

BOROUGH OF LAKEHURST

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

REDEVELOPMENT AGENCY NOVEMBER 1, 2012 TENTATIVE AGENDA

1. Approval of Minutes of October 4, 2012 meeting
2. Any other business
3. Adjournment

WORK SESSION/REGULAR MEETING NOVEMBER 1, 2012 TENTATIVE AGENDA

1. Announcement of Winners of Halloween Decorating Contest
2. Discussion of petition concerning assembly of deer hunters and deer on Cedar Street
3. Approval of Minutes of October 18, 2012 Regular Meeting
4. Payment of Bills
5. Resolution regarding transfer for Current Fund
6. Resolution regarding raffle license for Fleet Reserve Association Branch 124, Inc.
7. Resolution adjusting utility bill for Block 51; Lot 2
8. Resolution regarding redemption of Tax Sale Certificate #12-00001
9. Resolution regarding redemption of Tax Sale Certificate #12-00008
10. Resolution supporting A-3393
11. Executive/closed session to discuss personnel matters

Bernadette Dugan, RMC/CPM
Municipal Clerk

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

**RESOLUTION
NOVEMBER 1, 2012**

WHEREAS, the governing body of the Borough of Lakehurst, in the County of Ocean and State of New Jersey has carefully examined all vouchers presented to the Borough Clerk for payment of claims; finding all to be accurate and legitimate;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the bills list as presented in the amount of \$410,878.27 is hereby approved.

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 November 1, 2012.

**Bernadette Dugan, RMC
Municipal Clerk**

P.O. Type: All
Range: First to Last
Format: Detail with Line Item Notes

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	Amount	Charge Account	Contract PO Type Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
12-00609	07/31/12	W0200 WATER WORKS SUPPLY								
		1 1" VALVE BOX RISER LESS LID	48.60	2-09-00-101-212	B MAINTENANCE SUPPLIES	R	07/31/12	10/26/12		
		2 2" VALVE BOX RISER LESS LID	74.04	2-09-00-101-212	B MAINTENANCE SUPPLIES	R	07/31/12	10/26/12		
		3 3" VALVE BOX RISER LESS LID	76.80	2-09-00-101-212	B MAINTENANCE SUPPLIES	R	07/31/12	10/26/12		
		4 VALVE BOX LID (WATER)	73.20	2-09-00-101-212	B MAINTENANCE SUPPLIES	R	07/31/12	10/26/12		
		5 VALVE BOX LID (SEWER)	79.20	2-09-00-101-212	B MAINTENANCE SUPPLIES	R	07/31/12	10/26/12		
			<u>351.84</u>							
12-00617	08/01/12	M0097 MUNICIPAL EMERGENCY SERVICES								
		1 FLOW TEST FOR SCOTT PACKS	648.00	2-01-25-125-244	B EQUIPMENT - MAINTENANCE/REPAIR	R	08/01/12	10/26/12		00342012_SNV
		2 HYDRO TEST SCBA CYLINDER AND REPLACE O RING	441.00	2-01-25-125-244	B EQUIPMENT - MAINTENANCE/REPAIR	R	08/01/12	10/26/12		00341044_SNV
			<u>1,089.00</u>							
12-00753	08/07/12	S0975 SANDY'S COZY CORNER								
		1 PRISONERS BREAKFAST 08/07/12	27.82	2-01-26-135-299	B MISCELLANEOUS	R	08/07/12	10/26/12		
12-00760	09/25/12	W0200 WATER WORKS SUPPLY								
		1 SPECIAL ORDER ITEM USPIPE #287498 REVOLVING NUT	188.02	2-09-00-101-212	B MAINTENANCE SUPPLIES	R	09/25/12	10/26/12		
		2 SPECIAL ORDER ITEM USPIPE #2000001704 ANTIFRICTION BEARING	12.58	2-09-00-101-212	B MAINTENANCE SUPPLIES	R	09/25/12	10/26/12		
		3 SPECIAL ORDER ITEM USPIPE #194556 TRAVEL NUT STOP	58.28	2-09-00-101-212	B MAINTENANCE SUPPLIES	R	09/25/12	10/26/12		
		4 SPECIAL ORDER ITEM INNER REVOLVING NUT O RING	6.54	2-09-00-101-212	B MAINTENANCE SUPPLIES	R	09/25/12	10/26/12		
		5 FREIGHT	12.00	2-09-00-101-212	B MAINTENANCE SUPPLIES	R	09/25/12	10/26/12		
			<u>277.42</u>							
12-00782	09/27/12	F0033 FIRE APPARATUS REPAIR INC								
		1 REPAIR # 12-246 FD 6201 PUMP SERVICE	1,016.00	2-01-25-125-252	B MOTOR VEHICLE - MAINT/REPAIR	R	09/27/12	10/26/12		
12-00799	10/10/12	E0923 EDMUNDS & ASSOCIATES, INC.								
		1 2013 MAINTENANCE AGREEMENT	2,205.00	2-01-20-107-222	B CONTRACTUAL SERVICES	R	10/10/12	10/26/12		13-00252

