

**WORK SESSION/REGULAR MEETING
FEBRUARY 16, 2023
TENTATIVE AGENDA**

1. Approval of Minutes of February 2, 2023 Regular Meeting
2. Resolution authorizing payment of bills
3. Resolution regarding 2023 Community Development Block Grant funding application
4. Resolution authorizing preparation of bid specification for the 2023 NJDOT-funded Pine Street and Union Avenue Reconstruction project
5. Resolution regarding transfer (Current Fund)
6. Resolution regarding Hold Harmless Agreement for snow removal
7. Resolution authorizing a contract with Jobs 4 Blue for coordination of off-duty employment of police officers
8. Resolution hiring Brenda Duffy as alternate crossing guard
9. Resolution appointing Jeff Emmons as Class IV member of the Land Use Board
10. Resolution appointing Robert W. Robinson III as Class IV member of the Land Use Board
11. Resolution regarding Refund of Escrow Fees for Christopher Construction Co. Inc.
12. Resolution regarding adjustment to utility bill for Block 43; Lot 6
13. Resolution regarding adjustment to utility bill for Block 27; Lot 11
14. Introduction and First Reading of Ordinance #2023-03 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"
15. Second Reading and Public Hearing of Ordinance #2023-01 "AN ORDINANCE OF THE BOROUGH OF LAKEHURST, OCEAN COUNTY, STATE OF NEW JERSEY, CREATING NEW CHAPTER 9 OF THE BOROUGH CODE TO ESTABLISH REGULATIONS AND PRESCRIBE PENALTIES FOR EXCESSIVE CONSUMPTION OF MUNICIPAL SERVICES"
16. Second Reading and Public Hearing of Ordinance #2023-02 "AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER III OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED POLICE REGULATIONS"
17. Acceptance of resignation of Police Officer Michael Sullivan

18. Executive/Closed Session to discuss personnel matters and contract negotiations

Maryanne Capasso, RMC
Municipal Clerk

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

RESOLUTION
FEBRUARY 16, 2023

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 \$27,676.74 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 February 16, 2023.

Maryanne Capasso
Municipal Clerk, RMC

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	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
23-00012	01/12/23	P0047 PLANET TECHNOLOGIES INC									
		1 Annual Office 365 Licenses	2,872.32	3-01-20-140-222	B	Information Technology - Contractual Srv	R	01/12/23	02/15/23		I006764
23-00014	01/12/23	P0076 POWER DMS, INC									
		1 POWERDMS STANDARDS FOR NJSACOP	805.00	3-01-25-240-297	B	Police - Miscellaneous	R	01/12/23	02/15/23		INV-30037
23-00070	01/23/23	J0035 JERSEY PINES OVERHEAD DOOR									
		1 FIRE DEPT GARAGE DOOR REPAIR	995.00	3-01-26-310-244	B	EQUIPMENT - MAINTENANCE/REPAIR	R	01/23/23	02/15/23		
23-00078	01/24/23	P0257 PUBLIC WORKS ASSOC. OF NJ									
		1 2023 MEMBERSHIP DUES	75.00	3-09-00-101-281	B	PROFESSIONAL MEMBERSHIP & DUES	R	01/24/23	02/15/23		
		2 2023 MEMBERSHIP DUES	15.00	3-09-00-101-281	B	PROFESSIONAL MEMBERSHIP & DUES	R	01/24/23	02/15/23		
			90.00								
23-00079	01/24/23	A0001 ATLANTIC PLUMBING SUPPLY CORP.									
		1 SLOAN FLUSH CARTRIDGE ASSEMBLY	85.04	3-01-26-310-262	B	MINOR TOOLS & EQUIPMENT	R	01/24/23	02/15/23		S3814295.001
23-00080	01/24/23	A0083 AISH FIRE PROTECTION CO									
		1 KITCHEN SUPPRESSION INSPECTION	115.00	3-01-26-310-299	B	MISCELLANEOUS	R	01/24/23	02/15/23		1036010923
		2 FUSIBLE LINK	9.00	3-01-26-310-299	B	MISCELLANEOUS	R	01/24/23	02/15/23		
		3 FUEL SURCHARGE	7.00	3-01-26-310-299	B	MISCELLANEOUS	R	01/24/23	02/15/23		
			131.00								
23-00083	01/25/23	S0028 STATE TOXICOLOGY LABORATORY									
		1 LAW ENFORCEMENT DRUG TESTING	45.00	3-01-25-240-297	B	Police - Miscellaneous	R	01/25/23	02/15/23		
23-00108	02/07/23	W0033 WITMER PUBLIC SAFETY									
		1 BALANCE DUE UNTRADEABLE GUNS	700.00	2-01-25-240-247	B	WEAPONS & AMMO	R	02/07/23	02/15/23		
23-00125	02/14/23	M0963 MGL PRINTING SOLUTIONS									
		1 MINUTE BOOKS INVOICE # 195318	330.00	3-01-20-120-211	B	Clerk - Office Supplies	R	02/14/23	02/15/23		195318

