

**WORK SESSION/REGULAR MEETING
SEPTEMBER 16, 2010
MINUTES**

MEETING OPENED AT 7:30 P.M. BY MAYOR TIMOTHY J. BORSETTI.

ALL STOOD FOR THE PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE.

PUBLIC MEETINGS STATEMENT READ INTO RECORD BY MUNICIPAL CLERK DUGAN:

“IN COMPLIANCE WITH N.J.S.A. 10:4, OPEN PUBLIC MEETINGS ACT, NOTICE WAS GIVEN TO TWO NEWSPAPERS, AND POSTED, THAT A WORK SESSION AND REGULAR MEETING OF THE MAYOR AND COUNCIL IS SCHEDULED FOR THE SIXTEENTH DAY OF SEPTEMBER, 2010, WITH THE WORK SESSION TO BEGIN AT THE HOUR OF 7:30 P.M. AND THE REGULAR MEETING TO BEGIN IMMEDIATELY FOLLOWING AT THE LAKEHURST COMMUNITY CENTER, CORNER OF PINE AND CENTER STREETS, LAKEHURST, NEW JERSEY, AT WHICH TIME, THE BUSINESS OF THE BOROUGH WILL BE CONDUCTED.”

ROLL CALL:

JAMES DAVIS: PRESENT

GLENN MCCOMAS: PRESENT

PAT FORD: ABSENT

STEVEN OGLESBY: ABSENT

SIDNEY HOOPER: PRESENT

HARRY ROBBINS: PRESENT

MAYOR TIMOTHY J. BORSETTI: PRESENT

WORK SESSION:

REVIEW OF REGULAR MEETING AGENDA:

Municipal Clerk Bernadette Dugan reviewed regular meeting agenda.

PUBLIC COMMENTS ON AGENDA ITEMS:

Time opened: 7:32 p.m.

NO PUBLIC COMMENTS

Time closed: 7:32 p.m.

ADJOURNMENT OF WORK SESSION:

Motion by: James Davis

Seconded by: Glenn McComas

To adjourn work session. Roll call vote held. All votes affirmative.

Motion by: James Davis

Seconded by: Sidney Hooper

To adopt Ordinance #10-07. Roll call vote held. All votes affirmative.

MAYOR COMMENTS:

Mayor Borsetti stated that the grant resolutions on tonight's meeting agenda are a "good thing" and will be included in the current budget.

Mayor Borsetti announced that due to the cancellation of this year's Haunted House, the council meeting scheduled for October 14th will be moved to the regular third Thursday of the month, October 21st.

COMMENTS FROM PUBLIC:

Time opened: 7:37 p.m.

Ms. Janie Baranyay, 408 Cedar Street, asked Police Chief Eric Higgins about manpower requirements as referenced in N.J.S.A. 40A:14-118. Ms. Baranyay also asked who was the appointing authority for the police department as well as questions concerning Class I and Class II officers.

Municipal Attorney Sean Gertner stated that most of Mr. Baranyay's questions pertain to potential litigation and therefore cannot be answered by Police Chief Higgins.

Ms. Baranyay asked Police Chief Higgins for the number of police officers employed by the Borough.

Police Chief Higgins replied that currently there are five Department of Personnel (Civil Service) officers, five Class II officers, one of which is "out on an injury," and three Class I officers.

Mr. Jim Baranyay, 408 Cedar Street, asked what are the duties of the Class I officers.

Police Chief Higgins replied that Class I officers assist with traffic control on Sundays and parking enforcement as well as assisting officers at accident scenes with crowd control.

Mr. Baranyay asked if the Class I officers were "on a regular schedule."

Police Chief replied that they are on a regular schedule.

Mr. Baranyay expressed concern that the Class I officers, who are not certified to carry a gun, travel in marked police cars which could expose the Borough to liability and "should not be allowed." Mr. Baranyay added that residents could mistake a Class I officer for a Civil Service officer or Class II officer due to lack of signage on the police vehicles.

Administrator MacLean stated that when he served as Police Chief he placed magnetic placards on vehicles occupied by Class I officers.

Police Chief Higgins stated that he would “check” that Class I officers are following their job descriptions.

