

**BOROUGH OF LAKEHURST
WORK SESSION/REGULAR MEETING
MARCH 17, 2011
TENTATIVE AGENDA**

1. Approval of Minutes of March 3, 2011 Regular Meeting
2. Resolution regarding payment of bills
3. Resolution regarding Tonnage Grant
4. Resolution regarding Redemption of Tax Sale Certificate #2010-6
5. Resolution regarding use of Borough vehicles
6. Resolution increasing the Temporary Budget (Current Fund)
7. Resolution increasing the Temporary Budget (Utility Fund)
8. Resolutions regarding adjustment to sewerage for Block 59; Lot 14
9. Resolution regarding Current Fund Transfer
10. Introduction and First Reading of Ordinance #2011-01 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK”
11. Introduction of 2011 Municipal Budget
12. Executive/Closed Session to discuss personnel matters

Bernadette Dugan, RMC
Municipal Clerk

The Mayor and Council reserve the right to add or delete items from the agenda.

**“AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF
OCEAN, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

#2011-01

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% 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 Mayor and Council of the Borough of Lakehurst in the County of Ocean finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of its citizens; **and**

WHEREAS, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$100,150.79 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary, **and**

WHEREAS, the Mayor and Council 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 Mayor and Council of the Borough of Lakehurst, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Borough of Lakehurst shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$100,150.79, and that CY 2011 municipal budget for the Borough of Lakehurst be approved and adopted in accordance with this ordinance; **and**

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; **and**

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five 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.

Hon. Timothy J. Borsetti
Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at the regular meeting of the governing body of the Borough of Lakehurst, County of Ocean, and State of New Jersey, held on the seventeenth day of March, 2011 and that said ordinance will be considered for final passage at the meeting of said governing body to be held at the Community Center, Center Street, Lakehurst, New Jersey on the seventh day of April, 2011 at 7:30 p.m. or as soon thereafter as said matter may be reached, at which time and place any person desiring to be heard shall be given an opportunity to be so heard.

Bernadette Dugan, RMC/CPM
Municipal Clerk

**RESOLUTION
MARCH 17, 2011**

WHEREAS, a survey of the disbursements and anticipated commitments against the 2010 Current Operating Budget Appropriations reveals the need to transfer funds;
and

WHEREAS, Title 40A:4-58 of the Revised Statutes of the State of New Jersey authorizes the transfers commencement November 1 of the current year to March 31 of the next year:

Transfer From:	
Police Salaries & Wages	\$35,000.00
Buildings & Grounds Salaries	\$6,000.00
Sanitation Salaries	\$3,000.00
FICA	<u>\$5,000.00</u>
TOTAL	\$49,000.00

Transfer To:	
Accumulative Leave	\$20,000.00
Unemployment Insurance	\$15,000.00
Street & Roads	
Other Expenses	<u>\$14,000.00</u>
TOTAL	\$49,000.00

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Governing Body at the meeting of March 17, 2011

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION
MARCH 17, 2011**

WHEREAS, a condition has arisen with respect to the need to increase the Current Temporary Operation Budget prior to the adoption of the 2011 Budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; **and**

WHEREAS, the total emergency resolutions adopted in 2011 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96 P.L. 1951, as amended) including this resolution, total \$699,631.00.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

Administrative & Executive		
Salaries & Wages		20,000.00
Mayor & Council		
Salaries & Wages		10,000.00
Financial Administration		
Salaries & Wages		20,000.00
Other Expenses		5,000.00
Audit Services		10,000.00
Municipal Clerk		
Salaries & Wages		20,000.00
Other Expenses		5,000.00
Assessment of Taxes		
Salaries & Wages		3,000.00
Collection of Taxes		
Salaries & Wages		15,000.00
Other Expenses		1,000.00
Legal Services		
Salaries & Wages		6,000.00
Municipal Prosecutor		
	-	
Salaries & Wages		5,000.00
Buildings & Grounds		
Salaries & Wages		15,000.00
Other Expenses		10,000.00
Insurance		
Employee Group Insurance		80,000.00
Fire		
Other Expenses		5,000.00
Police		
Salaries & Wages		100,000.00
Other Expenses		10,000.00