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
23-00125	02/14/23	M0963 MGL PRINTING SOLUTIONS		Continued							
		2 SHIPPING	<u>26.00</u>	3-01-20-120-211	B Clerk - Office Supplies	R	02/14/23	02/15/23			
			356.00								
23-00126	02/15/23	R0158 REMINGTON & VERNICK ENGINEERS									
		1 PROVCO PINEGOOD SITE INSPECT.	310.00	T-03-00-400-416	B Provco Pinegood (Insp Escrow) 1514-P-084	R	02/15/23	02/15/23			1514P084-21
23-00127	02/15/23	R0158 REMINGTON & VERNICK ENGINEERS									
		1 NJDOT 2022 ROSE & PINE STREETS	275.00	G-02-00-200-628	B NJDOT FY2022 - Rose St & Pine St	R	02/15/23	02/15/23			1514U079-13
23-00128	02/15/23	R0158 REMINGTON & VERNICK ENGINEERS									
		1 2021 NJDOT MUN AID LAKE ST REC	185.00	G-02-00-200-627	B NJ DOT - Lake St	R	02/15/23	02/15/23			1514U077-22
23-00129	02/15/23	R0158 REMINGTON & VERNICK ENGINEERS									
		1 GENERAL ENGINEERING THRU 1/23	742.50	3-01-20-165-232	B ENGINEERING SERVICES	R	02/15/23	02/15/23			1514T121-1
23-00130	02/15/23	R0158 REMINGTON & VERNICK ENGINEERS									
		1 C3 LAKEHURST 145 RT 70	3,912.50	T-03-00-400-417	B C3 lakehurst LLC B56 L18	R	02/15/23	02/15/23			1514P091-1
23-00131	02/15/23	H0030 HOLIDAY CAR WASH									
		1 POLICE CAR WASHES JANUARY	32.00	3-01-25-240-297	B Police - Miscellaneous	R	02/15/23	02/15/23			1460
23-00132	02/15/23	A0093 ACTION UNIFORM CO.									
		1 BALANCE DUE INVOICE# 43796	2.00	2-01-25-240-272	B UNIFORM REPAIRS - REPLACE	R	02/15/23	02/15/23			43796
23-00133	02/15/23	B9112 B & K EQUIPMENT SERVICES									
		1 TRASH TRUCK INVOICE# 36773	450.76	3-01-26-291-254	B SANITATION VEHICLE MAINT/REP	R	02/15/23	02/15/23			36773
		2 TRASH TRUCK INVOICE# 36783	<u>504.88</u>	3-01-26-291-254	B SANITATION VEHICLE MAINT/REP	R	02/15/23	02/15/23			36783
			955.64								
23-00134	02/15/23	S0896 SHORE BUSINESS SOLUTIONS									
		1 PD COPIER INVOICE# AR72719	77.38	3-01-25-240-297	B Police - Miscellaneous	R	02/15/23	02/15/23			AR72719
		2 BORO COPIER INVOICE# AR73211	<u>28.80</u>	3-01-20-120-299	B MISCELLANEOUS	R	02/15/23	02/15/23			AR73211
			106.18								
23-00135	02/15/23	N0029 TWIN ROCKS WATER									
		1 BORO HALL WATER AND COOLER	78.95	3-01-20-120-299	B MISCELLANEOUS	R	02/15/23	02/15/23			
		2 POLICE DEPT WATER AND COOLER	77.94	3-01-25-240-297	B Police - Miscellaneous	R	02/15/23	02/15/23			

February 15, 2023
03:18 PM

Borough of Lakehurst
Bill List By P.O. Number

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
23-00135	02/15/23	N0029 TWIN ROCKS WATER		Continued							
		3 PW WATER AND COOLER	<u>24.00</u>	3-01-26-305-299	B MISCELLANEOUS		R	02/15/23	02/15/23		
			180.89								
23-00136	02/15/23	A0062 ALFRED SLOAN									
		1 MEDICARE REIMBURS.12/22 - 2/23	989.40	3-01-23-220-228	B Insurance - Medicare Reimbursement		R	02/15/23	02/15/23		
23-00137	02/15/23	A0100 AARON J SNYDER									
		1 MEDICARE REIMBURS. 12/22	170.10	3-01-23-220-228	B Insurance - Medicare Reimbursement		R	02/15/23	02/15/23		
		2 MEDICARE REIMBURS. 1-2/23	<u>329.80</u>	3-01-23-220-228	B Insurance - Medicare Reimbursement		R	02/15/23	02/15/23		
			499.90								
23-00138	02/15/23	N0380 NJ STATE LEAGUE OF MUNICIPALIT									
		1 2023 MEMBERSHIP DUES NJLM	410.00	3-01-20-120-281	B PROFESSIONAL MEMBERSHIP & DUES		R	02/15/23	02/15/23		
23-00139	02/15/23	00012 ONE CALL CONCEPTS									
		1 ONE CALL MESSAGES 1/23	31.46	3-09-00-101-275	B TELEPHONE		R	02/15/23	02/15/23		3015376
23-00140	02/15/23	U0005 UNIFIRST CORPORATION									
		1 PW UNIFORM CLEANING 1/23	973.92	3-09-00-101-271	B UNIFORMS		R	02/15/23	02/15/23		
23-00141	02/15/23	R0046 RUMPF LAW									
		1 PUBLIC DEFENDER	375.00	T-03-00-100-005	B Public Defender		R	02/15/23	02/15/23		
23-00142	02/15/23	C0060 COMCAST CABLE									
		1 PW CABLE MODEM	110.84	3-01-31-440-275	B TELEPHONE		R	02/15/23	02/15/23		
23-00143	02/15/23	S0973 STAPLES									
		1 STAPLES CARD CHARGES 2/23	242.09	3-01-20-120-211	B Clerk - Office Supplies		R	02/15/23	02/15/23		
23-00144	02/15/23	V0855 VERIZON									
		1 PHONE BILL	97.98	3-09-00-101-275	B TELEPHONE		R	02/15/23	02/15/23		
		2 PHONE BILL	<u>97.98</u>	3-09-00-101-275	B TELEPHONE		R	02/15/23	02/15/23		
			195.96								
23-00145	02/15/23	J0900 JCP&L									
		1 ELECTRIC BILL UF	380.37	3-09-00-101-276	B ELECTRIC		R	02/15/23	02/15/23		

