

BOROUGH OF LAKEHURST

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

REDEVELOPMENT AGENCY MAY 3, 2012 TENTATIVE AGENDA

1. Approval of Minutes of April 5, 2012 meeting
2. Any other business
3. Adjournment

WORK SESSION/REGULAR MEETING MAY 3, 2012 TENTATIVE AGENDA

1. Proclamation regarding “Buddy Poppy” sales by VFW Post 10061 and visit by Poppy Princess
2. Approval of Minutes of April 19, 2012 Regular Meeting
3. Payment of Bills
4. Resolution regarding salary differential for Deputy Chief Financial Officer Christine Thorne
5. Resolution regarding membership in Lakehurst Volunteer Fire Department for John Sinton
6. Resolution regarding municipal service fee for mobile home parks
7. Resolution regarding adjustment to utility account for Block 7; Lot 5
8. Resolution rescinding contract for 500,000 gallon storage tank repainting project awarded to Valley Painting and authorizing the engineer to rebid the project
9. Introduction and first reading of Ordinance #12-06 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY”

10. Second Reading and Public Hearing of Ordinance #12-05 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING AND SUPPLEMENTING CHAPTER X OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY”
11. Executive/Closed Session to discuss personnel matters/contract negotiations

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 AMENDING AND
SUPPLEMENTING CHAPTER X OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY,
ENTITLED PARKS, LAKES AND RECREATION AREAS”**

2012-05

WHEREAS, the Lakehurst Community Center is used by the public for its enjoyment, health, and entertainment but there are times when the Lakehurst Community Center is not needed for public use; and

WHEREAS, it is in the public’s best interests to allow the rental of the Community Center for private purposes when the Lakehurst Community Center is not needed for public use; and

WHEREAS, in the interests of the public health, safety and general welfare, certain restrictions, prohibitions, and safeguards must be made and enforced for the private use and enjoyment thereof; **and**

Section I

Article X of the Borough Code, entitled “Parks Lakes and Recreation Areas” is amended to add the following new Section 10-2 entitled “Rental of the Lakehurst Community Center for Private Purposes” as follows:

10-2 Rental of the Lakehurst Community Center for Private Purposes.

10-2.1 Purpose.

Purpose.

The Lakehurst Community Center is used by the residents of Lakehurst for their enjoyment, health and entertainment. There are times when the Lakehurst Community Center is not needed for public use. It is in the best interest of the residents to allow the rental of the Community Center for private purposes when the Lakehurst Community Center is not needed for public use. In the interests of public health, safety and general welfare, certain restrictions, prohibitions, and safeguards must be made and enforced for the private use and enjoyment thereof;

10-2.2 Definitions.

“Public Use” or “Public Purpose” is defined as the use of municipally-owned property for the benefit of the public and open to the public by members of the public or by members of a nonprofit corporation or association for a public purpose.

“Private Purpose” or “Private Use” is defined as the use of municipally owned property by a private individual, firm or for-profit entity or association.

10-2.3 License Application to Use Lakehurst Community Center for Private Purpose.

- a. No person, firm or corporation shall utilize the Borough of Lakehurst Community Center for a private purpose unless and until there has first been obtained a license for such use from the Borough Clerk of the Borough of Lakehurst in accordance with the terms of this ordinance.
- b. Application for License. Each and every person, partnership or corporation seeking to utilize the Community Center for a private purpose shall set forth in writing the following information in writing on forms provided by the Borough Clerk: the name of the user (hereinafter "Licensee"), name of the guarantor, phone number and address of the applicant, type of event proposed, time period, date of proposed event, and start time and end time of the proposed event.

10-2.4 Restrictions on Use of Community Center.

The Community Center can only be rented by a **resident** of the Borough of Lakehurst. The Community Center may not be used for any purpose other than the description of the Event as set forth in the license application. All Licensees shall abide by the rules and regulations provided to them by the Borough Clerk. Licensees shall not use the Community Center for any unlawful purpose or for any purpose inconsistent with the purposes of the Borough of Lakehurst. Licensees shall not use the Community Center in any way which would constitute a nuisance, shall not damage or waste the resources of the Community Center in any way, and shall not obligate the municipality in any way. Alcohol **is not** permitted in the Community Center without prior approval by the governing body. Smoking is prohibited anywhere in the Community Center; smoking is permitted only outside the Community Center in designated areas.

10-2.5 Insurance and Reliance.

Licensee must maintain liability insurance at the amount of no less than \$100,000 personal injury/property damage,, and Licensee shall have the Borough of Lakehurst named an additional insured thereof for the purpose of the Event and shall deliver to the Borough of Lakehurst prior to the Event a certificate evidencing same. Licensee and all of Licensee's guests, invitees, employees and agents shall assume all risks of use. Licensee shall indemnify, defend and hold harmless the Borough of Lakehurst from any claims, demands, expenses, attorney's fees and liability arising out of Licensee's use. In addition, Licensee, for itself and for all of its employees, agents, guests and invitees, and for all persons who may come upon the Community Center or adjoining areas and grounds during Licensee's use of the Center, shall agree prior to the Event that the Borough of Lakehurst shall not be liable in any way for any matter, cause, thing, action or omission with respect to the Center or the adjoining areas and grounds or with respect to Licensee's use of the Center.