Code Enforcement		
	Salaries & Wages	2,000.00
Emergency Medical Services		
	Other Expenses	5,000.00
Emergency Management Services		
	Salaries & Wages	2,000.00
Streets & Roads		
	Salaries & Wages	10,000.00
Animal Control		
	Other Expenses	3,000.00
Celebration Public Events		
	Other Expenses	1,000.00
Vehicle Maintenance		
	Other Expenses	20,000.00
Sanitation		
	Salaries & Wages	25,000.00
Landfill Disposal Costs		
	Other Expenses	20,000.00
Uniform Fire		
	Salaries & Wages	1,000.00
Utilities		
	Gasoline	10,000.00
	Electricity	10,000.00
	Telephone	10,000.00
	Natural Gas	2,000.00
	Street Lighting	10,000.00
	Fuel Oil	2,000.00
	Telecommunications	2,500.00
Statutory Expenditures		
	Public Employees Retirement System	84,039.00
	Police & Firemen's Retirement System	89,092.00
	Social Security	20,000.00
	Municipal Court	
	Salaries & Wages	30,000.00
	Other Expenses	1,000.00
TOTAL INCREASE		699,631.00

2. That said emergency temporary appropriation will be provided for in the 2011 Budget under the various titles as listed above;
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey do hereby certify that the above resolution was approved at the meeting of the Mayor and Council held on March 17, 2011.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION
MARCH 17, 2011**

WHEREAS, a condition has arisen with respect to the need to increase the Utility Temporary Operation Budget prior to the adoption of the 2011 Budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; **and**

WHEREAS, the total emergency resolutions adopted in 2011 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96 P.L. 1951, as amended) including this resolution, total \$323,500.00

Water And Sewer Salaries And Wages	\$100,000.00
Water And Sewer Other Expenses	\$100,000.00
Audit Service	\$2,000.00
Ocean County Utilities Authority	\$100,000.00
Social Security	\$6,500.00
Contribution to PERS	\$15,000.00
TOTAL	\$323,500.00

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:
2. That said emergency temporary appropriation will be provided for in the 2011 Budget under the various titles as listed above;
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey do hereby certify that the above resolution was approved at the meeting of the Mayor and Council held on March 17,2011.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION
MARCH 17, 2011**

WHEREAS, the Mandatory Source Separation and Recycling Act, P. L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs, **and**

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs, **and**

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act, **and**

WHEREAS, the recycling regulations impose on the municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; **and**

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling, and indicate the assent of the Mayor and Council of the Borough of Lakehurst, to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; **and**

WHEREAS, such a resolution should designate the individual authorized to ensure that application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, that it does hereby endorse the submission of a Municipal Recycling Tonnage Grant Application for 2010 to the New Jersey Department of Environmental Protection, Office of Recycling, and designates David Winton, Public Works Supervisor, to ensure that said application is properly filed.

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of March 17, 2011.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION
MARCH 17, 2011**

WHEREAS, a documented water leak occurred at Block 59 Lot 14, that did not enter the sewer system, during the 2nd and 3rd quarters of 2010, **and**

WHEREAS, utility bills for sewage disposal of Block 59 Lot 14 were issued based upon the total reading, an adjustment to the bills must be made,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey hereby authorizes the utility bills for Block 59 Lot 14 be adjusted:

1. Overage fee in the amount of \$ 67.20 for the 2nd quarter of 2010 be refunded,
2. Overage charge for the 3rd quarter of 2010 be adjusted by the removal of a total of \$ 279.05 in fees

I, Bernadette Dugan, Municipal Clerk, of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of March 17, 2011.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION
MARCH 7, 2011**