PO #	PO Date	Vendor	Amount	Charge Account	Contract PO Type Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
12-00799	10/10/12	E0923 EDMUNDS & ASSOCIATES, INC.		Continued						
		TAX COLLECTOR SHARE								
2		FINANCE SHARE	3,308.00	2-01-20-103-222	B CONTRACTUAL SERVICES	R	10/10/12	10/26/12		13-00252
3		UTILITY SHARE	2,316.00	2-09-00-101-221	B SPECIAL CONSULTANT	R	10/10/12	10/26/12		13-00252
			<u>7,829.00</u>							
12-00800	10/10/12	H0027 HUTCHINSON MECHANICAL								
1		BOILER MAINTENANCE KIT	757.91	2-01-26-113-244	B EQUIPMENT - MAINTENANCE/REPAIR	R	10/10/12	10/26/12		662834
		DEFECTIVE U CONTROL FOR BORO HALL BOILER								
12-00806	10/11/12	C0601 CEDAR POST FARM MARKET								
1		PUMPKINS FOR FALL FESTIVAL	184.00	2-01-41-205-297	B STATE SHARE	R	10/11/12	10/26/12		
		MUNICIPAL ALLIANCE PICKING UP 10/13/12								
12-00825	10/12/12	J0092 JASON EMME								
1		2012 DOG CENSUS	500.00	2-01-27-139-299	B MISCELLANEOUS	R	10/12/12	10/26/12		
12-00828	10/15/12	G0070 GALLS INC.								
1		ANKLE GLOVE HOLSTER	62.10	2-01-25-127-279	B UNIFORM ALLOWANCE - HEINZMAN	R	10/15/12	10/26/12		000122465
2		5.11 ATA CL FLASHLIGHT	69.99	2-01-25-127-279	B UNIFORM ALLOWANCE - HEINZMAN	R	10/15/12	10/26/12		000122465
3		SHIPPING	14.49	2-01-25-127-279	B UNIFORM ALLOWANCE - HEINZMAN	R	10/15/12	10/26/12		000122465
		FOR SGT HEINZMAN UNIFORM ALLOWANCE	<u>146.58</u>							
12-00829	10/15/12	G0070 GALLS INC.								
1		ANKLE GLOVE HOLSTER	62.10	2-01-25-127-277	B UNIFORM ALLOWANCE - EMMONS	R	10/15/12	10/26/12		000122654
2		5.11 ATA CL FLASHLIGHT	69.99	2-01-25-127-277	B UNIFORM ALLOWANCE - EMMONS	R	10/15/12	10/26/12		000122654
3		SHIPPING	14.49	2-01-25-127-277	B UNIFORM ALLOWANCE - EMMONS	R	10/15/12	10/26/12		000122654
		FOR PO EMMONS UNIFORM ALLOWANCE	<u>146.58</u>							
12-00831	10/15/12	E0069 ENTENMANN ROVIN CO								
1		POLICE BADGE REFURBISHMENT	503.90	2-01-25-127-272	B UNIFORM REPAIRS - REPLACE	R	10/15/12	10/26/12		0081752-IN
		INVOICE # 0081752-IN								
2		FREIGHT	10.96	2-01-25-127-272	B UNIFORM REPAIRS - REPLACE	R	10/15/12	10/26/12		0081752-IN
			<u>514.86</u>							

