

**BOROUGH OF LAKEHURST  
REMINDER: REDEVELOPMENT MEETING BEGINNING  
AT 7:00 P.M.**

**REDEVELOPMENT AGENCY  
JUNE 2, 2011  
TENTATIVE AGENDA**

1. Approval of Minutes of May 5, 2011 meeting
3. Any business
4. Adjournment

**WORK SESSION/REGULAR MEETING  
JUNE 2, 2011  
TENTATIVE AGENDA**

1. Approval of Minutes of May 19, 2011 Regular Meeting
2. Payment of Bills
3. Resolution renewing liquor license for VFW Post 10061
4. Resolution renewing liquor license for Limelight, L.L.C. (3 Bs)
5. Resolution renewing liquor license for Joseph Albero and Frank D'Apollito (presently inactive)
6. Resolution regarding July 4<sup>th</sup> fireworks display
7. Resolution approving raffle license for Lakehurst Historical Society
8. Resolution regarding *Click It or Ticket* program
9. Resolution regarding Professional Services Contract for recodification services
10. Resolution regarding redemption of Tax Sale Certificate #2009-5
11. Resolution regarding redemption of Tax Sale Certificate #2009-6
12. Resolution regarding interlocal agreement for firing range costs
13. Resolution regarding Municipal Service Fee (to be supplied next week)

14. Introduction and First Reading of Ordinance #2011-02 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER XXV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED LAND DEVELOPMENT” (This ordinance incorporates changes required by the Pinelands Commission)
15. Executive/closed session to discuss personnel matters

Bernadette Dugan, RMC/CPM  
Municipal Clerk

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

## ORDINANCE

### “AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER XXV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED LAND DEVELOPMENT”

11-02

#### 25-3 DEFINITIONS

##### 25-3-4 SPECIFIC.

##### ADD

*Forestry* shall mean the planting, cultivating and harvesting of trees for the production of wood products, including firewood or for forest health. It includes such practices as reforestation, site preparation and other silvicultural practices, including but not limited to artificial regeneration, bedding, broadcast scarification, clearcutting, coppicing, disking, drum chopping, group selection, individual selection, natural regeneration, root raking, seed tree cut, shelterwood cut and thinning. For purposes of this Chapter, the following activities shall not be defined as forestry:

- (a) Removal of trees located on a parcel of land one (1) acre or less on which a dwelling has been constructed;
- (b) Horticultural activities involving the planting, cultivating or harvesting of nursery stock or Christmas trees;
- (c) Removal of trees necessitated by the development of the parcel as otherwise authorized by this Chapter;
- (d) Removal of trees necessary for the maintenance of utility or public rights-of-way;
- (e) Removal or planting of trees for the personal use of the parcel owner; and
- (f) Removal of trees for public safety.

*Impervious Surface* shall mean any surface that has been compacted or covered with a layer of material so that it prevents, impedes or slows infiltration or absorption of fluid, including stormwater directly into the

ground, and results in either reduced groundwater recharge or increased stormwater runoff to be classified as impervious in Urban Areas by the United States Department of Agriculture, Natural Resources Conservation Service Title 210 – Engineering, 210-3-1 – Small Watershed Hydrology (WINTR-55) Version 1.0 as amended and supplemented, available with user guide and tutorials at [http://www.wsi.nfcs.usda.gov/products/W2Q/H&H/Tools\\_Models/WinTr55.html](http://www.wsi.nfcs.usda.gov/products/W2Q/H&H/Tools_Models/WinTr55.html) or at Natural Resources Conservation Service, 220 Davidson Avenue, Somerset, NJ 08873. Such surfaces may have varying degrees of permeability.

*Wetlands Management* shall mean the establishment of a characteristic wetland or the removal of exotic species of Phragmites from a wetland in accordance with the standards of NJAC 7:50-6.10. For purposes of this definition, exotic species are those not indigenous to North America.

**25-4.7c**      *Application Requirements for Other Development.*

2. [Delete: 7:50-6.43.] ADD 7:50-6.41 et seq.