WHEREAS, it is the policy of Borough of Lakehurst to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations as provided in a Personnel Policy and Procedures Manual and an Employee Handbook; **and**

WHEREAS, the Mayor and Council has determined that there is a need to further clarify the use of municipal vehicles policy;

NOW, THEREBY, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst that Directive 2011-01 promulgated by the administrator at the request of the Mayor and Council attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough of Lakehurst officials, appointees, employees, and volunteers. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that the Administrator and all managerial/supervisory personnel are responsible for ensuring compliance with this resolution. The municipal labor attorney shall assist the administrator in the implementation of this policy and any consequences from a violation thereof.

BE IT FURTHER RESOLVED that the administrator shall on an annual basis provide a copy of the attached Directive to those provided a municipal vehicle and who over see a department containing municipal owned vehicles.

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey that the above resolution was approved by the governing body at the meeting of March 7, 2011.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

BOROUGH OF LAKEHURST

DIRECTIVE 2011-01 MUNICIPAL VEHICLE USE

EFFECTIVE DATE: 17 MARCH 2011

I. PURPOSE

The purpose of this Directive is to clearly establish a guide line for the use of municipal take home vehicles assigned to employees/officials of the Borough.

II. POLICIES

It is the policy of the Borough to ensure the full understanding of the municipal vehicle policy and insure that it is strictly followed.

IV. PROCEDURES

- A. Any vehicle assigned to an employee or official, e.g. fire chief or first aid captain, is used solely for municipal business and except as further provided remains within the Borough limits.
- B. A take home vehicle, at the discretion of the Mayor and Governing Body may be assigned to an individual or department for use consistent with the policy manual (copy of section attached) of the Borough and any other restriction placed on its use by the Governing Body.
- C. No vehicle assigned to a volunteer official will be driven outside the jurisdictional limits of the Borough as a transport to and from work or any other non-official function.
- D. For vehicles assigned to volunteer officials a daily log of use will be maintained and subject to inspection by the PW Department Head, members of the Governing Body and their designee.
- E. All municipal vehicles are to be used for official business or as appropriate to and from the municipal job site to the residence of the operator.
- F. When an assigned operator is on vacation or out of the area on private business the assigned vehicle will be placed at the job site for use as appropriate by that department's members.
- G. The Mayor and Governing Body of the Borough of Lakehurst have deemed it appropriate to assign a municipal owned take home vehicle to:
 - Police Chief
 - Fire Chief

PW Department Head
PW Supervisor

These assignments are subject to periodic review by the Governing Body, and assignments may be rescinded. All other vehicles assigned to the Department will be maintained at the department headquarters/station.

- H. A Department Head, subject to the final approval of the Governing Body, may for a limited time authorize the use of a vehicle for the purpose of training to be taken home by the attendee. In no case shall the vehicle be used other than transportation to and from the assigned training. In all cases a timely memo will be directed to the administrator concerning who will have the vehicle, the training site and course content, and the duration of any training.

- I. Failure to comply with this Directive may result in disciplinary action up to and including dismissal or disbarment, and removal of the vehicle from that Department's inventory.

NORBERT B. MacLEAN, JR.
Administrator

Use of Vehicles and Driver's License Policy:

Borough owned vehicles, shall be used only on official business and all passengers, except in police vehicles, must be on Borough business. An employee who is also employed by another governmental entity may use a Borough vehicle for that employment only if the employment is pursuant to an inter-local agreement between the Borough and the other jurisdiction. Vehicles may be taken home only with the advance approval of the Administrator except a Department Head may also grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes home a Borough vehicle, it is to be used only for official Borough business; any other use is not permitted. A valid driver's license will be required only when operation of a vehicle is part of the job description. Employees required to have a driver's license will report any changes to the status of the license to their immediate supervisor. No employee shall operate a Borough vehicle without a valid driver's license. Any violation of this policy constitutes cause for disciplinary action.