

BOROUGH OF LAKEHURST

**WORK SESSION/REGULAR MEETING
DECEMBER 15, 2022
TENTATIVE AGENDA**

1. Approval of Minutes of December 1, 2022 Regular Meeting
2. Approval of Executive Session minutes from December 2, 2021 to September 15, 2022
3. Resolution regarding payment of bills
4. Resolution regarding Current Fund Transfer
5. Resolution regarding Chapter 159 for FY2022 Homeland Security Grant
6. Appointment of Anthony D'Angelo as Part-time Police Officer
7. Resolution regarding raffle licenses for VFW Post 10061
8. Second reading and public hearing of Ordinance #2022-11 entitled: "AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF NEW JERSEY, LLC. TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE MUNICIPALITY OF LAKEHURST, OCEAN COUNTY, NEW JERSEY"
9. Second reading and public hearing of Ordinance #2022-13 entitled: "AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER IV, SECTION 4-1 ENTITLED "MERCANTILE LICENSING"; AND CHAPTER XIII, SECTION 13-2.1 ENTITLED "LANDLORD REGISTRATION AND LICENSE REQUIRED"
10. Second reading and public hearing of Ordinance #2022-14 entitled: "AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER V, ENTITLED "ANIMAL CONTROL", BY ADDING SECTION 14"
11. Executive/Closed Session to discuss personnel matters/contract negotiations

Maryanne Capasso, RMC
Municipal Clerk

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

**RESOLUTION
DECEMBER 15, 2022**

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 \$172,216.70 is hereby approved.

I, Maryanne Capasso, 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 December 15, 2022.

**Maryanne Capasso
Municipal Clerk, RMC**

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
22-00873	12/14/22	N0029 TWIN ROCKS WATER									
		1 BORO HALL WATER AND COOLER	24.00	2-01-20-120-299	B MISCELLANEOUS	R	12/14/22	12/14/22			
		2 POLICE DEPT WATER AND COOLER	44.97	2-01-25-240-297	B Police - Miscellaneous	R	12/14/22	12/14/22			
		3 PW WATER AND COOLER	24.00	2-01-26-305-299	B MISCELLANEOUS	R	12/14/22	12/14/22			
			<u>92.97</u>								
22-00874	12/14/22	S0896 SHORE BUSINESS SOLUTIONS									
		1 PD COPIER INVOICE# AR69758	55.52	2-01-25-240-297	B Police - Miscellaneous	R	12/14/22	12/14/22			AR69758
		2 PW COPIER INVOICE# AR70114	40.96	2-01-26-305-299	B MISCELLANEOUS	R	12/14/22	12/14/22			AR70114
			<u>96.48</u>								
22-00876	12/14/22	R0158 REMINGTON & VERNICK ENGINEERS									
		1 PROVCO PINEGOOD SITE INSPECT.	1,495.50	T-03-00-400-416	B Provco Pinegood (Insp Escrow) 1514-P-084	R	12/14/22	12/14/22			1514P084-20
22-00877	12/14/22	R0158 REMINGTON & VERNICK ENGINEERS									
		1 GENERAL ENGINEERING THRU 11/22	170.00	2-01-20-165-232	B ENGINEERING SERVICES	R	12/14/22	12/14/22			11514T118-8
22-00878	12/14/22	R0158 REMINGTON & VERNICK ENGINEERS									
		1 2021 NJDOT MUN AID LAKE ST REC	1,111.00	G-02-00-200-627	B NJ DOT - Lake St	R	12/14/22	12/14/22			1514U077-21
22-00879	12/14/22	R0158 REMINGTON & VERNICK ENGINEERS									
		1 NJDOT 2022 ROSE & PINE STREETS	699.00	G-02-00-200-628	B NJDOT FY2022 - Rose St & Pine St	R	12/14/22	12/14/22			1514U079-11
22-00880	12/14/22	W0030 WEX BANK									
		1 WAWA GAS CHARGES NOV 2022	4,044.18	2-01-31-447-265	B GASOLINE	R	12/14/22	12/14/22			85550766
22-00881	12/14/22	A0102 AFFILIATED TECHNOLOGY SOLUTION									
		1 PHONE BILL - JANUARY 2023	640.53	2-01-31-440-275	B TELEPHONE	R	12/14/22	12/14/22			
22-00882	12/14/22	M9010 MCLAUGHLIN, STAUFFER & SHAKLEE									
		1 BOND ATTORNEY FEES	460.00	2-09-00-101-299	B MISCELLANEOUS	R	12/14/22	12/14/22			11-19758
22-00883	12/14/22	T0045 TRYSTONE CAPITAL ASSETS									
		1 PREMIUM 21-00001	1,500.00	2-01-55-900-005	B TAX LIENS PREMIUM	R	12/14/22	12/14/22			
		2 TTL REDEMPTION	1,220.85	2-01-55-900-004	B TAX LIENS 3RD PARTY	R	12/14/22	12/14/22			
			<u>2,720.85</u>								
22-00884	12/14/22	N0010 NJ DIV ALCOHOLIC BEVERAGE CNTL									
		1 8 LIQUOR LICENSE RENEWAL	24.00	2-01-20-120-299	B MISCELLANEOUS	R	12/14/22	12/14/22			