10-2.6 Fees.

The Governing Body, in its sole judgment and discretion and in consideration of such factors as the number of people and duration of the proposed use, shall have the option of imposing by resolution reasonable fees for the use of municipally owned buildings and facilities to cover costs for administrative, maintenance, custodial or any other similar such expenses that may be associated with the use in addition to setting the rental fee.

The Borough of Lakehurst rents out the use of the Community Center to the residents of Lakehurst for private parties on Friday evenings, Saturdays and Sundays. The hall is available on Friday evenings from 5:00 p.m. until midnight. On Saturdays and Sundays, the hall is available for two time periods: 6:00 a.m. to 4:00 p.m. or 5:00 p.m. to 12 midnight. The cost per session is \$200.00 rental fee in addition to a \$200 refundable deposit if the hall has been cleaned and the tables and chairs arranged in the manner indicated by the diagram of the floor plan posted on the wall of the Community Center and accompanied with the rental agreement. If the Saturday or Sunday is available for both time periods, the resident may rent it for the entire day for the fee of \$400.00 in addition to a \$200 refundable deposit. Information concerning hall rental and availability is available at the Municipal Clerk’s office at (732) 657-4141. Payments can be made by cash, money order, certified check, cashier’s check or personal check. Payment in full must be made within two weeks of reservation. It is suggested that reservations be made at least six months in advance for optimum availability.

FEES FOR USE:

The following fees shall be paid to the Borough Clerk of the Borough of Lakehurst for the use of the Community Center in the form of cash, money order, certified check, cashier’s check or personal check made payable to the Borough of Lakehurst.

| Type of Use: | Fee: |
|---|-------------|
| Lakehurst Non-profit organization meeting fee | Free |
| Lakehurst Non-profit organization special event (i.e., dance, dinner, flea market) | Free |
| Rental to residents (Friday evening, Saturday and Sunday) | |
| Half-day | \$200.00 |
| Entire day | \$400.00 |

10.2-7 Deposit required

In addition to the payment of the required fee set forth above, a deposit in the amount of \$200.00 shall be paid to the Borough Clerk in the form of cash, money order, or personal check made payable to the Borough of Lakehurst. Non-profit organizations shall be required to post a deposit in the amount of \$100 for special events. Deposits shall be refunded only if the Community Center

is left in a clean manner and there is no damage to the Community Center or the property located therein. The chairs and tables must be set up in the formation indicated in the diagram that will be provided.

10.2-8 Refunds

All fees paid for the use of the Lakehurst Community Center are non-refundable upon payment to the Borough of Lakehurst. Fees shall only be refunded upon the submission of a written request to the governing body for approval by resolution.

10.2.9 Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section II

This Ordinance shall take effect immediately upon its final passage and publication as required by law.

NOTICE

TAKE NOTICE that the ordinance entitled as of above was introduced and passed on first reading at a regular meeting of the governing body of the Borough of Lakehurst held on the nineteenth day of April, 2012 and will be further considered upon second reading for final passage at a regular meeting of the said Mayor and Council of the Borough of Lakehurst to be held on the third day of May, 2012 at the Community Center, Center Street, Lakehurst, New Jersey, at 7:30 p.m. or as soon thereafter as the matter may be reached, at which time and place any person desiring to be heard thereon will be given such opportunity.

Bernadette Dugan, RMC/CPM
Municipal Clerk

**“AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING AND
SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW
JERSEY”**

2012-06

SECTION 2-13 is hereby amended:

2-13 CODE ENFORCEMENT OFFICER

Section 2-13.2

In addition to the Code Enforcement Officer, the Lakehurst Police Department is hereby authorized to perform the duties of the Code Enforcement Officer.

Section 2-16

Section 2-16.1 Creation of a Zoning Officer There is hereby created the position of Zoning Officer.

It is the duties of the Zoning Officer and the Lakehurst Police Department to enforce the Land Development Ordinances of the Borough of Lakehurst.

SECTION 13-PROPERTY MAINTENANCE CODE is hereby amended:

SECTION 13-11 ENFORCEMENT

Section 13-11.1 Notice of Violation

In addition to the Code Enforcement Officer and the Housing Inspector, the Lakehurst Police Department is hereby authorized to enforce the Property Maintenance Code

Section 13-17.6 Overcrowding

Section 13-7.6 a It shall be unlawful and in violation of this section for an owner or tenant of any registered rental unit to allow a number of people greater than the permitted maximum number of occupants to rent or occupy any dwelling unit. It shall also be a violation of this article for the owner to lease a rental unit to a number or group of tenants which exceeds the total number of sleeping accommodations which has been established for said rental unit pursuant to this section. It shall also be unlawful for the tenant or any owner of a dwelling unit to knowingly permit a number of people greater than the maximum number of sleeping accommodations to sleep in or occupy the dwelling unit overnight. It shall also be unlawful for a tenant or an owner to allow a number greater than the maximum number of people permitted to occupy the decks or porches of a rental unit to occupy the decks or porches of said rental unit.

