PO 13013 96 Main Street: Phone/Internet Service 1	243.48	
	PO 13015 6 High Street: Phone/Internet 11/1/2023	457.84	701.32
633 - TREASURER - STATE OF NJ	PO 13014 Bureau of Fire Code Enforcement: Fire Re	512.00	512.00
54 - NJ ADVANCE MEDIA	PO 13016 Advertising: Ordinance 2023-03 Notice of	33.23	
	PO 13026 Advertising: Tax Sale Notice & Ordinance	299.78	333.01
27 - WASTE MANAGEMENT OF NJ INC	PO 13017 Municipal Waste: 10/1/2023 - 10/31/2023	7,820.63	7,820.63
808 - Thermal Service of New Jersey Inc.	PO 13018 Monthly Billing of PM Service Contract:	349.00	349.00
369 - STICKEL KOENIG & SULLIVAN & DRILL L	PO 13032 Planning Board	550.00	550.00
912 - De Lage Landen Financial Services, INC	PO 13033 Copier Lease: 11/1/2023 - 11/30/2023	140.00	140.00
818 - Crown Trophy of Flemington	PO 13034 Recreation: Halloween House Decorating W	165.00	165.00
323 - LISA SAHARIC	PO 13035 Reimbursement: Registrar Classes Atlanti	213.66	213.66
883 - Business Information Systems, Inc.	PO 13036 On-Site Service & Support Renewal Contra	495.00	495.00
20 - QUILL CORPORATION	PO 13038 Office Supplies: Black Binders	101.97	101.97
860 - Community Grants, Planning & Housing	PO 13041 Administrative Agent services for Afford	300.00	300.00
747 - Gannett New Jersey Newspapers	PO 13044 Advertising: Ordinance 2023-03	121.87	121.87
253 - NEW JERSEY STATE POLICE	PO 13046 OCTOBER 2023	3,313.80	3,313.80
GENERAL CAPITAL FUND			
384 - WILENTZ GOLDMAN & SPITZER PA	PO 12979 For professional services rendered	2,798.94	2,798.94
46 - FERRIERO ENGINEERING	PO 12981 Main Street Section 1 and 2	318.76	
	PO 12984 Chestnut Place Resurfacing	562.76	
	PO 13020 Chestnut Place Resurfacing	259.00	
	PO 13021 Main Street Section 1 and 2	222.00	1,362.52
ANIMAL CONTROL FUND			
466 - ANIMAL CONTROL SOLUTIONS, LLC	PO 13027 Bat 68 Main Street	180.00	180.00
DEVELOPERS ESCROW			
46 - FERRIERO ENGINEERING	PO 12985 Superior Towing Site Plan B5 L32	74.00	
	PO 12988 WaWa/Codification	222.00	
	PO 13019 Street Opening Permits - 2023	111.00	
	PO 13024 Gas Main Extension - 155,157, & 161 Main	185.00	
	PO 13025 Gas Main Extension - 121A Main Street	148.00	
	PO 13042 Woodhollow Energy Group Site Plan	444.00	1,184.00
369 - STICKEL KOENIG & SULLIVAN & DRILL L	PO 13030 Skyway Truck Parts	920.00	
	PO 13031 Gilbert Arias	340.00	
	PO 13043 Woodhollow Contracting Corp-Hertz EV Cha	900.00	2,160.00
TOTAL			632,473.50

Checks Previously Disbursed

13521	NJ REGISTRARS' ASSOCIATION	PO# 12977 NJRA 2023 Conference (November) Ka	190.00	11/02/2023
13522	Borough of Lebanon-Operating Acct	PO# 12978 TRANSFER TO UNITY	1,026,099.01	11/02/2023
13522	Borough of Lebanon-Operating Acct		-1,026,099.01	11/14/2023 *VOID*

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 Current Fund	190.00	624,604.29	624,794.29
Fund 04 GENERAL CAPITAL FUND		4,161.46	4,161.46
Fund 12 ANIMAL CONTROL FUND		180.00	180.00
Fund 14 DEVELOPERS ESCROW		3,527.75	3,527.75
<hr/>			
BILLS LIST TOTALS	190.00	632,473.50	632,663.50

The Motion was passed by the following vote:

YES: Council President Burton, Councilman Berger, Councilwoman Logan, Councilman Crawford

NO:

Abstain:

Absent: Councilman Lance and Councilman Kirchofer

DISCUSSION:

OPEN PUBLIC SESSION:

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

COMMITTEE UPDATES:

MISCELLANEOUS:

**ADMINISTRATOR'S REPORT TO THE GOVERNING BODY
November 20, 2023**

PUBLIC SAFETY

- The laptop was purchased and set up by Council President Burton.
- Councilwoman Logan will train the NJSP on data collecting.