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22-00885	12/14/22	A0075 GANNETT NEW JERSEY NEWSPAPERS									
		1 CLERK ADVERT. 11/1 - 1/30/22	524.84	2-01-20-122-215		B Advertising - Legal Advertisements	R	12/14/22	12/14/22		0005157172
22-00886	12/14/22	A0024 ACTION DATA SERVICES									
		1 PAYROLL SERVICE PDEND 11/20/22	338.61	2-01-20-130-299		B Finance - Miscellaneous	R	12/14/22	12/14/22		80637
22-00887	12/14/22	R0046 RUMPF LAW									
		1 PUBLIC DEFENDER	375.00	T-03-00-100-005		B Public Defender	R	12/14/22	12/14/22		
22-00888	12/14/22	V0855 VERIZON									
		1 PHONE BILL	96.34	2-09-00-101-275		B TELEPHONE	R	12/14/22	12/14/22		
		2 PHONE BILL	96.34	2-09-00-101-275		B TELEPHONE	R	12/14/22	12/14/22		
			<u>192.68</u>								
22-00889	12/14/22	N0150 NJMVC (CAIR PROGRAM)									
		1 APPLICATION FOR ONLINE ACCESS	150.00	2-01-20-120-299		B MISCELLANEOUS	R	12/14/22	12/14/22		
22-00890	12/14/22	A0100 AARON J SNYDER									
		1 MEDICARE REIMBURS. 9/22-11/22	510.30	2-01-23-220-228		B Insurance - Medicare Reimbursement	R	12/14/22	12/14/22		
22-00891	12/14/22	S0101 SHARON VANBERKEL									
		1 MEDICARE REIMBURS.10/22-12/22	1,020.60	2-01-23-220-228		B Insurance - Medicare Reimbursement	R	12/14/22	12/14/22		
22-00893	12/14/22	V0011 VERIZON WIRELESS									
		1 BORO CELL PHONE BILL 11/22	488.65	2-01-31-440-275		B TELEPHONE	R	12/14/22	12/14/22		
22-00894	12/14/22	H0030 HOLIDAY CAR WASH									
		1 POLICE CAR WASHES NOVEMBER	72.00	2-01-25-240-297		B Police - Miscellaneous	R	12/14/22	12/14/22		NOVEMBER
22-00895	12/14/22	C0060 COMCAST CABLE									
		1 WATER PLANT CABLE MODEM	93.22	2-09-00-101-275		B TELEPHONE	R	12/14/22	12/14/22		
22-00896	12/14/22	C0060 COMCAST CABLE									
		1 PW CABLE MODEM	221.68	2-01-31-440-275		B TELEPHONE	R	12/14/22	12/14/22		
22-00897	12/14/22	J0900 JCP&L									
		1 ELECTRIC BILL UF	3,489.50	2-09-00-101-276		B ELECTRIC	R	12/14/22	12/14/22		

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22-00898	12/14/22	J0900 JCP&L									
		1 ELECTRIC BILL STREET LIGHTING	1,498.64	2-01-31-436-276	B	STREET LIGHTING	R	12/14/22	12/14/22		
22-00899	12/14/22	J0900 JCP&L									
		1 ELECTRIC BILL CF	1,919.61	2-01-31-435-276	B	ELECTRICITY	R	12/14/22	12/14/22		
22-00900	12/14/22	N0136 NJ NATURAL GAS COMPANY									
		1 ESC GAS BILL	1,054.98	2-01-31-437-269	B	NATURAL GAS	R	12/14/22	12/14/22		
		2 PW GARAGE GAS BILL	844.52	2-01-31-437-269	B	NATURAL GAS	R	12/14/22	12/14/22		
		3 COMMUNITY CENTER GAS BILL	633.26	2-01-31-437-269	B	NATURAL GAS	R	12/14/22	12/14/22		
		4 PD HQ GAS BILL	489.40	2-01-31-437-269	B	NATURAL GAS	R	12/14/22	12/14/22		
		5 BOROUGH HALL GAS BILL	266.42	2-01-31-437-269	B	NATURAL GAS	R	12/14/22	12/14/22		
			<u>3,288.58</u>								
22-00901	12/14/22	J0900 JCP&L									
		1 RT 70 & ORCHARD LIGHT	58.65	2-01-31-436-276	B	STREET LIGHTING	R	12/14/22	12/14/22		
22-00902	12/14/22	00012 ONE CALL CONCEPTS									
		1 ONE CALL MESSAGES 11/22	68.64	2-09-00-101-275	B	TELEPHONE	R	12/14/22	12/14/22		2115376
22-00903	12/14/22	B9112 B & K EQUIPMENT SERVICES									
		1 TRASH TRUCK INVOICE# 36415	2,545.68	2-01-26-291-254	B	SANITATION VEHICLE MAINT/REP	R	12/14/22	12/14/22		36415
		2 TRASH TRUCK INVOICE# 36478	1,139.03	2-01-26-291-254	B	SANITATION VEHICLE MAINT/REP	R	12/14/22	12/14/22		36478
			<u>3,684.71</u>								
22-00904	12/14/22	L0040 LOWE'S									
		1 B & G SHARE	1,112.90	2-01-26-310-262	B	MINOR TOOLS & EQUIPMENT	R	12/14/22	12/14/22		
<hr/> Total Purchase Orders: 38 Total P.O. Line Items: 53 Total List Amount: 166,334.94 Total Void Amount: 0.00 <hr/>											