February 15, 2023
03:18 PM

Borough of Lakehurst
Bill List By P.O. Number

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
23-00146	02/15/23	J0900 JCP&L	63.32	3-01-31-436-276	B	STREET LIGHTING	R	02/15/23	02/15/23		
		1 RT 70 & ORCHARD LIGHT									
23-00147	02/15/23	V0011 VERIZON WIRELESS	704.14	3-01-31-440-275	B	TELEPHONE	R	02/15/23	02/15/23		
		1 BORO CELL PHONE BILL 1/23									
23-00148	02/15/23	NJ105 NJ DEPT. OF LABOR AND	460.50	T-03-00-100-025	B	Unemployment Trust	R	02/15/23	02/15/23		
		1 UNEMPLOYMENT CHARGES 4TH Q 20									
23-00149	02/15/23	A0024 ACTION DATA SERVICES			B	Finance - Miscellaneous	R	02/15/23	02/15/23		81578
		1 PAYROLL SERVICEPEND 1/22/23	318.17	3-01-20-130-299	B	Finance - Miscellaneous	R	02/15/23	02/15/23		
		2 PAYROLL SERVICE YEAR END ADJ	100.00	3-01-20-130-299	B	Finance - Miscellaneous	R	02/15/23	02/15/23		
			418.17								
23-00150	02/15/23	N0136 NJ NATURAL GAS COMPANY			B	NATURAL GAS	R	02/15/23	02/15/23		
		1 ESC GAS BILL	1,512.30	3-01-31-437-269	B	NATURAL GAS	R	02/15/23	02/15/23		
		2 PW GARAGE GAS BILL	1,164.49	3-01-31-437-269	B	NATURAL GAS	R	02/15/23	02/15/23		
		3 COMMUNITY CENTER GAS BILL	932.73	3-01-31-437-269	B	NATURAL GAS	R	02/15/23	02/15/23		
		4 PD HQ GAS BILL	535.57	3-01-31-437-269	B	NATURAL GAS	R	02/15/23	02/15/23		
		5 BOROUGH HALL GAS BILL	360.02	3-01-31-437-269	B	NATURAL GAS	R	02/15/23	02/15/23		
			4,505.11								
23-00151	02/15/23	A0123 AMAZON CAPITAL SERVICES	214.77	3-01-25-240-211	B	OFFICE SUPPLIES	R	02/15/23	02/15/23		1316-1RG7-GG3Y
		1 AMAZON ORDERS 1/5/23-2/4/23									
Total Purchase Orders:		35	Total P.O. Line Items:		50	Total List Amount:	23,356.02	Total Void Amount:		0.00	

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS	2-01	702.00	0.00	702.00	0.00	0.00	702.00
CURRENT FUND APPROPRIATIONS	3-01	15,464.31	0.00	15,464.31	0.00	0.00	15,464.31
WATER & SEWER OPERATING	3-09	<u>1,671.71</u>	<u>0.00</u>	<u>1,671.71</u>	<u>0.00</u>	<u>0.00</u>	<u>1,671.71</u>
Year Total:		17,136.02	0.00	17,136.02	0.00	0.00	17,136.02
	G-02	460.00	0.00	460.00	0.00	0.00	460.00
	T-03	5,058.00	0.00	5,058.00	0.00	0.00	5,058.00
Total of All Funds:		<u>23,356.02</u>	<u>0.00</u>	<u>23,356.02</u>	<u>0.00</u>	<u>0.00</u>	<u>23,356.02</u>