**25-27.29 Principal Use.** ADD ...Within the Pinelands Area, no more than one principal use shall be located on one lot, except for forestry, agriculture, horticulture, fish and wildlife management, wetlands management, and recreational development on agricultural lands.

**25-27.50 Wetlands.**

Delete existing sections d. and e in their entirety; replacing with:

- d.      Forestry shall be permitted in all wetlands subject to the requirements of NJAC 7:50-6.41 et seq.
- e.      Fish and wildlife management and wetlands management activities in accordance with NJAC 7:50-6.10 shall be permitted in all wetlands.

**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.

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Hon. Timothy J. Borsetti  
Mayor

NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at the regular meeting of the governing body of the Borough of Lakehurst, County of Ocean, and State of New Jersey, held on the second day of June, 2011 and that said ordinance will be considered for final passage at the meeting of said governing body to be held at the Community Center, Center Street, Lakehurst, New Jersey on the twenty-first day of July, 2011 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.

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Bernadette Dugan, RMC/CPM  
Municipal Clerk

**RESOLUTION**  
**JUNE 2, 2011**

**WHEREAS**, Joseph Albero and Frank D'Apolito have applied to the Mayor and Council of the Borough of Lakehurst for a renewal of Liquor License Number: 1513-33-002-009, **and**

**WHEREAS**, all necessary forms and fees were submitted to the office of the Municipal Clerk, **and**

**WHEREAS**, the Mayor and Council of the Borough of Lakehurst are not aware of any circumstances or provisions of law which should prohibit the renewal of said license.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, that the Liquor License (presently inactive) for Joseph Albero and Frank D'Apolito be renewed for the year 2011-2012, **and**

**BE IT FURTHER RESOLVED** that pursuant to N.J.A.C. 13:2-7.2 a place-to-place transfer is required in order for any premises to be licensed.

**I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of June 2, 2011.**

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

**RESOLUTION**  
**JUNE 2, 2011**

**WHEREAS**, Limelight L.L.C. has applied to the Mayor and Council of the Borough of Lakehurst for a renewal of Liquor License Number: 1513-33-006-006, **and**

**WHEREAS**, all necessary forms and fees were submitted to the office of the Municipal Clerk, **and**

**WHEREAS**, the Mayor and Council of the Borough of Lakehurst are not aware of any circumstances or provisions of law which should prohibit the renewal of said license.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, that the Liquor License for Limelight L.L.C. be renewed for the year 2011-2012.

**I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of June 2, 2011.**

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

**RESOLUTION**  
**JUNE 2, 2011**

**WHEREAS**, Veterans of Foreign Wars Post 10061, trading as Lakehurst VFW Post 10061 has applied to the Mayor and Council of the Borough of Lakehurst for a renewal of Liquor License Number: 1513-31-008-001, for premises located on Union Avenue, **and**

**WHEREAS**, all necessary forms and fees were submitted to the office of the Municipal Clerk, **and**

**WHEREAS**, the Mayor and Council of the Borough of Lakehurst are not aware of any circumstances or provisions of law which should prohibit the renewal of said license.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, that the Liquor License for Veterans of Foreign Wars Post 10061 be renewed for the year 2011-2012 with the following conditions as listed in the Consent Agreement executed on December 17, 2009:

1. An accurate sign in log shall be maintained.
2. Employees violating the provisions of the State and Local ABC laws and ordinances shall be terminated.
3. All employees acting in the capacity of bar manager and/or alcoholic beverage handler will submit to a record check and identification card through the Lakehurst Police Department.
4. Post 10061 shall designate a member, other than the bar tender, the responsibility of ensuring all ABC ordinances and VFW rules are adhered to

**I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of June 2, 2011.**

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



**RESOLUTION**  
**JUNE 2, 2011**

**WHEREAS**, there were 554 motor vehicle fatalities in New Jersey in 2010,  
**and**

**WHEREAS**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt, **and**

**WHEREAS**, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash, **and**

**WHEREAS**, the National Highway Traffic Safety Administration estimates that 135,000 lives have been saved by safety belt usage nationally between 1975 – 2000, **and**

**WHEREAS**, the State of New Jersey will participate in the nationwide *Click It or Ticket* safety belt mobilization from May 23 – June 5, 2011 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education, **and**