Totals by Year-Fund		Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description								
CURRENT FUND APPROPRIATIONS	2-01	95,277.75	0.00	95,277.75	0.00	0.00	95,277.75	
WATER & SEWER OPERATING	2-09	37,431.94	0.00	37,431.94	0.00	0.00	37,431.94	
Year Total:		132,709.69	0.00	132,709.69	0.00	0.00	132,709.69	
	G-02	31,754.75	0.00	31,754.75	0.00	0.00	31,754.75	
	T-03	1,870.50	0.00	1,870.50	0.00	0.00	1,870.50	
Total of All Funds:		166,334.94	0.00	166,334.94	0.00	0.00	166,334.94	

December 14, 2022
03:06 PM

Borough of Lakehurst
Bill List By P.O. Number

Page No: 1

P.O. Type: All
 Range: First to Last
 Format: Detail without Line Item Notes
 Vendors: All
 Rcvd Batch Id Range: First to Last
 Open: N Paid: N Void: N
 Rcvd: Y Held: Y Aprv: N
 Bid: Y State: Y Other: Y Exempt: Y
 Include Non-Budgeted: Y

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
22-00103	02/04/22	R0158 REMINGTON & VERNICK ENGINEERS				B					
		13 CDBG - Orange St	144.75	G-02-00-200-641	B	CDBG - Orange St	R	02/04/22	12/14/22		1514U078-10
22-00360	05/27/22	P0045 PERNA FINNIGAN, INC.				B					
		1 FIRE HYDRANT REPLACEMENT	10,380.90	2-09-00-101-299	B	MISCELLANEOUS	R	05/27/22	12/14/22		
22-00482	07/19/22	C0967 CONTINENTAL FIRE & SAFETY, INC				B					
		1 FIRE DEPT EQUIPMENT - HOSES	2,550.25	2-01-25-265-242	B	EQUIPMENT - NEW PURCHASES	R	07/19/22	12/14/22		
22-00535	07/28/22	R0038 RUTGERS CENTER FOR GOV SERVICE				B					
		1 MUN FINANCE ADMIN FOR CLERKS	745.00	2-01-20-120-284	B	TRAINING & EDUCATION	R	07/28/22	12/14/22		
		2 INFO & RECORDS MANAGEMENT	653.00	2-01-20-120-284	B	TRAINING & EDUCATION	R	07/28/22	12/14/22		
			1,398.00								
22-00714	10/06/22	W0016 WALTER EARLE CORP.				B					
		1 7.25 TONS OF TOP ASPHALT	620.37	2-01-26-290-299	B	MISCELLANEOUS	R	10/06/22	12/14/22		82449
22-00756	10/25/22	D0041 D-FI PRODUCTIONS INC.				B					
		1 PD WEBSITE HOSTING/NAME RENEWA	588.00	2-01-25-240-297	B	Police - Miscellaneous	R	10/25/22	12/14/22		
22-00797	11/09/22	M0118 MIRACLE CHEMICAL CO.				B					
		1 200 GAL SODIUM HYPOCHLORITE	992.00	2-09-00-101-267	B	CHEMICALS	R	11/09/22	12/14/22		
		2 FUEL SURCHARGE	75.00	2-09-00-101-267	B	CHEMICALS	R	11/09/22	12/14/22		
			1,067.00								
22-00805	11/21/22	D0072 DYNAMIC TESTING SERVICE, LLC				B					
		1 YEARLY QUERY FULL OR LIMITED	18.00	G-02-00-200-443	B	Recycling Tonnage Grant 2017	R	11/21/22	12/14/22		942
22-00806	11/21/22	H0626 HENDERSON LABS, J.R. INC.				B					
		1 LAB TESTS NOVEMBER 2022	180.00	2-09-00-101-222	B	CONTRACTUAL SERVICES	R	11/21/22	12/14/22		60394
22-00807	11/21/22	O0138 ORIENTAL TRADING CO., INC.				B					
		1 HOLIDAY PLUSH LONG ARMS	59.97	2-01-28-371-236	B	Public Events - Miscellaneous	R	11/21/22	12/14/22		720947238-01

