BOROUGH OF LAKEHURST WORK SESSION/REGULAR MEETING APRIL 7, 2011 MINUTES

MEETING OPENED AT 7:30 P.M. BY MAYOR TIMOTHY J. BORSETTI.

ALL STOOD FOR THE PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE.

PUBLIC MEETINGS STATEMENT READ INTO RECORD BY MUNICIPAL CLERK DUGAN:

"IN COMPLIANCE WITH N.J.S.A. 10:4, OPEN PUBLIC MEETINGS ACT, NOTICE WAS GIVEN TO TWO NEWSPAPERS, AND POSTED, THAT A WORK SESSION AND REGULAR MEETING OF THE MAYOR AND COUNCIL IS SCHEDULED FOR THE SEVENTH DAY OF APRIL, 2011, WITH THE WORK SESSION TO BEGIN AT THE HOUR OF 7:30 P.M. AND THE REGULAR MEETING TO BEGIN IMMEDIATELY FOLLOWING AT THE LAKEHURST COMMUNITY CENTER, CORNER OF PINE AND CENTER STREETS, LAKEHURST, NEW JERSEY, AT WHICH TIME, THE BUSINESS OF THE BOROUGH WILL BE CONDUCTED."

ROLL CALL:

JAMES DAVIS: PRESENT
PAT FORD: PRESENT (via telephone)
SIDNEY HOOPER: PRESENT
HARRY ROBBINS: PRESENT

MAYOR TIMOTHY J. BORSETTI: PRESENT

WORK SESSION:

PROCLAMATION FOR NATIONAL LIBRARY WEEK

Mayor Borsetti read and presented National Library Week plaque to Ocean County Library Manchester Branch Librarian Sherman Howard.

Mr. Howard thanked Mayor Borsetti for the support of the library and commented on the significance of the library's use on the lives of its patrons.

POLICE AWARDS CEREMONY:

Police Chief Higgins presented the following awards:

Police Officer Ryan Valeri: Apprehension Award

For the arrest of a career burglar while he was fleeing the scene of a commercial burglary in Manchester Township.

Police Officer Ryan Valeri: Chief's Award "B"

2009 recipient of the Law Enforcement Distinguished Service Award from Mothers Against Drunk Driving for his numerous apprehensions of drunk drivers.

Police Officer Chris Gibson: Purple Heart

For injuries sustained while placing a suspect under arrest

Mayor Borsetti commended the officers for their dedication to duty.

REVIEW OF REGULAR MEETING AGENDA:

Municipal Clerk Bernadette Dugan reviewed regular meeting agenda.

PUBLIC COMMENTS ON AGENDA ITEMS:

Time opened: 7:40 p.m.

NO PUBLIC COMMENTS

Time closed: 7:40 p.m.

Councilman Hooper suggested that drug testing for the Mayor and Council be eliminated. Mr. Hooper added that the practice has been ongoing for three years.

Administrator MacLean stated that three random drug testing administered last year to governing body members were negative for illicit drugs and added that each test costs approximately \$25 and the administration of such tests is not mandated by law.

Councilman Oglesby reported that he has had a chance to review the recently introduced 2011 Municipal Budget and had a few questions concerning increase in administrative salaries and wages.

Chief Financial Officer Christine Thorne indicated that the increase was a result of "moving employees from other categories."

Mr. Oglesby questioned the line item for prosecutor and public defender.

Mrs. Thorne replied that public defender fees were placed in a trust and will be utilized to pay the public defender.

Mr. Oglesby questioned increases in public works salaries and wages.

Mrs. Thorne replied that increases were a result of employees being charged to the different funds.

Mr. Oglesby questioned if there would be enough funds to hire another police officer.

Administrator MacLean replied that funding levels would be "unknown until July 1st," when changes to state regulations are expected to occur.

Mr. Oglesby stated that "he can't justify raises" for non-contractual employees which were included in the budget and added that giving raises "in principle is wrong." Mr. Oglesby suggested a staggered raise approach.

Mayor Borsetti stated that \$18,000 had been cut from the 2011 budget.

Administrator MacLean stated that litigation has been received from an employee concerning elimination of a raise in 2010 and any additional prohibition of raises to certain employees could result in additional litigation.

Discussion held on possible amending of budget.

Mayor Borsetti stated that discussion of the matter would be tabled. Councilman Davis concurred.

ADJOURNMENT OF WORK SESSION:

Motion by: James Davis Seconded by: Glenn McComas To adjourn work session. Roll call vote held. All votes affirmative.

APPROVAL OF MINUTES:

Motion by: Harry Robbins Seconded by: James Davis To approve minutes of March 17, 2011 Work Session/Regular Meeting. Roll call vote held. All votes affirmative.

CONSENT AGENDA:

All matters to be considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items. If any discussion is desired by Council, that particular item will be removed from the Consent Agenda and will be considered separately.

RESOLUTIONS:

- 1. #11-072: Resolution re: Payment of Bills
- 2. #11-073: Resolution re: Approving membership in Lakehurst First Aid Squad for

Kurt Jorgensen

- 3. #11-074: Resolution re: Adjustment to Utility Bill for Block 42; Lot 10
- 4. #11-075: Resolution re: Adjustment to Utility Bill for Block 72; Lot 11

5. #11-076: Resolution re: Adjustment to Utility Bill for Block 8; Lot 18
6. #11-077: Resolution re: Professional Services Contract for CDL testing
7. #11-078: Resolution re: Elimination of Drug Testing for Mayor and Council

Motion by: Glenn McComas Seconded by: Steven Oglesby To approve consent agenda. Roll call vote held. All votes affirmative.

