

BOROUGH OF LAKEHURST

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

REDEVELOPMENT AGENCY SEPTEMBER 1, 2011 TENTATIVE AGENDA

1. Approval of Minutes of August 18, 2011 meeting
2. Any other business
3. Adjournment

WORK SESSION/REGULAR MEETING SEPTEMBER 1, 2011 TENTATIVE AGENDA

1. Approval of Minutes of August 18, 2011 Regular Meeting
2. Payment of Bills
3. Resolution regarding cancellation of mortgage for CDBG funding for façade improvements for Stanley Enterprises, LLC in the amount of \$27,000
4. Resolution regarding raffle license for VFW Post 10061
5. Resolution concurring with creation of bus stops on county roads Union Avenue and Center Street
6. Correspondence from Lakehurst Volunteer Fire Company
7. Acceptance of Resignation of Special Police Officer Ryan Valeri
8. Second reading and public hearing of Ordinance #11-03 entitled: "BOND ORDINANCE PROVIDING FOR WATER TOWER IMPROVEMENTS AND APPROPRIATING \$850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$807,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF LAKEHURST, IN THE COUNTY OF OCEAN, NEW JERSEY"
9. Second reading and public hearing of Ordinance #11-04 entitled: "AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING

CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW
JERSEY, ENTITLED TRAFFIC”

10. Executive/closed session to discuss personnel matters/contract negotiations

Bernadette Dugan, RMC
Municipal Clerk

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

**BOROUGH OF LAKEHURST
COUNTY OF OCEAN**

ORDINANCE NO. 11-03

**BOND ORDINANCE PROVIDING FOR WATER TOWER
IMPROVEMENTS AND APPROPRIATING \$850,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$807,500 BONDS AND NOTES TO
FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN
AND BY THE BOROUGH OF LAKEHURST, IN THE COUNTY OF
OCEAN, NEW JERSEY**

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF LAKEHURST, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Lakehurst, in the County of Ocean, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$850,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$42,500 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$807,500, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of water tower improvements and the acquisition of related equipment, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$807,500, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$850,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$850,000 over

the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$42,500 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$807,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$170,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is

included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The Capital Budget or the Temporary Capital Budget (as applicable) of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE OF PENDING ORDINANCE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Borough of Lakehurst, in the County of Ocean, New Jersey, held on August 18, 2011. It will be further considered for final passage after public hearing thereon, at a meeting of the governing body to be held in the Lakehurst Community Center, 207 Center Street, Lakehurst, New Jersey, on September 1, 2011, at 7:30 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall located at 5 Union Avenue during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the

general public of the Borough who shall request such copies, at the office of the Municipal Clerk in said Borough of Lakehurst, in the County of Ocean, New Jersey.

Bernadette Dugan, RMC/CPM
Municipal Clerk

ORDINANCE

“AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED TRAFFIC”

11-04

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

Section 7-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

<i>Name of Street</i>	<i>Side</i>	<i>Location</i>
<i>Add/Amend:</i>		
Manapaqua Avenue - Chestnut Street	Both	From a point 135 feet east of the easterly curb line of Rose Street to a point 190 feet east thereof
Lake Street	b. West	A distance of 63 feet south of the southerly curb line of Church Street
	c. West	Beginning at a distance 154 feet south of the southerly curb line of Church Street and continuing 1578 feet south thereof

Section 7-18 ANGLE PARKING.

Add:

<i>Name of Street</i>	<i>Side</i>	<i>Angle</i>	<i>Location</i>
Lake Street	West	60 degrees	Beginning 63 feet south of the southerly curb line of Church Street and continuing south for 91 feet

(Add) Section 7-39 SOLICITING CONTRIBUTIONS IN ROADWAYS.

Consistent with N.J.S.A. 39:4-60 the Governing Body of the Borough of Lakehurst hereby authorizes The Lakehurst Volunteer Fire Co. Number 1 and the Lakehurst First Aid Squad to solicit contributions on roadways owned and maintained by the Borough of Lakehurst, provided:

- a. Request to Police and Governing Body
 1. Written request to solicit contributions in or on a street or road within the Borough of Lakehurst will be provided to the Lakehurst Police Department and the Lakehurst Governing Body not later than two weeks prior to the event.
 2. The request will provide the location, date and time (start and end) of the event and a contact name and number.
 3. Attached to the request will be a sketch showing the details of the traffic plan; positions of advance warning signage, personnel and safety equipment.
- b. Approvals from Other Jurisdictions
 1. Consistent with N. J. S. A. 39-4-60 approval from Ocean County or the New Jersey Department of Transportation must be acquired to solicit on roadways under those ownership.
- c. Approval by the Lakehurst Police Department
 1. The Chief of Police, or his designee, shall timely approve, modify or deny any request to solicit contributions on any roadway or street within the Borough of Lakehurst based upon criteria established in N.J.S.A. 39:4-60, and the public safety.
 2. The Lakehurst Police shall forward to the municipal administrator notice as to the disposition of any request to solicit contributions for distribution to the Governing Body.
 3. At any time during the soliciting of contributions in or upon any roadway or street within the Borough the Lakehurst Police Department may for reasons of Public Safety terminate the event or rescind the approval.

Severability

All ordinances or parts of ordinances that are in conflict herewith are hereby repealed to the extent of such conflict or inconsistency. If any part of this ordinance shall be held to be invalid, such part shall be deemed to be severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

Effective date

This ordinance shall take effect immediately upon final passage and publication as required by law.

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 eighteenth day of August, 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 first day of September, 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.

Bernadette Dugan, RMC/CPM
Municipal Clerk

**RESOLUTION
SEPTEMBER 1, 2011**

WHEREAS, the Governing Body of Lakehurst Borough on June 16, 2011 approved a resolution authorizing the placement of bus stops within the Borough, **and**

WHEREAS, the Board of Chosen Freeholders of the County of Ocean has adopted resolutions on August 17, 2011 authorizing bus stops along County Road CR #4 and County Road CR #3 in the same locations, and a resolution rescinding a No Stopping or Standing Zone on CR # 3,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey concurs with the three resolutions, as cited above and attached to this resolution, adopted by the Ocean County Board of Chosen Freeholders.

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 September 1, 2011.

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

**RESOLUTION
SEPTEMBER 1, 2011**

WHEREAS, Stanley Enterprises, L.L.C entered into a mortgage on May 7, 2002, for receipt of Community Development Block Grant funding in the amount of \$27,000 for façade improvements for 19 Union Avenue, **and**

WHEREAS, the terms of the grant state that the mortgage will be forgiven after six years if the borrower continues to own, occupy and use the property as a business, **and**

WHEREAS, Stanley Enterprises, L.L.C. has met the required conditions.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, that Mayor Borsetti is hereby authorized to execute the discharge of mortgage for the above referenced property.

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 September 1, 2011.

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

**RESOLUTION
SEPTEMBER 1, 2011**

WHEREAS, VFW Post 10061 has applied for a Raffle License to conduct one off-premise draw raffle awarding merchandise as a prize scheduled for December 16, 2011 to be conducted at the post located at 20 Union Avenue, **and**,

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

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Raffle License for the VFW Post 10061 is 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 September 1, 2011.

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