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
22-00833	11/30/22	S0104 SWIFT & SON INC.									
1	2021	CDBG ORANGE STREET	29,800.00	G-02-00-200-641	B	CDBG - Orange St	R	12/02/22	12/14/22		
2	2021	CDBG ORANGE STREET	<u>7,376.00</u>	2-01-26-290-299	B	MISCELLANEOUS	R	12/02/22	12/14/22		
			37,176.00								
22-00857	12/02/22	U0008 ULTRA EQUIPMENT, LLC									
1	SAM 3016309	12VDC .5HP SPINNER	412.14	2-01-26-291-256	B	PUBLIC WKS VEHICLE MAINT/REP	R	12/02/22	12/14/22		
2	SAM #1301296	CUTTIING EDGE	<u>295.00</u>	2-01-26-291-256	B	PUBLIC WKS VEHICLE MAINT/REP	R	12/02/22	12/14/22		
			707.14								
22-00871	12/12/22	C0046 COLONIAL BOUQUET									
1		FRUIT BASKET - DUGAN	100.00	2-01-20-110-299	B	MISCELLANEOUS	R	12/12/22	12/14/22		
2		DELIVERY FEE	<u>7.00</u>	2-01-20-110-299	B	MISCELLANEOUS	R	12/12/22	12/14/22		
			107.00								
22-00872	12/14/22	H0032 HOLMDEL TOWNSHIP									
1		SHARED SERVICES FOR 1/22-12/22	64,500.00	2-01-42-130-201	B	Holmdel-Chief Financial Officer	R	12/14/22	12/14/22		
2		SHARED SERVICES FOR 1/22-12/22	21,500.00	2-09-00-104-201	B	Shared Service-Holmdel Township Finance	R	12/14/22	12/14/22		
3		SHARED SERVICES FOR 1/22-12/22	<u>556.00</u>	2-01-20-130-222	B	Finance - Contractual Services	R	12/14/22	12/14/22		
			86,556.00								
22-00873	12/14/22	N0029 TWIN ROCKS WATER									
1		BORO HALL WATER AND COOLER	24.00	2-01-20-120-299	B	MISCELLANEOUS	R	12/14/22	12/14/22		
2		POLICE DEPT WATER AND COOLER	44.97	2-01-25-240-297	B	Police - Miscellaneous	R	12/14/22	12/14/22		
3		PW WATER AND COOLER	<u>24.00</u>	2-01-26-305-299	B	MISCELLANEOUS	R	12/14/22	12/14/22		
			92.97								
22-00874	12/14/22	S0896 SHORE BUSINESS SOLUTIONS									
1		PD COPIER INVOICE# AR69758	55.52	2-01-25-240-297	B	Police - Miscellaneous	R	12/14/22	12/14/22		AR69758
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1	WATER PLANT CABLE MODEM		93.22	2-09-00-101-275	B	TELEPHONE	R	12/14/22	12/14/22		
22-00896	12/14/22	C0060 COMCAST CABLE									
1	PW CABLE MODEM		221.68	2-01-31-440-275	B	TELEPHONE	R	12/14/22	12/14/22		
22-00897	12/14/22	J0900 JCP&L									
1	ELECTRIC BILL	UF	3,489.50	2-09-00-101-276	B	ELECTRIC	R	12/14/22	12/14/22		
22-00898	12/14/22	J0900 JCP&L									
1	ELECTRIC BILL	STREET LIGHTING	1,498.64	2-01-31-436-276	B	STREET LIGHTING	R	12/14/22	12/14/22		
22-00899	12/14/22	J0900 JCP&L									
1	ELECTRIC BILL	CF	1,919.61	2-01-31-435-276	B	ELECTRICITY	R	12/14/22	12/14/22		
22-00900	12/14/22	N0136 NJ NATURAL GAS COMPANY									
1	ESC GAS BILL		1,054.98	2-01-31-437-269	B	NATURAL GAS	R	12/14/22	12/14/22		
2	PW GARAGE GAS BILL		844.52	2-01-31-437-269	B	NATURAL GAS	R	12/14/22	12/14/22		
3	COMMUNITY CENTER GAS BILL		633.26	2-01-31-437-269	B	NATURAL GAS	R	12/14/22	12/14/22		
4	PD HQ GAS BILL		489.40	2-01-31-437-269	B	NATURAL GAS	R	12/14/22	12/14/22		
5	BOROUGH HALL GAS BILL		266.42	2-01-31-437-269	B	NATURAL GAS	R	12/14/22	12/14/22		
			<u>3,288.58</u>								
22-00901	12/14/22	J0900 JCP&L									
1	RT 70 & ORCHARD LIGHT		58.65	2-01-31-436-276	B	STREET LIGHTING	R	12/14/22	12/14/22		

