

BOROUGH OF LAKEHURST

REMINDER: REDEVELOPMENT MEETING BEGINNING AT 7:00 P.M.

REDEVELOPMENT AGENCY APRIL 5, 2012 TENTATIVE AGENDA

1. Approval of Minutes of March 1, 2012 meeting
2. Report from Attorney Sean Gertner
3. Any other business
4. Adjournment

WORK SESSION/REGULAR MEETING APRIL 5, 2012 TENTATIVE AGENDA

1. Presentation to representative of Ocean County Library Manchester Branch for National Library Week
2. Approval of Minutes of March 15, 2012 Regular Meeting
3. Payment of Bills
4. Resolution approving raffle application for St. John's R.C. Church
5. Resolution approving raffle application for VFW Post 10061
6. Resolution regarding correction of tax posting error for Block 65; Lots 12 and 12 B03 and Block 67; Lots 14 and 14 B02
7. Resolution appointing Michael Valinoti as Public Works Truck Driver
8. Resolution calling for restoration of energy taxes to municipalities
9. Resolution supporting Bills S243 and A327 concerning volunteer protection legislation
10. Resolution regarding civil rights

11. Request from Lakehurst Volunteer Fire Company to schedule three coin tosses in 2012
12. Request from Brick Township Police Athletic League to bring day campers to Lake Horicon for eight days
13. Request from Manchester Township to bring day campers to Lake Horicon should their lake be closed
14. Request from New Logic Educators to utilize Lake Horicon for a marine science camp
15. Certificate and Determination of Award for issuance of Bond Anticipation Notes
16. Second Reading and Public Hearing of Ordinance #2012-03 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY FIXING AND DETERMINING THE AMOUNT OF SALARIES AND WAGES FOR CERTAIN EMPLOYEES AND OFFICIALS IN THE BOROUGH OF LAKEHURST, IN THE COUNTY OF OCEAN, AND STATE OF NEW JERSEY”
17. Executive/Closed Session to discuss personnel matters and contract negotiations

Bernadette Dugan, RMC/CPM
Municipal Clerk

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

ORDINANCE

2012-03

AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, FIXING AND DETERMINING THE AMOUNT OF SALARIES AND WAGES FOR CERTAIN EMPLOYEES AND OFFICIALS IN THE BOROUGH OF LAKEHURST, IN THE COUNTY OF OCEAN, AND STATE OF NEW JERSEY

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

SECTION 1: The base salaries and wages of the following employees of this Borough shall be as follows:

<u>POSITION:</u>	NON-CONTRACTUAL	
	<u>MINIMUM:</u> Per annum	<u>MAXIMUM:</u> Per annum
Deputy Chief Financial Officer	\$ 8,500.00	\$ 22,000.00

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4: This ordinance shall take effect after second reading and publication as required by law.

Hon. Harry Robbins
Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the governing body of the Borough of Lakehurst, in the County of Ocean, and State of New Jersey, held on the fifteenth day of March 2012 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 fifth day of April 2012 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
APRIL 5, 2012**

A RESOLUTION TO AFFIRM THE BOROUGH OF LAKEHURST'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Borough of Lakehurst to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, **and**

WHEREAS, the governing body of the Borough of Lakehurst has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE, BE IT ADOPTED by the Mayor and Council of the Borough of Lakehurst that:

Section 1: No official, employee, appointee, or volunteer of the Borough of Lakehurst by whatever title known, or any entity that is in any way a part of the Borough of Lakehurst shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Lakehurst's business or using the facilities or property of the Borough of Lakehurst.

Section 2. The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Lakehurst.

Section 3. Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4. The Municipal Clerk shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5. No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6. The Municipal Clerk shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Lakehurst as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7. The Municipal Clerk shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8. At least annually, the Municipal Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Lakehurst. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Lakehurst's web site.

Section 9. This resolution shall take effect immediately.

Section 10. A copy of this resolution shall be published in the official newspaper of the Borough of Lakehurst in order for the public to be made aware of this policy and the Borough of Lakehurst's commitment to the implementation and enforcement of this policy.

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 April 5, 2012.