Mr. Tom Brennan, 117 Brown Avenue, expressed concern over Class I officers driving in police cars and added that “someone with bad intentions” could hurt the officers. Mr. Brennan further added that the “Class I officer have no protections.”

Mr. Dan Barker, 409 Cedar Street, asked the hourly rate for Public Works personnel.

Mr. MacLean replied that that information can be obtained by completing an OPRA request form.

Mayor Borsetti stated that Borough personnel receive liability and worker’s compensation training to minimize liability for the Borough.

Mr. Barker stated that Class II officers are paid \$10 per hour and are carrying a weapon and driving police cars at a pay scale less than Public Works personnel.

Administrator MacLean stated that “what we pay is comparable to other municipalities.”

Mr. Barker stated that he wouldn’t care if his taxes were increased to pay additional police officers.”

Administrator MacLean stated that the budgetary cap would not permit the cost of hiring additional police officers.

Mr. Tom Brennan asked if the Borough was hiring two additional Public Works employees

Mayor Borsetti answered in the affirmative.

Mr. Brennan asked if the Borough is “short on police, why can’t we hire more police to replace the missing officers.”

Ms. Sue Barker, 409 Cedar Street, asked if an indication could be provided as to “what the litigation is.”

Mayor Borsetti answered in the negative.

Ms. Barker asked if the revenue generated by the police department could pay for additional police.

Police Chief Higgins replied that the Police Department protects public safety and cannot be used to generate revenue.

Administrator MacLean stated that the “Supreme Court has said that no matter how much money is generated, you cannot utilize the funds to balance the budget.”

Attorney Gertner stated that the vast majority of court revenue is sent to the State.

Mayor Borsetti added that court revenue “cannot be used as a revenue stream.”

Councilman Davis referenced the web site “speedtraps.com” in which Lakehurst was listed as a “one horse” town.

Ms. Baranyay asked the time frame for information regarding the potential litigation.

Mr. Gertner replied that the time frame in which something may be filed has almost elapsed.

Ms. Baranyay expressed her concern that employing Class I officers could expose the Borough to a huge liability.

Ms. Baranyay referenced Mr. Davis’ comment concerning the website “speedtraps.com” and stated that “vehicles are flying through town down Union Avenue.” Ms. Baranyay added that Union Avenue should not be utilized as bypass to Route 37.

Mr. Davis stated that the governing body has put significant effort into making the downtown area visitor friendly.

Ms. Baranyay stated that her father, former Mayor Alton Tilton, originated the downtown resurgence.

Ms. Baranyay stated that she has observed people not cleaning after their pets at Lake Horicon.

Ms. Baranyay asked the time frame for projects in the Borough.

Mr. MacLean replied that the Borough has been working on an application for an auxiliary drinking well for over two years and over four years on the Lake Horicon Dam project. Mr. MacLean added that the Department of Environmental Protection has not responded in a timely basis.

Administrator MacLean stated that the approximate cost for refurbishment of the standpipe and ground storage tank is \$500,000 without “soft” costs.

Ms. Baranyay suggested that “we put our heads together” to find a funding source for the refurbishment of the standpipe and ground storage tank.

Ms. Baranyay asked what she can do to assist in the process. Ms. Baranyay added that she will keep asking questions.

Mr. Brennan stated that “we love our Police Department and want our officers to be part of our community.” Mr. Brennan added that “if we have good people, let’s hire them.”

Mr. Gary Lowe, 517 Willow Street, asked about the refurbishment of the standpipe and whether or not we can tie into Manchester Township’s water system.

Mr. MacLean replied that it would not be feasible according to the Borough engineer.

Mayor Borsetti stated that “it is still cheaper to have our own” water system and added that the Borough has been trying to convert a test well to a production well for several years.

Mr. Lowe stated that the fees for rental of the Community Center are “too high.”

Attorney Gertner stated that the Borough will “look into the fees.”

Time closed: 8:26 p.m.

ADJOURNMENT:

Motion by: Glenn McComas

Seconded by: Harry Robbins

To adjourn meeting. Roll call vote held. All votes affirmative. Time: 8:26 p.m.

Bernadette Dugan, RMC/CPM
Municipal Clerk