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	PO Type	Contract Description	Stat/Chk	First Rcvd	Enc Date	Chk/Void	Invoice
22-00902	12/14/22	00012	ONE CALL CONCEPTS	68.64	2-09-00-101-275	B	TELEPHONE		R	12/14/22	12/14/22	2115376	
			1 ONE CALL MESSAGES 11/22										
22-00903	12/14/22	B9112	B & K EQUIPMENT SERVICES	2,545.68	2-01-26-291-254	B	SANITATION VEHICLE MAINT/REP		R	12/14/22	12/14/22	36415	
			1 TRASH TRUCK INVOICE# 36415	1,139.03	2-01-26-291-254	B	SANITATION VEHICLE MAINT/REP		R	12/14/22	12/14/22	36478	
			2 TRASH TRUCK INVOICE# 36478	3,684.71									
22-00904	12/14/22	L0040	LOWE'S	1,112.90	2-01-26-310-262	B	MINOR TOOLS & EQUIPMENT		R	12/14/22	12/14/22		
			1 B & G SHARE										
Total Purchase Orders:				44	Total P.O. Line Items:	61	Total List Amount:	172,216.70	Total Void Amount:	0.00			

Totals by Year-Fund		Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description								
CURRENT FUND APPROPRIATIONS	2-01	101,141.51	0.00	101,141.51	0.00	0.00	0.00	101,141.51
WATER & SEWER OPERATING	2-09	37,431.94	0.00	37,431.94	0.00	0.00	0.00	37,431.94
Year Total:		138,573.45	0.00	138,573.45	0.00	0.00	0.00	138,573.45
	G-02	31,772.75	0.00	31,772.75	0.00	0.00	0.00	31,772.75
	T-03	1,870.50	0.00	1,870.50	0.00	0.00	0.00	1,870.50
Total of All Funds:		172,216.70	0.00	172,216.70	0.00	0.00	0.00	172,216.70

**RESOLUTION #22-XXX
DECEMBER 15, 2022**

WHEREAS, a survey of the disbursements and anticipated commitments against the 2022 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 transfers commencing November 1 of the current year to March 31 of the next year.

PER ATTACHMENT

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, Maryanne Capasso, 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 December 15, 2022.

**Maryanne Capasso, RMC
Municipal Clerk**

TRANSFER RESOLUTION #22-XXX OF DECEMBER 15, 2022 ATTACHMENT

CURRENT FUND		Transfers To	Transfers From
Administrative	S&W	\$	\$ (100.00)
Administrative	OE	100.00	
Employee Group Insurance	OE		(5,000.00)
Police - Crossing Guards	S&W		(8,000.00)
Police	OE	8,000.00	
Road Repair & Maintenance	OE	5,000.00	
TOTAL CURRENT FUND		\$ <u>13,100.00</u>	\$ <u>(13,100.00)</u>

**RESOLUTION #2022-XXX
DECEMBER 15, 2022**

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN
THE BUDGET OF THE BOROUGH OF LAKEHURST PURSUANT TO N.J.S.A. 40A:4-87
(CHAPTER 159, P.L. 1948)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Lakehurst, in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 which item is now available as a revenue from monies held pursuant to the provisions of statute.

FY 22 Homeland Security Grant	\$7,507.94
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BE IT FURTHER RESOLVED that a like sum of \$7,507.94 and the same is hereby appropriated under the following captions:

FY 22 Homeland Security Grant	\$7,507.94
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AND, BE IT FURTHER RESOLVED that the Chief Financial Officer shall submit one copy of the Certification for State and Federal Grants to the Director of the Division of Local Government Services for approval.

I, Maryanne Capasso, 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 December 15, 2022.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
DECEMBER 15, 2022**

WHEREAS, the Borough of Lakehurst needs to replace the compliment of part-time police officers, **and**

WHEREAS, Anthony D'Angelo has applied for the vacant position, **and**

WHEREAS, Anthony D'Angelo is a graduate of the Ocean County Police Academy, **and**

WHEREAS, Chief Kline has recommended the appointment of Anthony D'Angelo to the Lakehurst Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that Anthony D'Angelo be appointed as a part-time police officer with the Lakehurst Police Department at \$15.00 per hour effective December 6, 2022.

I, Maryanne Capasso, 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 December 15, 2022.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
DECEMBER 15, 2022**

WHEREAS, VFW Post 10061 has applied for raffles license to conduct instant on-premise raffles awarding cash as a prize seven days a week from December 1, 2022 through December 1, 2023, **and**,

WHEREAS, the Statement of Findings and Determinations shows no reason why this license 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 VFW Post 10061 is hereby approved.

I, Maryanne Capasso, 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 December 15, 2022.

**Maryanne Capasso, RMC
Municipal Clerk**

ORDINANCE NO 2022-11

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO
COMCAST OF NEW JERSEY, LLC. TO CONSTRUCT, CONNECT,
OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS
SYSTEM IN THE MUNICIPALITY OF LAKEHURST, OCEAN COUNTY, NEW JERSEY

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF
LAKEHURST, OCEAN COUNTY, NEW JERSEY, AS FOLLOWS:

SECTION 1. PURPOSE OF THE ORDINANCE.