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	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
23-00111	02/09/23	P0152 PETTY CASH FUND									
1		PETTY CASH REIMBURSEMENT 2023	300.00	3-01-55-900-006	B	PETTY CASH	R	02/09/23	02/09/23		
23-00112	02/09/23	W0030 WEX BANK									
1		WAWA GAS CHARGES JAN 2023	4,020.72	3-01-31-447-265	B	GASOLINE	R	02/09/23	02/09/23		87016793
Total Purchase Orders:		2	Total P.O. Line Items:		2	Total List Amount:	4,320.72	Total Void Amount:		0.00	

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS	3-01	4,320.72	0.00	4,320.72	0.00	0.00	4,320.72
Total of All Funds:		<u>4,320.72</u>	<u>0.00</u>	<u>4,320.72</u>	<u>0.00</u>	<u>0.00</u>	<u>4,320.72</u>

RESOLUTION #23-058
FEBRUARY 16, 2023

WHEREAS, the Borough of Lakehurst has entered into an agreement with the County of Ocean, entitled: “Agreement between the County of Ocean and the Borough of Lakehurst, and Certain Municipalities Located Therein for the Establishment of a Cooperative Means of Conducting Certain Community Development Activities; **and**

WHEREAS, certain Federal funds are potentially available to the Borough under Title I of the Housing and Community Development Block Grant program; **and**

WHEREAS, the Borough of Lakehurst desires to obtain funding for the prioritized project.

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

1. The governing body does authorize the 2023 Community Development Block Grant in the amount of \$40,000 for Orange Street Mill and Paving-Phase 2
2. Mayor Harry Robbins is hereby authorized to sign and execute the application for the above purpose.

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 February 16, 2023.

Maryanne Capasso, RMC
Municipal Clerk

RESOLUTION #23-XXX
FEBURARY 16, 2023

WHEREAS, the Borough of Lakehurst has received notice of a grant allocation from the New Jersey Department of Transportation FY2023 Municipal Aid Program for the Pine Street and Union Avenue Reconstruction project in the amount of \$278,800.00, **and**

WHEREAS, the Governing Body is desirous that the bid specifications be prepared and advertised; **and**

WHEREAS, the Governing Body wishes to authorize the Municipal Engineer, Alan Dittenhofer of Remington, Vernick & Vena Engineers, to prepare the specifications for the grant and publish the Notice to Bidders in an amount not to exceed \$11,617.00; **and**

WHEREAS, the Certification of Funds has been issued by the CFO:

CERTIFICATION OF FUNDS: I, Wayne M. Sibia, Chief Financial Officer of the Borough of Lakehurst, do hereby certify that funds in the amount of \$11,617 will be available subject to the adoption of the 2023 budget for the purposes stated herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Municipal Engineer, Alan Dittenhofer of Remington, Vernick & Vena Engineers, is hereby authorized to prepare the specifications for the Pine Street and Union Avenue Reconstruction project and advertise the Notice to Bidders.

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 February, 16th 2023.

Maryanne Capasso, RMC
Municipal Clerk

**RESOLUTION
FEBRUARY 16, 2023**

WHEREAS, a survey of the disbursements and anticipated commitments against the 2022 Current Operating 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:

Employee Group Insurance	\$7,500.00
Total	\$7,500.00

Transfer To:

Buildings & Grounds S/W	\$7,500.00
Total	\$7,500.00

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, 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 February 16th, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
FEBRUARY 16, 2023**

WHEREAS, the Borough of Lakehurst is desirous of entering into an agreement with the Lakehurst Board of Education for the removal of snow; **and**

WHEREAS, the Borough of Lakehurst agrees to abide by all terms and conditions in said Hold Harmless Agreement; **and**

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

1. That the Mayor is hereby authorized to execute and the clerk to attest the Hold Harmless Agreement between the Borough of Lakehurst and the Lakehurst Board of Education for the removal of snow.
2. That the term of said agreement will be for a period of one year commencing January 1, 2023 and ending December 31, 2023.
3. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Municipal Clerk's office during normal business hours.

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 February 16, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
FEBRUARY 16, 2023**

**AUTHORIZING A CONTRACT WITH JOBS 4 BLUE FOR COORDINATION OF
OFF-DUTY EMPLOYMENT OF POLICE OFFICERS**

WHEREAS, the Borough of Lakehurst has a need for services relating to the coordination and billing off-duty employment of Police Officers for police related activities; **and**

WHEREAS, N.J.S.A. 40A:11-5(dd) provides for the support software maintenance, consultation services and training services of proprietary computer hardware and software; **and**

WHEREAS, Jobs4blue, a subsidiary of VCS Human Capital Management has agreed to provide such services; **and**

WHEREAS, the anticipated term of this contract with Jobs4Blue is eleven months (11), commencing on February 1, 2023 through December 31, 2023 for said services for an administrative fee of no more than eight percent (8%) of any Off-Duty revenue assessed to the vendor requesting the Off-Duty Police services at no cost to the Borough.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, that the Municipal Clerk and any other Municipal Officials as is necessary and proper be authorized to execute such documents as necessary to implement this Contract.

CERTIFICATION

I, Maryanne Capasso, Municipal Clerk, Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the February 16, 2023 meeting.