PO #	PO Date	Vendor	Amount	Charge Account	Contract PO Type Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
12-00833	10/15/12	H0626 HENDERSON LABS, J.R. INC.								
		1 LAB TESTS SEPTEMBER 2012	380.00	2-09-00-101-222	B CONTRACTUAL SERVICES	R	10/15/12	10/26/12		44438
12-00834	10/10/12	J0239 JIM STEMBEL TIRE SERVICE								
		1 1 HR SERVICE	70.00	2-01-26-147-254	B SANITATION VEHICLE MAINT/REP	R	10/10/12	10/26/12		3250
		2 385/65R225 F/R	35.00	2-01-26-147-254	B SANITATION VEHICLE MAINT/REP	R	10/10/12	10/26/12		3250
		3 20 TL REPAIR UNIT	14.95	2-01-26-147-254	B SANITATION VEHICLE MAINT/REP	R	10/10/12	10/26/12		3250
		FOR PETERBILT TRASH TRUCK								
			119.95							
12-00836	10/15/12	G0076 GOODYEAR TIRE CRAFT								
		1 P225/60R18	247.32	2-01-26-147-253	B POLICE VEHICLE - TIRES	R	10/15/12	10/26/12		
		2 WHEEL BALANCE, VALVE STEM, DISPOSAL, ENVIRONMENTAL	42.11	2-01-26-147-253	B POLICE VEHICLE - TIRES	R	10/15/12	10/26/12		
			289.43							
12-00837	10/15/12	G0076 GOODYEAR TIRE CRAFT								
		1 P235/55R17	320.76	2-01-26-147-253	B POLICE VEHICLE - TIRES	R	10/15/12	10/26/12		
		2 WHEEL BALANCE, VALVE STEM, DISPOSAL, ENVIRONMENTAL	63.16	2-01-26-147-253	B POLICE VEHICLE - TIRES	R	10/15/12	10/26/12		
		POLICE SPARE TIRES								
			383.92							
12-00839	10/12/12	G0030 GRAMCO BUSINESS COMMUNICATIONS								
		1 ASTATIC 901 MICS - REPLACE CABLES FOR SOUND SYSTEM AT COMM CTR COSTS NOT COVERED BY MAINT AGREEMENT	76.00	2-01-20-104-244	B EQUIPMENT MAINTENANCE/REPAIR	R	10/12/12	10/26/12		12-772
12-00841	10/23/12	D0016 DENISE O'HARA								
		1 REIMBURSEMENT FOR PUMPKIN DECORATING CONTEST AT FALL FESTIVAL MUNICIPAL ALLIANCE	167.41	2-01-41-205-297	B STATE SHARE	R	10/23/12	10/26/12		
12-00846	10/25/12	L0098 LAKEHURST BOARD OF EDUCATION								
		1 SCHOOL LEVY DUE 11/01/12	209,755.00	2-01-55-900-002	B SCHOOL TAXES PAYABLE	R	10/25/12	10/26/12		

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Borough of Lakehurst
Bill List By P.O. Number