The Borough hereby grants to Comcast renewal of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets alleys, sidewalks, easements, public ways and public places in the Borough, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus, and equipment as may be necessary for the construction, operation, and maintenance in the Borough of a cable television and communications system.

SECTION 2. DEFINITIONS.

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. Such meaning or definition of terms in supplemental to those definitions of the Federal Communications Commission (“FCC”) rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act, 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act, N.J.S.A. § 48:5A-1 et seq., and shall in no way be construed to broaden, alter, or conflict with the federal and state definitions:

- a. “Borough” is the Borough of Lakehurst, County of Ocean, State of New Jersey.
- b. “Company” or “Comcast” is the grantee of rights under this Ordinance and is known as Comcast of New Jersey, LLC.
- c. “Act” or “Cable Television Act” is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. § 48:5A-1, et seq.
- d. “FCC” is the Federal Communications Commission.
- e. “Board” or “BPU” is the Board of Public Utilities, State of New Jersey.
- f. “Office” or “OCTV” is the Office of Cable Television of the Board.
- g. “Basic Cable Service” means any service tier, which includes the retransmission of local television broadcast signals as defined by the FCC.

- h. “Application” is the Company’s Application for Renewal of Municipal Consent.
- i. “Primary Service Area” or ‘PSA” consists of the area of the Borough currently served with existing plant as set forth in the map annexed to the Company’s Application for Municipal Consent.

SECTION 3. STATEMENT OF FINDINGS.

Public hearings conducted by the Borough, concerning the renewal of Municipal Consent herein granted to the Company were held after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearings, having been fully open to the public, and the Borough, having received at said public hearings all comments regarding the qualifications of the Company to receive this renewal of Municipal Consent, the Borough hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company’s operating and construction arrangements are adequate and feasible.

SECTION 4. DURATION OF FRANCHISE.

The non-exclusive Municipal Consent granted herein shall expire 10 years from the date of expiration of the previous Certificate of Approval issued by the Board.

In the event that the Borough shall find that the Company has not substantially complied with the material terms and conditions of this Ordinance, the Borough shall have the right to petition the OCTV, pursuant to N.J.S.A. § 48:5A-47, for appropriate action, including modification AND/OR termination of the Certificate of Approval; provided, however, that the Borough shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

SECTION 5. FRANCHISE FEE.

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Borough two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for cable television reception service in the Borough or any higher amount permitted by the Act or otherwise allowable by law, whichever is greater.

SECTION 6. FRANCHISE TERRITORY.

The consent granted under this Ordinance for the renewal of the franchise shall apply to the entirety of the Borough and any property subsequently annexed hereto.

SECTION 7. EXTENSION OF SERVICE.

The Company shall be required to proffer service to any residence along any public right-of-way in the Primary Service Area, as set forth in the Company's Application. Any extension of plant beyond the Primary Service Area shall be governed by the Company's Line Extension Policy, as set forth in the Company's Application, with a HPM ("homes-per-mile") of 30 dwellings per linear mile from the nearest active trunk or feeder line.

SECTION 8. CONSTRUCTION REQUIREMENTS.

a. Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as good a condition as existed prior to the commencement of said work.

b. Relocation: If at any time during the period of this consent, the Borough shall alter or change the grade of any street, alley or other way or place the Company, upon reasonable notice by the Borough, shall remove, re-lay, or relocate its equipment, at the expense of the Company prior to approval of the board.

c. Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks, or other public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables.

d. Temporary removal of cables: The Company shall, upon request of the Borough, at the company's expense, temporarily raise, lower, or remove its lines in order to facilitate the moving of buildings or machinery or in other like circumstances, subject to the prior approval of the board.

e. Installation of equipment: The Company shall install equipment in the same location and manner as existing public utilities whenever possible, in order to minimize the impact of same on surrounding property.

SECTION 9. CUSTOMER SERVICE.

In providing services to its customers, the Company shall comply with N.J.A.C. § 14:18-1, et seq. and all applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary company and industry standards in the delivery of customer service.

- a. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.
- b. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.
- c. The Company shall use every reasonable effort to meet or exceed voluntary standards for telephone accessibility developed by the National Cable Television Association (“NCTA”).
- d. Nothing herein shall impair the right of any subscriber or the Borough to express any comment with respect to telephone accessibility to the Complaint Officer or impair the right of the Complaint Officer to take any action that is permitted under law.

SECTION 10. MUNICIPAL COMPLAINT OFFICER.

The Office of Cable Television is hereby designated as the Complaint Officer for the Borough pursuant to N.J.S.A. § 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. § 14:17-6.5. The Borough shall have the right to request copies of records and reports pertaining to complaints by Borough customers from the OCTV.

SECTION 11. LOCAL OFFICE.

During the term of this franchise, and any renewal thereof, the Company shall maintain a business office or agent in accordance with N.J.A.C. § 14:18-5.1 for the purpose of receiving, investigating, and resolving all local complaints regarding the quality of service, equipment malfunctions, and similar matters

SECTION 12. PERFORMANCE BOND.