Maryanne Capasso, RMC
Municipal Clerk

**RESOLUTION
FEBRUARY 16, 2023**

WHEREAS, the need exists for the hiring of alternate crossing guard, **and**

WHEREAS, Brenda Duffy have applied for the position, **and**

WHEREAS, Chief Kline has recommended the appointment of Mrs. Duffy to 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 Brenda Duffy and be appointed as alternate crossing guard at the rate of \$ 14.13 per hour, effective February 16, 2023.

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 February 16, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

RESOLUTION
FEBRUARY 16, 2023

WHEREAS, the need exists to appoint a Class IV Land Use Board member due to the resignation of David Sumner, **and**

WHEREAS, Jeff Emmons presently serves as an alternate member of the Land Use Board, **and**

WHEREAS, Mayor Robbins has recommended the appointment of Jeff Emmons as a Class IV member of the Land Use Board to fill the unexpired term of former Board member David Sumner,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that Jeff Emmons be appointed as a Class IV member of the Land Use Board for the term expiring December 31, 2023.

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 February 16, 2023.

Maryanne Capasso, RMC
Municipal Clerk

RESOLUTION
FEBRUARY 16, 2023

WHEREAS, the need exists to appoint a Class IV Land Use Board member due to the resignation of Sidney Hooper, **and**

WHEREAS, Mayor Robbins has recommended the appointment of Robert W. Robinson III as a Class IV member of the Land Use Board to fill the unexpired term of former Board member Sidney Hooper,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that Robert W. Robinson III be appointed as a Class IV member of the Land Use Board for the term expiring December 31, 2023.

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 February 16, 2023.

Maryanne Capasso, RMC
Municipal Clerk

**RESOLUTION
FEBRUARY 16, 2023**

WHEREAS, Christopher Construction Co. Inc. had posted required escrows fees associated with the temporary use of a fire hydrant meter; **and**

WHEREAS, the meter was returned in working order; **and**

WHEREAS, all required fees for usage have been deducted; **and**

WHEREAS, there remains a balance in the amount of \$2,708.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the remaining escrow fees in the amount of \$2,708.00 be refunded to Christopher Construction Co. Inc.

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 February 16, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
FEBRUARY 16, 2023**

WHEREAS, the owner of the property designated as Block 43, Lot 6 had contacted the Borough after the fourth quarter utility bill indicated high usage, **and**

WHEREAS, the property owner has requested an adjustment to the sewer portion of the bill as a leak was discovered and the excess water had not been discharged into the sewer; **and**

WHEREAS, Utility Collector Renee James has calculated the adjustment for the excess sewer usage amount to be deducted is \$778.21.

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 Block 43; Lot 6 be adjusted in the amount of \$778.21.

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 February 16, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

RESOLUTION
FEBRUARY 16, 2023

WHEREAS, Utility Collector Renee James has indicated that the owner of the property designated as Block 27; Lot 11; Utility Account #282-0, had contacted her after the fourth quarter utility bill indicated high usage, **and**

WHEREAS, Public Works Department Head Dave Winton made the necessary repairs and confirmed that the water did not go into the sewer; **and**

WHEREAS, the water account needs to be adjusted \$1,217.70 and the sewer account \$887.36.

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 Block 27; Lot 11, Utility Account #282-0 be adjusted to reflect an adjustment to the water account of \$1,217.70 and the sewer account of \$887.36 for the fourth quarter of 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 February 16, 2023.

Maryanne Capasso, RMC
Municipal Clerk

ORDINANCE

"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"

2023-03

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, beginning January 1, 2023 shall be as follows:

<u>POSITION:</u>	NON-CONTRACTUAL	
	<u>MINIMUM:</u> Per annum	<u>MAXIMUM:</u> Per annum
Chief of Police	\$95,000.00	\$150,000.00
Public Works Department Head	75,000.00	125,000.00
Public Works Supervisor	50,000.00	95,000.00
Municipal Clerk	45,000.00	80,000.00
Municipal Administrator (Fulltime)	55,000.00	85,000.00
Municipal Administrator (Part-time)	25,000.00	50,000.00
Municipal Attorney	20,000.00	50,000.00
Court Administrator	35,000.00	55,000.00
Chief Financial Officer (Fulltime)	35,000.00	75,000.00
Chief Financial Officer (Part-time)	12,500.00	30,000.00
Deputy Chief Financial Officer	8,500.00	22,000.00
Treasurer (Fulltime)	30,000.00	45,000.00
Treasurer (Part-time)	2,500.00	8,000.00
Assistant Treasurer (Part-time)	1,500.00	5,000.00
Administrative Assistant	14,000.00	30,000.00
Deputy Municipal Clerk (Fulltime)	30,000.00	60,000.00
Deputy Municipal Clerk (Part-time)	3,500.00	10,500.00
Mayor	3,000.00	9,000.00
Council Members	2,500.00	7,500.00
Municipal Court Judge	8,500.00	32,000.00
Municipal Prosecutor	10,000.00	24,000.00
Fire Official	4,500.00	10,000.00
Tax Assessor	6,000.00	18,000.00
Deputy Tax Collector	1,000.00	6,000.00
Secretary, Land Use Board	2,000.00	6,000.00
Code Enforcement Officer	1,000.00	12,000.00
Zoning Officer	1,000.00	5,000.00
Secretary, Construction Office	1,000.00	5,000.00
Emergency Management Coordinator	1,800.00	5,000.00
Deputy Emergency Management Coordinator	\$ 1,000.00	3,500.00