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PO #	PO Date	Vendor	Contract	PO Type	First	Rcvd	Chk/Void	
Item Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Invoice
12-00847	10/25/12	00284 OCEAN COUNTY DEPART OF FINANCE						
1 COUNTY LEVY DUE 11/15/12	163,432.91	2-01-55-900-001	B	COUNTY TAXES PAYABLE	R	10/25/12	10/26/12	
12-00849	10/25/12	M0113 MANCHESTER TOWNSHIP						
1 ILSA GASOLINE 09/12	2,325.50	2-01-31-160-265	B	GASOLINE	R	10/25/12	10/26/12	
12-00850	10/25/12	P0022 SUN LIFE FINANCIAL						
1 LIFE INS BILL 11/12	118.80	2-01-23-121-225	B	INSURANCE - HEALTH	R	10/25/12	10/26/12	
12-00851	10/25/12	S0077 SUBURBAN PROPANE						
1 PROPANE AND TANK RENTAL	100.00	2-09-00-101-299	B	MISCELLANEOUS	R	10/25/12	10/26/12	
12-00852	10/25/12	H0196 HALL'S GULF SERVICE, INC.						
1 BORO GASOLINE PURCHASES 09/12	1,005.69	2-01-31-160-265	B	GASOLINE	R	10/25/12	10/26/12	
2 FD GASOLINE PURCHASES 09/12	484.41	2-01-31-160-265	B	GASOLINE	R	10/25/12	10/26/12	
	1,490.10							
12-00853	10/18/12	C0032 CERTIFIED SPEEDOMETER						
1 CALIBRATION PD CARS 23456	180.00	2-01-25-127-299	B	MISCELLANEOUS	R	10/18/12	10/26/12	13269
12-00854	10/25/12	N0130 NJ CONFERENCE OF MAYORS						
1 NJCM 2013 MAYORAL MEMB. DUES	295.00	2-01-20-104-299	B	MISCELLANEOUS	R	10/25/12	10/26/12	
12-00855	10/25/12	S0973 STAPLES						
1 UTILITIES - TONAR AND ANTIVIRU	123.28	2-09-00-101-287	B	COMPUTER EQUIPMENT & SOFTWARE	R	10/25/12	10/26/12	
12-00856	10/25/12	W0168 WEST GROUP PAYMENT CENTER						
1 NJ STATUTES SUBSCRIPTION RENEW	306.50	2-01-20-104-283	B	BOOKS & PUBLICATIONS	R	10/25/12	10/26/12	
12-00859	10/26/12	NJ105 NJ DEPT. OF LABOR AND						
1 UNEMPLOYMENT CHARGES 3RDQTR 12	2,078.00	2-01-23-179-296	B	UNEMPLOYMENT	R	10/26/12	10/26/12	
12-00860	10/26/12	S0896 SHORE BUSINESS SOLUTIONS						
1 ANNUAL MAINT AGREEMENT	285.00	2-01-25-127-244	B	EQUIPMENT - MAINTENANCE/REPAIR	R	10/26/12	10/26/12	022437
POLICE COPIER								
10/01/12 - 10/01/13								
12-00862	10/26/12	A9111 ADP, INC						
1 PAYROLL CHARGES PDEND 10/12/12	296.65	2-01-20-103-299	B	MISCELLANEOUS	R	10/26/12	10/26/12	413461933

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
12-00863	10/26/12	C0060 COMCAST CABLE									
1		PUBLIC WORKS CABLE MODEM	67.09	2-01-31-168-299	B	TELECOMMUNICATIONS	R	10/26/12	10/26/12		
12-00864	10/26/12	A0075 ASBURY PARK PRESS (AD)									
1		CLERK ADVERTISING 10/23/12 AWARD LEGAL SERVICES	56.00	2-01-20-104-215	B	ADVERTISING	R	10/26/12	10/26/12		
2		TAX COLLECTOR ADVERTISING TAX SALE 9/25-10/16/12	563.00	2-01-20-107-215	B	ADVERTISING	R	10/26/12	10/26/12		
			<u>619.00</u>								
12-00865	10/26/12	V0855 VERIZON									
1		PHONE BILL BILLING NUMBER 732-657-7505	126.02	2-01-31-164-275	B	TELEPHONE	R	10/26/12	10/26/12		
2		PHONE BILL BILLING NUMBER 732-657-1106	84.71	2-01-31-164-275	B	TELEPHONE	R	10/26/12	10/26/12		
3		PHONE BILL BILLING NUMBER 732-408-9581	259.73	2-01-31-164-275	B	TELEPHONE	R	10/26/12	10/26/12		
4		PHONE BILL BILLING NUMBER 201 Z02-9432	7.01	2-01-31-164-275	B	TELEPHONE	R	10/26/12	10/26/12		
5		PHONE BILL BILLING NUMBER 201 Z43 6389	6.55	2-01-31-164-275	B	TELEPHONE	R	10/26/12	10/26/12		
			<u>484.02</u>								
12-00866	10/26/12	A0506 AT&T									
1		AT&T TELEPHONE CHARGES 10/12	1,888.05	2-01-31-164-275	B	TELEPHONE	R	10/26/12	10/26/12		
2		CALLING CARD CHARGES TAX ASSES	59.53	2-01-20-105-299	B	MISCELLANEOUS	R	10/26/12	10/26/12		
			<u>1,947.58</u>								
12-00867	10/26/12	U0002 US BANK CORP TRUST SVCS-DCS									
1		REDEMPTION OF TSC #12-00008 BLOCK 69, LOT 1	11,916.57	2-01-55-900-004	B	TAX LIENS 3RD PARTY	R	10/26/12	10/26/12		
		SEE ATTACHED FOR BREAKDOWN									
12-00868	10/26/12	U0007 US BANK CUST FOR PRO CAPITAL I									
1		REDEMPTION OF TSC #12-00001 BLOCK 8, LOT 26 SEE ATTACHED FOR BREAKDOWN	799.55	2-01-55-900-004	B	TAX LIENS 3RD PARTY	R	10/26/12	10/26/12		