During the life of the franchise the Company shall give to the Borough a bond in the amount of Twenty-Five Thousand Dollars (\$25,000). Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

SECTION 13. SUBSCRIBER RATES.

The rates of the Company shall be subject to regulation as permitted by federal and state law.

SECTION 14. COMMITMENTS BY THE COMPANY.

a. The Company shall continue to provide Basic cable television service to one (1) to outlet at no cost to each qualified existing school and library in the Borough, public and private, elementary, intermediate, and secondary, provided the school building is within two hundred (200) feet of active cable distribution plant or through customer owned conduit. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the school or library requesting service.

b. The Company shall continue to provide Basic cable television service to one (1) to outlet at no cost to each qualified existing and future municipal building, police, fire, emergency management facility and public library in the Borough, provided the facility is located within two hundred (200) feet of active cable distribution plant or through customer owned conduit. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the Borough.

c. Within six months of the issuance of a Renewal Certificate of Approval by the BPU, the Company shall provide to the Borough a one-time E/G Access Capital Grant in the amount of \$10,000 to meet the Access capital needs of the community.

d. The Communications Act of 1934, as amended [47 U.S.C. § 543 (b)], allows the Company to itemize and/or identify: (1.) the amount on the subscriber bill assessed as a franchise fee and the identity of the governmental authority to which the fee is paid; (2.) the amount on the bill assessed to satisfy any requirements imposed on the Company by the cable franchise to support public, education, and/or governmental access channels or the use of such channels; and (3.) any grants or other fees on the bill or any tax, assessment, or charge of any kind imposed by any governmental authority on the transaction between the operator and the subscriber. The Company reserves its external cost, pass-through rights to the full extent permitted by law.

SECTION 15. PUBLIC, EDUCATIONAL AND GOVERNMENTAL ACCESS

a. The Company shall continue to make available a system-wide public, educational and government access channels maintained by the Company. Qualified individuals and organizations may utilize public access for the purpose of cablecasting non-commercial access programming in conformance with the Company's published public access rules.

b. The Company shall not exercise editorial control over any educational or governmental use

PEG Access channels, except Company may refuse to transmit any educational or governmental access program or portion of an educational or governmental access program that contains obscenity, indecency, or nudity.

d. The Company shall take any steps that are necessary to ensure that the signals originated on the access channels are carried without material degradation, and with a signal whose quality is equal to that of the other standard channels that the Company transmits.

SECTION 16. EMERGENCY USES.

a. The Company will comply with the Emergency Alert System (“EAS”) rules in accordance with applicable state and federal statutes and regulations.

b. The Company shall in no way be held liable for any injury suffered by the Borough or any other person, during an emergency, if for any reason the Borough is unable to make full use of the cable television system as contemplated herein.

SECTION 17. LIABILITY INSURANCE.

The Company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of One Million Dollars (\$1,000,000) covering liability for any death, personal injury, property damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or “umbrella”) policy in the amount of Five Million Dollars (\$5,000,000).

SECTION 18. INCORPORATION OF THE APPLICATION.

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendment thereto, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with application State or Federal law.

SECTION 19. COMPETITIVE EQUITY.

Should the Borough grant municipal consent for a franchise to construct, operate and maintain a cable television system to any other person, corporation, or entity on terms materially less burdensome or more favorable than the terms contained herein, the Company may substitute such language that is more favorable or less burdensome for the comparable provision of this Ordinance subject to the provisions of

N.J.A.C. § 14:17-6.7.

SECTION 20. SEPARABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and its validity or unconstitutionality shall not affect the validity of the remaining portions of the Ordinance.

SECTION 21. THIRD PARTY BENEFICIARIES.

Nothing in this Franchise or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements or Franchise.

SECTION 22. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon issuance of a Renewal Certificate of Approval from the BPU.

MUNICIPAL COUNCIL
BOROUGH OF LAKEHURST

BY: _____
Harry Robbins, Mayor

PASSED ON FIRST READING ON: November 3, 2022

INTRODUCTION PUBLISHED ON: November 30, 2022

PASSED ON FINAL READING ON: December 15, 2022

FINAL PUBLICATION ON: _____

ATTEST:

Maryanne Capasso, RMC

“AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER IV, SECTION 4-1 ENTITLED “MERCANTILE LICENSING”; AND CHAPTER XIII, SECTION 13-2.1 ENTITLED “LANDLORD REGISTRATION AND LICENSE REQUIRED”

#2022-13

BE IT ORDAINED by the Lakehurst Borough council that that the within sections permit certain uses and establish site standards as follows:

Chapter 4 (General Licensing), Section 4-1 (Mercantile Licensing): is hereby amended and supplemented to read as follow (additions are underlined and amendments are *italic*):

4-1.2 License and Liability Insurance Required.

- a) No change
- b) [supplemented] The owner of a business shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
- c) *[*Change from #b to #c]. Exemptions from License.* The requirement of this section shall be held not to include: (1) those persons specifically exempt from payment of license fees as provided by State or Court order.