<u>POSITION</u>	<u>MINIMUM</u> Per annum	<u>MAXIMUM</u> Per annum
Recreation Leader	750.00	6,000.00
Housing Inspector	4,000.00	7,000.00
Department Head	1,200.00	45,000.00
Swr/Wtr Repairer/Plant Operator	28,000.00	50,000.00
Public Defender	3,000.00	8,500.00
	<u>Per hour</u>	<u>Per hour</u>
Lifeguard	\$15.00	\$ 20.00
Special Police Officer II	18.00	23.00
Interim Officer	18.00	23.00
Special Law Enforcement Officer I	15.00	18.00
Police Matron	15.00	18.00
Crossing Guard	15.00	18.00
Alternate Crossing Guard (\$100 Retainer)	15.00	18.00
Seasonal/Temporary Appointments:		
Heavy Laborer	15.00	20.00
Clerk I	15.00	20.00

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 16th day of February 2023 and that said Ordinance will be considered for final passage at the meeting of said governing body to be held at the Community Center, 207 Center Street, Lakehurst, New Jersey on the 2nd day of March, 2023 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.

Maryanne Capasso, RMC
Municipal Clerk

“AN ORDINANCE OF THE BOROUGH OF LAKEHURST, OCEAN COUNTY, NEW JERSEY, CREATING NEW CHAPTER 9 OF THE BOROUGH CODE TO ESTABLISH REGULATIONS AND PRESCRIBE PENALTIES FOR EXCESSIVE CONSUMPTION OF MUNICIPAL SERVICES”

ORDINANCE 2023-01

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

SECTION 1. Chapter 9 is hereby created to add a new chapter, entitled “Excessive Consumption of Municipal Services,” to provide as follows:

§ 9-1. FINDINGS & PURPOSE.

- A. The Borough of Lakehurst finds and declares that there are properties located in the Borough where nuisances exist and other activities occur which have resulted in the excessive consumption of municipal services.
- B. The Borough of Lakehurst finds and declares that the cost of the excessive consumption of municipal services relating directly to these nuisance properties should be paid by the property owner and not through general tax revenues.
- C. This chapter is intended to establish regulations and procedures identifying and providing for the assessment and timely payment of the cost of excessive consumption of municipal services, associated with these nuisance properties.

§ 9-2. DEFINITIONS

As used in this chapter, the following terms are defined as set forth herein:

- A. **EXCESSIVE MUNICIPAL SERVICES:** Any qualifying Lakehurst Borough Police Department calls made to a property while that property is on probationary nuisance status.
- B. **NUISANCE PROPERTY:** Properties on which activities occur that result in qualifying Lakehurst Borough Police Department calls for municipal services during any 60-day period in excess of the number of calls listed on the schedule in §9-5 are considered nuisance properties and are subject to the penalties and procedures as set forth in this Article.
- C. **PROBATIONARY NUISANCE STATUS:** The designation applied to properties which, as determined by a public officer, have received the requisite number of

qualifying calls within a 60-day period. Probationary nuisance status is effective for a 12-month period beginning on the date of the public officer's determination. During probationary nuisance status, the property owner is liable to the Borough of Lakehurst for user charges from each qualifying call.

D. **QUALIFYING CALLS:** Calls resulting from Lakehurst Borough Police Department responses to potential violations of state or local laws, regulations, or ordinances, including, but not limited to those cited in the following list, and others not so identified, but specifically determined to be qualifying by the hearing officer. Not included in the following list are calls for permitting, licensing, inspections, or similar administrative functions and calls from or on behalf of victims who reside at the property which is the subject matter of the call:

- (1) The sale, service, or consumption of alcoholic beverages; drunkenness
- (2) Disorderly conduct, disturbing the peace, littering or excessive noise.
- (3) Damage to property or injury to a person.
- (4) Improperly parking a vehicle, or any motor vehicle violation on private property.
- (5) Possession of a barking, howling, biting, or dangerous animal.
- (6) Possession, distribution, or use of a controlled substance.
- (7) Prostitution.
- (8) Public Urination, defecation, indecent exposure.
- (9) Criminal Activity.
- (10) ~~Overdoses~~

E. **USER FEE:** A fee of \$300 for each additional qualifying call made to the subject property within the 12-month period following the date a complaint is issued for excessive consumption of municipal services.

§ 9-3. DESIGNATION OF PUBLIC OFFICER.

The Borough Chief of Police, or his designee, shall administer the necessary record keeping and investigation required in connection with this Article.

§ 9-4. REPORTING OF MUNICIPAL SERVICE USE.

A. The Borough Chief of Police, or his designee, must keep and maintain records documenting the following information concerning the properties serviced:

- (1) The exact address and tax-map designation of the subject property.
- (2) The name and address of property owners.