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Borough of Lakehurst
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PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
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Total Purchase Orders:	37	Total P.O. Line Items:	64	Total List Amount:	410,878.27	Total Void Amount:	0.00				
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Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total
CURRENT FUND APPROPRIATIONS	2-01	407,329.73	0.00	407,329.73	0.00
WATER & SEWER OPERATING	2-09	3,548.54	0.00	3,548.54	0.00
Total of All Funds:		<u>410,878.27</u>	<u>0.00</u>	<u>410,878.27</u>	<u>0.00</u>

**RESOLUTION
OCTOBER 18, 2012**

WHEREAS, the Lakehurst First Aid Squad, Inc. has applied for Raffle Licenses to conduct one on-premise draw raffle awarding merchandise as a prize and one on-premise draw raffle awarding cash as a prize (50/50) scheduled for November 10, 2012, **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 Licenses for the Lakehurst First Aid Squad, Inc. are 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 October 18, 2012.

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

**RESOLUTION
NOVEMBER 1, 2012**

WHEREAS, Tax Collector Marie Bell has indicated that the mortgage company of the property designated as Block 8, Lot 26 has paid the amount necessary to redeem the property which was included in the tax sale held on October 23, 2012, **and**

WHEREAS, the lien holder is entitled to be reimbursed the amount of the certificate, together with penalty and premium, **and**

WHEREAS, the amount due the lien holder is \$799.55

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the lien holder be reimbursed in the amount of the certificate together with penalty and premium in the amount of:

Tax Sale Certificate #12-00001	\$799.55
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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 November 1, 2012.

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

**RESOLUTION
NOVEMBER 1, 2012**

WHEREAS, Tax Collector Marie Bell has indicated that the property owner has paid the amount necessary to redeem his property which was included in the tax sale held on October 23, 2012, **and**

WHEREAS, the lien holder is entitled to be reimbursed the amount of the certificate, together with penalty and premium, **and**

WHEREAS, the amount due the lien holder is \$11,916.57

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the lien holder be reimbursed in the amount of the certificate together with penalty and premium in the amount of:

Tax Sale Certificate #12-00008	\$11,916.57
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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 November 1, 2012.

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

RESOLUTION
November 1, 2012

WHEREAS, a survey of the disbursements and anticipated commitments against the 2012 Current Fund 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:

Fuel Oil OE	2-01-31-166-267	\$2,500.00
Gasoline OE	2-01-31-160-265	\$10,500.00
Streets & Roads OE	2-01-26-135-299	\$3,500.00
Recycling OE	2-01-26-153-299	\$3,500.00
Municipal Clerk OE	2-01-20-104-299	\$1,000.00
Finance OE	2-01-20-103-299	\$2,000.00
Code Enforcement OE	2-01-22-129-299	\$750.00
Animal Control OE	2-01-27-139-299	\$2,000.00
Youth & Recreation S&W	2-01-28-141-101	\$1,000.00
Street Lighting OE	2-01-31-163-276	\$2,000.00
Police S&W	2-01-25-127-101	\$2,000.00
	TOTAL	\$30,750.00

Transfer To:

Engineering OE	2-01-20-119-232	\$6,500.00
Mayor & Council OE	2-01-20-102-299	\$500.00
Fire Department OE	2-01-25-125-299	\$10,750.00
Vehicle Maintenance OE	2-01-26-147-299	\$11,000.00
Police OE	2-01-25-127-299	\$2,000.00
	TOTAL	\$30,750.00

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the above stated transfer is hereby approved.