Section 13-7.6 b The police officers of the Lakehurst Police Department are authorized to issue a summons for the violation of this section to any owner or tenant that is found to be in violation of this section.

SECTION 25 LAND DEVELOPMENT

25-40 Enforcing Officers is hereby amended:

In addition to the Construction Code Official, the Zoning Officer and Lakehurst Police Department are authorized to act as enforcing agents for this section.

Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Effective date.

This ordinance shall take effect immediately upon final passage 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 third day of May 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 seventeenth day of May 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
MAY 3, 2012

WHEREAS, Deputy Chief Financial Officer Christine Thorne is assisting Chief Financial Officer Alan Murray meeting the statutory fiscal responsibilities of the Borough, **and**

WHEREAS, Ms. Thorne's duties will be increased to include the preparation of general ledgers, preparation of documentation for the Borough's application for permanent financing, as well as additional duties as may be deemed necessary

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, in recognition of these extra duties Christine Thorne be given a differential of \$ 8,000 per annum, retroactive to January 1, 2012.

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 May 3, 2012.

Bernadette Dugan, RMC/CPM
Municipal Clerk

**RESOLUTION
MAY 3, 2012**

WHEREAS, John Sinton has applied for membership in the Lakehurst Volunteer Fire Company No. 1 (LVFC) and the New Jersey State Firemen's Relief Association, **and**

WHEREAS, Section 2-20.4(a) 1 of the Revised General Ordinances of the Borough requires that the applicant meet certain criteria and that the application be approved by the Governing Body, **and**

WHEREAS, the above applicant meets the criteria specified in Section 2-20.4(a) 1,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the application of John Sinton for membership in the Lakehurst Volunteer Fire Company and the New Jersey State Firemen's Relief Association is hereby approved, effective immediately.

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 May 3, 2012.

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

**RESOLUTION
MAY 3, 2012**

WHEREAS, Section 18-4 of the Revised General Ordinances of the Borough of Lakehurst establishes a two tiered municipal service fee and the procedures for determining the amount of the fee, **and**

WHEREAS, the following is the formula establishing the municipal service fee when municipal trash pickup is used:

- A. 2011 Tax information (rounded to whole numbers)
 - a. \$ 3,074,710
 - b. \$ 3,041,679 ($\$3,074,710 - \$33,031$)
 - c. 698 residential homes
 - d. \$ 82.00 per week ($\$3,041,679 \div 698 \div 52$) (\$83.80 rounded)

- B.
 - a. 68 mobile homes
 - b. 9.74% ($68 \div 698$)
 - c. \$ 8.00 per week ($\$84 \times 9.74\%$) (\$8.18 rounded)
 - d. \$ 2.00 per week ($\$80,000 \div 766 \div 52$) (\$2.01 rounded)
 - e. \$ 10.00 per week, **and**

WHEREAS, both parks use municipal trash pickup,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the 2012 municipal service fee when municipal trash collection is used shall be \$ 10.00 per pad per week, said fee to be collected and remitted in accordance with Section 18 of the Revised General Ordinances of the Borough by the mobile home park owner.

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 May 3, 2012.

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

**RESOLUTION
MAY 3, 2012**

WHEREAS, nine bids were received by the Lakehurst Borough Municipal Clerk on November 22, 2011 for the 500,000 Gallon Ground Water Tank Repainting project **and**

WHEREAS, a contract was awarded to Valley Painting, Inc. 610 Buck Road, Southampton Pennsylvania for the 500,000 Gallon Ground Water Tank Repainting project on April 19, 2012, **and**.

WHEREAS, Valley Painting, Inc. will not agree to any further time extension on the proposal or award of this project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the contract awarded to Valley Painting, Inc. in the amount of \$178,700 is hereby rescinded, **and**

BE IT FURTHER RESOLVED that Engineer Alan Dittenhofer is hereby authorized to rebid the 500,000 Gallon Ground Water Tank Repainting project.

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 May 3, 2012.

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

**RESOLUTION
MAY 3, 2012**

WHEREAS, the utility account for 808 Maple Street, Block 7; Lot 5 needs to be adjusted for the October 1, 2011 to December 31, 2011 period due to the fact that there was no water service to the address during this period, **and**

WHEREAS, as no payment has been received, there is no refund to be made, **and**

WHEREAS, Tax/Utility Collector Marie Bell has indicated that the charges to the account need to be adjusted from the amount of \$147.33 to \$0,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey hereby authorize that the utility account for 808 Maple Street, Block 7; Lot 5 be adjusted from the amount of \$147.33 to \$0 for the October 1, 2011 to December 31, 2011 quarter.

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 May 3, 2012.

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