- (3) The date(s) of the incident(s).
 - (4) A full description of the nature of the incident and the violation(s).
 - (5) The identity of the public employee providing the services.
- B. The Lakehurst Borough Police Department providing the excessive municipal services shall coordinate as needed, with other municipal agencies and the Municipal Attorney to enforce this Article.

§ 9-5. DETERMINATION OF EXCESSIVE USE.

During any 60-day period, properties that necessitate qualifying calls for municipal services that exceed the amounts set forth in the following schedule are designated nuisance properties and subject to penalties and procedures established under this Article.

- A. Residential Properties of 1 through 4 dwelling units: 5 qualifying calls.
- B. Multi-family dwelling and hotel/motel uses:
 - (1) Five through 40 dwelling units: 10 qualifying calls
 - (2) 41 through 80 dwelling units: 20 qualifying calls
 - (3) 81 through 200 dwelling units: 30 qualifying calls
 - (4) Over 200 dwelling units: 40 qualifying calls
- C. Convenience, grocery, liquor, and retail stores: 10 qualifying calls.
- D. Restaurants, bars, and entertainment establishments: 30 qualifying calls.
- E. All other properties not included in the preceding categories: 10 qualifying calls.

§ 9-6. NOTICE REQUIREMENTS COMPLAINT PROCEDURE.

- A. Whenever the public officer determines that any property has become a nuisance property based on excessive consumption of municipal services, he or she shall issue a complaint and summons reciting the location of the property, stating that the property is on probationary nuisance status, and the allegations supporting a finding of excessive use and a notice of hearing setting forth the date and time and place for a hearing on the matter.
- B. The Complaint shall also provide notice:
 - (1) That the property will be on probationary nuisance status for the 12 months following the date of the complaint.

- (2) That during the probationary nuisance status period, each additional qualifying call to the property will be subject to a user-fee of \$300 per call.
 - (3) Listing the dates and the nature of the qualifying calls made to the subject property that gave rise to the determination of excessive use.
 - (4) Directing that the offending activities be immediately abated.
- C. The complaint and notice of hearing shall be served on the property owner. Service shall be made by regular mail and either certified mail return receipt required, or overnight delivery service to the last known address of the recipient as it appears in Borough records.
- D. If the whereabouts of property owner cannot be ascertained by reasonable diligence, service of the complaint and notice of hearing shall be effectuated as follows:
- (1) One-time publication of the complaint and notice of hearing in one of the Borough's official newspapers.
 - (2) Conspicuous posting of the complaint and notice of hearing on a building or structure located on the subject property.
- E. Whenever an individual dwelling unit within a multi-family dwelling has received five qualifying calls within a 60-day period, the public officer shall notify the property owner as provided hereunder so that the property owner can take action to abate the nuisance. This notice shall be issued notwithstanding that the multi-family dwelling did not receive the required number of qualifying calls that would trigger a notice of violation.
- F. Should the number of qualifying calls to any property meet or exceed 50% of the number specified in §9-5, the public officer may, but is not required to, so notify the owner, tenant, or occupant thereof.

§ 9-7. HEARING PROCEDURE; COST TO BE ASSESSED; VIOLATIONS & PENALTIES.

- A. A hearing shall be held on the allegations recited in the complaint. The public officer or other Police officers involved shall present evidence and testify at the hearing and may produce witnesses in support of the allegations recited in the complaint. The property owner and any interested party shall have the right to appear at the hearing and testify, produce witnesses, and be represented by an attorney.
- B. The Municipal Attorney shall serve as hearing officer. The hearing officer is charged with determining whether, in a 60-day period, the subject property

received qualifying calls in excess of those permitted under §9-5. If so, the hearing officer shall confirm that the property was on probationary nuisance status from the date of the complaint. If the hearing officer also determines that qualifying calls were made to the subject property during the probationary period, the fact shall be so noted in the hearing officer's findings. Based on these findings, the hearing officer shall enter an order against the property owner.

C. The following shall be memorialized in the hearing officer's order:

- (1) A finding that the subject property was on probationary nuisance status.
- (2) A determination that an excessive number of qualifying calls were made to the subject property during the probationary nuisance status period.
- (3) An assessment of the reasonable costs of litigation, including, but not limited to, the costs of a court reporter and transcript, and an administration fee of \$100.
- (4) An assessment of a user fee of \$300 per call for each qualifying call-in excess of the permitted number. If the qualifying calls involved the same tenant or occupant, this fee may be apportioned between the owner and the tenant/occupant.

D. Additional qualifying calls to the subject property following the hearing and within a one-year period from the date of the complaint constitute a further violation of this Article and are subject to a \$300 per call user fee. A summons and complaint shall be filed in the Lakehurst Municipal Court for each subsequent qualifying call, each being a separate violation, with the \$300 per call user fee the penalty to be imposed upon a guilty plea or conviction. Notice of this provision shall be incorporated in the hearing officer's order.