I, Bernadette Dugan, Deputy 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 November 1, 2012.

Bernadette Dugan, RMC/CPM
Municipal Clerk

**RESOLUTION
NOVEMBER 1, 2012**

WHEREAS, during the course of entering third quarter water meter readings, Tax/Utility Collector Marie Bell noticed an excessively high usage of 96,510 gallons for the property designated as Block 51; Lot 2, **and**

WHEREAS, Ms. Bell contacted the property owner and advised them that there may be a problem, **and**

WHEREAS, the property owner determined that there was a leak and installed a new water line from the street to the rear of the residence after which a meter reading indicated that the problem has been rectified, **and**

WHEREAS, the property owner has requested that the sewer overage charge be adjusted to the minimum charge as the water did not go into the sewer, **and**

WHEREAS, Tax/Utility Collector has recommended that the sewer bill be adjusted in the amount of \$474.95 from \$579.28 to the minimum quarterly charge for sewer usage to \$104.33.

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 bill for Block 51 Lot 2 be adjusted in the amount of \$474.95 for a quarterly charge for sewer usage of \$104.33.

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 November 1, 2012.

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

**RESOLUTION IN SUPPORT OF A-3393,
LEGISLATION TO PROTECT RESIDENTIAL PROPERTY TAXPAYERS
FROM THE LOSS OF TELECOMMUNICATIONS TAX SUPPORT
NOVEMBER 1, 2012**

WHEREAS, in 1997, at the request of incumbent utilities, the laws regarding State taxation of telecommunications corporations were amended in response to technological and market innovations, in order to increase competition; **and**

WHEREAS, the amendments sought to preserve revenues to local governments by providing that local exchange telephone companies subject to the New Jersey Franchise and Gross Receipts Tax on April 1, 1997 would continue to be subject, annually, to the Business Personal Property Tax (“BPPT”); **and**

WHEREAS, the statute defines local exchange companies as those telecommunications carriers “providing dial tone and access to 51% of a local telephone exchange”; **and**

WHEREAS, Verizon’s self-serving interpretation of the statutory definition has led it to claim exemption from the BPPT in any municipality where the corporation unilaterally determines, in any given year, that it no longer supplies dial tone and access to at least 51% of the local telephone exchanges; **and**

WHEREAS, Hopewell Borough’s challenge to that claim was upheld by the Mercer County Board of Taxation in 2009; **and**

WHEREAS, Verizon’s appeal of that determination to the Tax Court resulted in a June, 2012 trial court decision accepting the corporation’s self-serving interpretation of the law; **and**

WHEREAS, as things now stand, over 100 municipalities know that they enter 2013 without BPPT revenues that will cost property taxpayers well in excess of \$8 million and, unless matters change, more municipalities will lose more millions in the future; **and**

WHEREAS, remedial legislation (A-3393) has been introduced by Assemblyman Ralph Caputo, which will clarify the perceived ambiguity of the statutory definition to further implement the original legislative intent to preserve revenues to local governments; **and**

WHEREAS, we anticipate the introduction of companion legislation by Senator Bob Smith, as soon as the Senate next convenes;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Lakehurst commends Assemblyman Caputo and Senator Smith and strongly supports A-3393, which would clearly identify the telecommunications carriers subject to

taxation on their business personal property and remove the budget uncertainty caused by Verizon's obfuscation; **and**

BE IT FURTHER RESOLVED, that we urge our State Senator and our representatives in the General Assembly to join as co-sponsors of A-3393 and its companion bill; **and**

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Honorable Governor Chris Christie, the Honorable Speaker of the General Assembly Sheila Oliver, the Honorable President of the State Senate Stephen M. Sweeney, the Honorable Assembly Republican Leader Jon Bramnick, the Honorable Senate Republican Leader Thomas H. Kean, Jr., and our own State Senator and Representatives in the General Assembly, and to the New Jersey State League of Municipalities.

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 November 1, 2012.

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