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

RESOLUTION
APRIL 5, 2012

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; **and**

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; **and**

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; **and**

WHEREAS, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policy makers should not exercise that right automatically; **and**

WHEREAS, while that right should be the exception, it has become the rule; **and**

WHEREAS, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; **and**

WHEREAS, from \$72 million in State Fiscal Year 2005, to \$505 million in State Fiscal Year 2011, the State's diversion of Energy Taxes has continued to grow; **and**

WHEREAS, in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about \$26 million in 2008 and \$32 million in 2009, followed by losses of about \$271 million in 2010; **and**

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; **and**

WHEREAS, local elected officials are in the best position to decide the best use for these resources, which were always intended to fund local programs and services;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Governing Body of the Borough of Lakehurst, that we join with the League of Municipalities in calling

for the immediate restoration of funding diverted from Energy Taxes intended for local use; **and**

BE IT FURTHER RESOLVED, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; **and**

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

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 April 5, 2012.

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

RESOLUTION
APRIL 5, 2012

WHEREAS, Ocean County is home to the largest percentage of individuals 65 years of age and over; **and**

WHEREAS, meeting the transportation needs of our older population is daunting making it more and more difficult to respond to the growing demand; **and**

WHEREAS, although there are many wonderful volunteer organizations that help to transport individuals, these organizations meet resistance in recruiting additional help. A major barrier that volunteer organizations face is the fear on the part of potential volunteers regarding the impact of the use of their personal vehicle upon their automobile insurance policy; **and**

WHEREAS, S243 and A327 would prohibit the use of volunteer driving activities as an underwriting or rating factor to determine eligibility for private passenger automobile insurance or any premium or other charge paid therefore; **and**

WHEREAS, these provisions would play a significant role in addressing a critical shortage of volunteers to transport frail and isolated seniors in Ocean County; **and**

NOW THEFORE BE IT RESOLVED, that the Mayor and Governing Body of the Borough of Lakehurst, County of Ocean, State of New Jersey supports the passage of S243 and A327 and urges the support of the legislators of the 9th Districts.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to the 9th Legislative Offices.

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 April 5, 2012.

Bernadette Dugan, RMC/CPM
Municipal Clerk

**RESOLUTION
APRIL 5, 2012**

WHEREAS, Michael Valinoti, the provisional truck driver has successfully passed the Department of Personnel testing requirements for this position,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, that Michael Valinoti be appointed from the Certified Department of Personnel list to the permanent position of truck driver heavy at the salary of \$ 21.73 per hour.

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 April 5, 2012.

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

**RESOLUTION
APRIL 5, 2012**

WHEREAS, St. John's R.C. Church has applied for a Raffles License to conduct one off-premise draw raffle awarding merchandise as a prize scheduled for , **and**,

WHEREAS, the Statement of Findings and Determinations shows no reason why these licenses should not be issued.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Raffles License for St. John's R. C. Church is hereby approved.

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, hereby certify that the above resolution was approved by the governing body at the meeting of April 5, 2012.

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

**RESOLUTION
APRIL 5, 2012**

WHEREAS, VFW Post 10061 has applied for a Raffle License to conduct one off-premise draw raffle awarding cash as a prize scheduled for June 9, 2012 to be conducted at the post located at 20 Union Avenue, **and**,

WHEREAS, the Statement of Findings and Determinations shows no reason why these licenses should not be issued.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Raffle License for the VFW Post 10061 is hereby approved.

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, hereby certify that the above resolution was approved by the governing body at the meeting of April 5, 2012.

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

**RESOLUTION
APRIL 5, 2012**

WHEREAS, as a result of a clerical error, tax payments for Block 65, Lot 12 B03 and Block 67, Lot 14 B02 were posted to the incorrect accounts; **and**

WHEREAS, the payment of \$166.15 should have been posted to the account for Block 65; Lot 12 B03, instead of Block 65; Lot 12, **and**

WHEREAS, the payment of \$233.41 should have been posted to the account for Block 67; Lot 14 B 02, instead of Block 67; Lot 14, **and**

WHEREAS, Tax Collector Marie Bell needs to post the payments to the correct accounts to correct the error.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that Tax Collector Marie Bell be directed to post the payment of \$166.15 to the tax account for Block 65; Lot 12 B03 and to post the payment of \$233.41 to the tax account for Block 67; Lot 14 B02.

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 Mayor and Council at the meeting of April 5, 2012.

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