E. The hearing officer's order shall be served upon the appropriate parties in the same manner as service of the complaint and notice of hearing; except that, in the event the whereabouts of the property owner, tenant, or occupant cannot be ascertained, then the order shall also be recorded in the Ocean County Clerk's office.

§ 9-8. ASSESSMENT OF LIEN.

- A. Any fees, costs, or penalties that remain unpaid 60 days from the date of an order issued pursuant to this Article shall be assessed as a lien against the subject property, enforceable and collectible in the same manner as liens for delinquent real property taxes and municipal service charges.
- B. Pursuant of N.J.S.A. 40:52-1.2, municipal licenses, permits, and certificates of occupancy applied for or issued to the subject property may be revoked, suspended, withheld, or denied renewal for failure to comply with and satisfy any payment obligations under an order imposed pursuant to this Article.

SECTION 2. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.

SECTION 3. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed, and the remaining provisions shall remain in full force and effect.

SECTION 4. This ordinance shall take effect following its final passage by the Mayor and Council and twenty days after the publication as required by law.

Hon. Harry Robbins
Mayor

NOTICE

NOTICE IS HEREBY GIVEN that ordinance #2023-01 entitled “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, OCEAN COUNTY, NEW JERSEY, CREATING NEW CHAPTER 9 OF THE BOROUGH CODE TO ESTABLISH REGULATIONS AND PRESCRIBE PENALTIES FOR EXCESSIVE CONSUMPTION OF MUNICIPAL SERVICES” was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the sixteenth day of February 2023.

Maryanne Capasso, RMC
Municipal Clerk

**“AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING
CHAPTER III OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW
JERSEY, ENTITLED POLICE REGULATIONS”**

2023-02

WHEREAS, the Borough of Lakehurst seeks to promote and protect the health, safety and welfare of Borough residents and visitors: **and**

WHEREAS, the Governing Body recognizes that in providing for these goals there is a need to regulate smoking in the Borough.

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

Section 1.

Chapter 3, entitled “Police Regulations,” Section 3-11.20, is hereby amended to read as follows:

3-11.20. Consumption or Possession of open Containers of Alcoholic Beverages and/or Cannabis Prohibited in Public Places.

- A. No Person shall within the Borough drink or carry in any open containers alcoholic beverage in any public or quasi-public place or public building.
- B. No person shall within the Borough consume any cannabis product in any public or quasi-public place or public building.

Section 2.

Chapter 3, entitled “Police Regulations,” Section 3-12, entitled “Smoking Prohibited,” is hereby created to add a new section to read as follows:

3-12. SMOKING PROHIBITED.

3-12.1. Prohibition.

Smoking be and hereby is prohibited within or on all property owned by the Borough of Lakehurst, except as otherwise provided within.

3-12.2. Definitions.

ELECTRONIC SMOKING DEVICE — An electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

PERSON — Any individual.

PUBLIC FACILITIES — The public facilities covered under the within section include the entire buildings and grounds of the Borough Hall, Police Department and Public Works building; Lake Horicon beach, park and picnic area; Harold Fuccile Sports Complex; Lakehurst Community Center; Lakehurst Historical Society Museum; all public property; and the grounds of the public schools.

SMOKING — The burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco, or any other matter that can be smoked or inhaled, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

3-12.3. Smoking areas.

Smoking areas may be designated in vehicle parking areas outside of the public property and buildings covered by this article. Said areas shall bear signs specifically designating that they are smoking areas. Except for those specified areas, no smoking shall be permitted in any area of Borough-owned property or any areas immediately outside and adjacent to the public building, structure, public works facility, parking lot, open space, park, or recreation area.

3-12.4. Posting of signs.

"No Smoking" signs shall be clearly and conspicuously posted by the Borough of Lakehurst at all public properties and shall reference the applicable Code provision herein. The color of such signs, when not of the international type, shall have letters that are distinct, contrasting to the background and easily read. Letters shall have a minimum height of three-quarters of an inch and should be posted in English and such other languages as the governing body shall decide.

3-12.5. Enforcement.

The provisions of this article shall be enforceable by a police officer, public works, or building department employee.

3-12.6. Violations and penalties.

A. Any person violating the provisions of this article shall be subject to a fine of not less than \$50 nor more than \$200 for each violation. A person found guilty of a second or subsequent offense shall be subject to a fine of not less than \$50 nor more

than \$500.

B. Any person found guilty defacing or removing "No Smoking" signs which are required by this article shall be subject to a fine not less than \$200 nor more than \$500, plus the costs of replacing the sign. Any juvenile adjudicated to have violation the provisions of this article shall be subject to such penalties, fines or other discipline as may be imposed upon an adult pursuant to this article.

Section 3.

In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid 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.

Section 4.

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

Section 5.

This Ordinance shall take effect immediately upon adoption and publication in the manner required by law.

Hon. Harry Robbins
Mayor

NOTICE

NOTICE IS HEREBY GIVEN that Ordinance #2023-02 entitled "AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER III OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED POLICE REGULATIONS" was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the sixteenth day of February 2023.

Maryanne Capasso, RMC
Municipal Clerk