4-1.5 Fees

- a) No change
- b) No change
- c) *Landlord Registration fee. An annual registration fee on two hundred (\$200) dollars per rental unit.*

Chapter 13 (Housing and Property Maintenance), Section 13-2 (Renting of Dwelling Units; Change of Occupancy) is hereby amended and supplemented to read as follows (additions are underlined and amendments are *italic*)

13-2.1 Landlord Registration, License and Liability Insurance Required.

The registration and licensing shall be upon forms provided by the Borough Clerk and shall pay an annual registration fee on two hundred (\$200) dollars per rental unit effective January 1, 2023.

- a) No change
- b) No change
- c) No change

- d) [supplemented] The owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
- e) [supplemented] The owner of a multi-family home of four or fewer units, one of which is owner occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
- f) [*Change from #d to #f] Failure to register a multiple dwelling as above set forth or failure to comply with any of the terms of this section shall constitute a violation of the Borough Code and be punishable as set forth. This provision, however, in no way is to limit any other rights, proceedings, or remedies, for the enforcement of this chapter otherwise provided herein.

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 an ordinance #2022-13 entitled “ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER IV, SECTION 4-1 ENTITLED “MERCANTILE LICENSING”; AND CHAPTER XIII, SECTION 13-2.1 ENTITLED “LANDLORD REGISTRATION AND LICENSE REQUIRED” was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the fifteenth day of December, 2022.

Maryanne Capasso, RMC
Municipal Clerk

**“AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN
STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE REVISED
GENERAL ORDINANCES OF THE BOROUGH, CHAPTER V, ENTITLED “ANIMAL
CONTROL”, BY ADDING SECTION 14”**

#2022-14

WHEREAS, the Borough of Lakehurst has adopted an Ordinance to enhance the quality of life for residents, making their municipality a better home; **and**

WHEREAS, the Borough of Lakehurst seeks to supplement Chapter 5 of its General Ordinances by adding section 14; **and**

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal, and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety, and welfare of the municipality and its inhabitants; **and**

WHEREAS, farm animal(s) may create noxious odors from its manure and create rat infestation problems and an increase of flies; **and**

WHEREAS, the Borough of Lakehurst is approximately one square mile and consists mainly of residential neighborhoods and small business districts recognizes the need to eliminate this nuisance.

NOW THEREFORE BE IT ORDAINED by the Lakehurst Borough Council that the within sections make it unlawful to have in his or her possession or under his or her control any farm animals as defined below:

Chapter 5 is hereby amended to include **Section 14** titled “FARM ANIMALS” as follows:

I.

5-14.1. Definitions.

Farm animals shall mean and include goats, horses, ponies, sheep, swine, cattle, and other domesticated hoofed animals which have historically been used in the production of agriculture.

5-14.2. Prohibition.

No person or other entity shall possess, keep, or maintain any farm animal(s) in the Borough of Lakehurst except in the case of an existing owner of a farm animal(s) who shall be permitted to continue to raise their farm animal(s) on the following conditions:

- a. Existing Farm Animal Owners must register their farm animal(s) with the Borough Clerk within thirty (30) days of the passing of this Ordinance.
 - (i) There shall not be any fees associated with registering an existing farm animal.
- b. Existing farm animal owners shall not be permitted to acquire new farm animals.
- c. Existing farm animal owners shall not be permitted to breed its existing farm animals.

5-14.3. Harboring.

Existing farm animal owners shall fence or pen their farm animals. All places where animals are kept shall be maintained in a clean and sanitary condition.

- a. Farm animals shall remain confined if left unattended. Farm animals which are found running at large shall be guilty upon proof of a violation by the property owner of the provisions of this article.
- b. All manure or offensive organic refuse shall be kept or stored at least 50 feet from the nearest structure on adjacent properties.

5-14.4. Violations and penalties.

The owner of a farm animal(s) who is found by clear and convincing evidence to have violated this chapter or applicable State law, or any rule or regulation adopted pursuant to either, or to have failed to comply with a Court's order shall be subject to a fine of not more than \$500.00 per day of the violation, and each day's continuance of the violation shall constitute a separate and distinct violation. The Municipal Court shall have jurisdiction to enforce this section. An Animal Control Officer is authorized to seize and impound any existing farm animal(s) whose owner fails to comply with the provisions set forth above or a Court order. The Municipal Court may order that the farm animal(s) be so seized, impounded or destroyed in an expeditious and humane manner.

II. All sections of Chapter 5 not amended hereunder shall remain in full force and effect.

III. In the event any section, part or provision of this Ordinance shall be held unconstitutional or in valid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

IV. All ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

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

Harry Robbins, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that an ordinance #2022-14 entitled “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER V, ENTITLED “ANIMAL CONTROL”, BY ADDING SECTION 14” was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the 15th day of December, 2022.

Maryanne Capasso, RMC
Municipal Clerk