**WHEREAS**, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 93.73% to 100%, **and**

**WHEREAS**, each further increase in seat belt usage in New Jersey will save lives on our roadways.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Borough of Lakehurst declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2011 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

**I, Bernadette Dugan, Municipal Clerk, of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of June 2, 2011.**

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

**RESOLUTION**  
**JUNE 2, 2011**

**WHEREAS**, the Borough of Lakehurst wishes to sponsor the July 4<sup>th</sup> fireworks display, **and**

**WHEREAS**, the Mayor and Council desire to approve the discharge of fireworks within the Borough of Lakehurst, consistent with the provisions of the Uniform Fire Code of the State of New Jersey and the National Fire Protection Association Standards 1123 and 1124,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that the fireworks display in commemoration of July 4<sup>th</sup> (with a rain date of July 9<sup>th</sup>) is hereby approved and permission is sought to have a permit issued by the Fire Official for the discharge of said fireworks under the standards required by law,

**BE IT FURTHER RESOLVED** that the Borough of Lakehurst wishes to contract with Schaefer Pyrotechnics, Inc., 376 Hartmann Bridge Road, Ronks, Pennsylvania 17572 to provide said fireworks display for the Borough of Lakehurst based on their professionalism as the fireworks vendor.

**I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of June 2, 2011.**

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

**RESOLUTION**  
**JUNE 2, 2011**

**WHEREAS**, the Interlocal Services Act, N.J.S.A. 40: 8A-1 et seq. authorizes municipalities to enter into an agreement, among other things, for the sharing of services; **and**

**WHEREAS**, the Borough of Lakehurst is desirous of entering into an Interlocal Services agreement with the Township of Manchester to utilize the Manchester Township Firearms Range Facility and property for training, competition and other approved purpose; **and**

**WHEREAS**, the Borough of Lakehurst agrees to abide by all terms and conditions in said 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 Interlocal Service agreement between the Borough of Lakehurst and the Township of Manchester for use of the Manchester Township Firearms Range Facility.
2. That the term of said agreement will be for a period of one year commencing May 9, 2011 and ending May 8, 2012,
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, Bernadette Dugan, Municipal Clerk, of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of June 2, 2011.**

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

**RESOLUTION**  
**JUNE 2, 2011**

**WHEREAS**, it has been determined by the Borough Council that it would be in the public interest to have the general and permanent ordinances of the Borough of Lakehurst codified and revised, **and**

**WHEREAS**, it has further been determined by the Borough Council pursuant to N.J.S.A. 40A:4-56 that the services to be rendered are of a special technical nature.

**WHEREAS**, the funds are available for this purpose;

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised, and the contract itself must be available for public inspection.

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

That Coded Systems, L.L.C., a limited liability company of the State of New Jersey, whose principal offices are located in the Borough of Spring Lake Heights, Monmouth County, State of New Jersey is hereby designated to codify and revise the general and permanent ordinances of the Borough of Lakehurst, to be known as the Lakehurst Borough Code, 2011, in accordance with the adoption of this resolution. Said agreement provides for the work to be performed in accordance with the proposal as submitted in the amount of \$12,500 subject to full appropriation in General Ledger Reserves. A copy of the agreement shall be on file in the office of the municipal clerk.

This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law because the above named firm is highly experienced in their specific area of expertise, and, in the opinion of the Mayor and Council of the Borough of Lakehurst, can best provide the appropriate services for the Borough of Lakehurst.

**I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of June 2, 2011.**

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

**RESOLUTION**  
**JUNE 2, 2011**

**WHEREAS**, the Borough of Lakehurst Historical Society, Inc. has applied for Raffles Licenses to conduct two on-premise draw raffles (one 50/50 cash raffle and one raffle awarding merchandise as a prize) scheduled for July 4, 2011 with a rain date of July 10, 2011, **and**,

**WHEREAS**, the Statement of Findings and Determinations shows no reason why these licenses should not be issued.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Raffles Licenses for the Borough of Lakehurst Historical Society, Inc. are hereby approved.

**I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, hereby certify that the above resolution was approved by the governing body at the meeting of June 2, 2011.**

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