ORDINANCES NOT ON CONSENT AGENDA:

Motion by: Glenn McComas

Seconded by: Harry Robbins
To approve on second reading and open the public hearing on 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." Roll call vote
held. All votes affirmative.

Time opened: 7:55 p.m.

Chief Financial Officer Christine Thorne explained the cap bank which began in 1977 when State officials "decided to put a cap on appropriations based on the consumer price index." Mrs. Thorne added that the ordinance to increase the cap to 3 ½% is recommended to allow money to be saved by the municipality which has experienced a loss of most state aid. Mrs. Thorne further added that this cap is different from the present 2% cap on tax increase. Mrs. Thorne also stated that "rules may be changed after July 1st. Mrs. Thorne added that taxes are going up due to certain items which are exempted from the 2% cap: insurance costs, pension costs, and debt service.

Councilman McComas stated that "basically the largest portion of the budget is salaries and insurance" and the only solution would be to "lay off people or cut services."

Time closed: 8:03 p.m.

Motion by: Steven Oglesby Seconded by: Harry Robbins To adopt Ordinance #2011-01. Roll call vote held. All votes affirmative.

COMMITTEE/COUNCIL REPORTS:

Councilman Hooper reported that he received "an OK from Dr. Klohn" who will, once again, be sponsoring the annual fishing derby. Mr. Hooper added that he will be purchasing the rods and reels from Dick's Sporting Goods.

Councilwoman Ford announced that the annual Easter Egg Hunt for children seven years of age and younger is scheduled for Saturday, April 16, 2011 at 11:00 a.m. at Lake Horicon.

Councilman Oglesby reported that the monthly Local Emergency Planning Committee meeting is scheduled for Wednesday, April 20, 2011 at 7:00 p.m. at the Emergency Services Complex during final preparations for the staged drill on May 18th will be made.

Councilman McComas reported that he attended a meeting concerning the installation of solar panels on the Emergency Services Complex which "should be looked into" to generate revenue.

Mayor Borsetti asked Councilman McComas to contact the representative to obtain "hard numbers" concerning the cost.

MAYOR COMMENTS:

Mayor Borsetti reiterated that the annual Easter Egg Hunt is scheduled for Saturday, April 16, 2011 at 11:00 a.m. at Lake Horicon.

COMMENTS FROM PUBLIC:

Time opened: 8:10 p.m.

Ms. Nicole Ashton, 27 Longboat Avenue, Barnegat, stated "the layoff of Officer Gibson was wrong—the way it happened." Ms. Ashton added that Officer Gibson was "hurt on duty" and underwent a "spinal fusion." Ms. Ashton further added that "he wants to come back to work" and "two officers were hired after him." Ms. Ashton stated that "it is not right" and added that "this town is an embarrassment to law enforcement officers."

Mrs. Sue Barker, 409 Cedar Street, asked the date of the public hearing on the 2011 budget.

Municipal Clerk Dugan replied that the public hearing on the budget is scheduled for April 21, 2011.

Mayor Borsetti added that the "budget is on the website."

Mr. Chris Gibson stated that he was "recently laid off" and was "hurt" on duty.

Mayor Borsetti stated that the Borough "is mandated" to hire one 40 hours per week Class II officer and one twenty hours per week Class II officer.

Councilman Davis stated that the Borough is "asking" the Civil Service Commission to revisit their decision. Mr. Davis added that we "have not gotten any response."

Mr. Gibson asked "how he was picked" to be laid off.

Municipal Attorney Sean Gertner stated that the Borough "has no obligation to maintain a position."

Mr. Gibson stated that he is "taking you guys down" and added that they don't know what it's like to get injured on the job and lose your job.

Mayor Borsetti stated that in 2000, he broke his back and leg on the job and was laid off from his job.

Mr. Gibson stated that he did not receive a raise and asked for a copy of the resolution appointing him.

Municipal Clerk Bernadette Dugan instructed Mr. Gibson to complete an OPRA request form and forward it to her attention.

Time closed: 8:17 p.m.

CLOSED SESSION:

Clerk Dugan reads resolution to go into closed session:

RESOLUTION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P. L. 1975, permits the exclusion of the public from a meeting in certain circumstances, **and**

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, as follows:

The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.

The general nature of the subject matters to be discussed is as follows:

PERSONNEL MATTERS LITIGATION

It is anticipated at this time that the above stated subject matter will be made public.

This resolution shall take effect immediately.

Motion by: Harry Robbins Seconded by: Glenn McComas To approve resolution to go into closed session. Roll call vote held. All votes affirmative.

Time into closed session: 8:19 p.m.

Time out of closed session: 9:26 p.m.

Motion by: Harry Robbins Seconded by: James Davis

To end closed session. Roll call vote held. All votes affirmative.

ADJOURNMENT:

Motion by: James Davis Seconded by: Steven Oglesby To adjourn meeting. Roll call vote held. All votes affirmative. Time: 9:26 p.m.

Bernadette Dugan, RMC/CPM Municipal Clerk