INFRASTRUCTURE COMMITTEE

- I met with Christina of Stormwater solutions to set up a schedule of requirements for 2024.
- I will obtain Street Sweeping quotes as Shared Services after the engineer confirms what streets need to be swept and how often.
- The foyer lights have been repaired.
- Need to set up a quick meeting with the committee to discuss repairs throughout the building.
- Working with the Stormwater committee, Fire Department, Engineer, and Sewer Authority to solve the flooding issues of Edgerton.

OEM

- EOP plan has been submitted to Hunterdon County OEM

CODIFICATION

- Chapter 165 Land Use Ordinance 2023-03 has been submitted to Hunterdon County Planning Board.
- Continuing work of the remainder of codification with Councilwoman Logan and Attorney Novak.

MISCELLANEOUS

- Purchased lights for the tree, Beard and Backdrop for the tree lighting and visit with Santa.
- League: attended three days of classes regarding changes to current laws in Finance, Licensing, Records Management, Ethics, Elections, HR, and IT.

SENIOR CLUB November 15th

- State Police: Trooper John spoke to the senior citizens about scams.
- Ed Jankiewilz sang and played his guitar for the seniors.
- Money was given to Lisa to deposit for their Christmas Party in December at the Mountain View Chalet and their trip to Hunterdon Hills Playhouse for St. Patrick's Day in March.
- Karen Romano, Administrator explained that dues would be collected in January.

- Refreshments were served.

RECREATION

Meeting November 8th

HALLOWEEN

- The Halloween party was a success, everyone had a wonderful time.
- House decorating winners were #1-51 Main Street, #2-15 Cherry Street, & #3-15 High Street

CHRISTMAS: TREE LIGHTING

- Sunday, December 3rd at 96 Main Street tree lighting and visit with Santa.
- Refreshments will be served.
- The Santa mailbox will be put out at 96 Main Street for letters to Santa.
- Lisa will send home flyers through school for the tree lighting and Santa letters.
- Lisa Porcello will be submitting All Things Lebanon Crossword puzzle and Recreation news for the next Lantern.

SHADE TREE

- October/November – Meeting Cancelled

HISTORICAL COMMITTEE

- No meeting October/November

WELCOME BAGS

Date of Meeting: No Meeting

163 Main Street-Welcome Bag Delivered (New Resident)

Anita informs everyone when a new resident moves into Lebanon Borough.

Members: Norann Hein, Bob Junge, Doug Mattewson, Marianne Mattewson, Jim Pittinger, Lisa Saharic and Anita Weingart

Summary of Meeting: There are no meetings for the Welcome Bags. Initially there was two meetings to create the welcome bag to be given to new residents that move into Lebanon Borough.

The purpose of the Welcome Bag is to give the new residents information that can be beneficial to them and to welcome them to Lebanon Borough. Anita Weingart informs everyone when there is a new

resident that moves into Lebanon Borough. Anita will then send out an email to see who is available to deliver a Welcome Bag to the new resident.

The Welcome bag contains:

Welcome Letter
Lebanon Directory
Recycling Calendar
Recycling Sticker
Current Lantern
Lebanon Mug
Lebanon Ball
Lebanon Key Chain
Lebanon Magnet
Lebanon Coaster
Two reusable shopping bags

10% Discount Gift Certificates from the following businesses: Bella's Pizzeria, Bruno's Deli, Chelseas, Fox & Hound Tavern, Galasso's, Janina Bistro, Joebri Nails & Spa, La Bella Salon & Spa, Lebanon Plaza Deli, Los Chilitos, Metropolitan Seafood & Gourmet, Cookie Maven, Righteous Massage Therapy and Twin Goats

New Residents:

163 Main Street – Welcome Bag Delivered

ADJOURN:

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

Karen M. Romano, RMC
Borough Administrator/Clerk

