

BOROUGH OF LAKEHURST
WORK SESSION/REGULAR MEETING
MARCH 18, 2021
TENTATIVE AGENDA

1. Approval of Minutes of March 4, 2021 Regular Meeting
2. Payment of Bills
3. Resolutions regarding adjustment to sewerage for Block 44; Lot 14
4. Resolution appointing Land Use Board member
5. Resolution urging the immediate repeal of Senate Bill No. 3454
6. 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
MARCH 18, 2021**

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 \$43,690.58 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 March 18, 2021.

**Maryanne Capasso
Municipal Clerk, RMC**

P.O. Type: All
Range: First to Last
Format: Detail without Line Item Notes

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type Description	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
20-00808	11/24/20	C0094 COPQUEST INC									
		1 5.11 TACTICAL L/S POLO DK NAVY	89.98	0-01-25-240-276	B UNIFORM ALLOWANCE - GUIDE		R	11/24/20	03/17/21		558534
		2 SHIPPING	9.95	0-01-25-240-276	B UNIFORM ALLOWANCE - GUIDE		R	11/24/20	03/17/21		
			<u>99.93</u>								
21-00003	01/11/21	I0016 INSIGHT VISION CAMERAS									
		1 NOSE CONE INSIGHT CAMERA WITH	498.00	1-09-00-101-262	B MINOR TOOLS & EQUIPMENT		R	01/14/21	03/17/21		
21-00099	02/09/21	W0028 WILLIER ELECTRIC MOTOR REPAIR									
		1 MOTOR/CONDUIT REPAIR	2,190.00	1-09-00-101-244	B EQUIPMENT - MAINTENANCE/REPAIR		R	02/09/21	03/17/21		253072
21-00128	02/19/21	A0061 AC HESSE									
		1 50 TONS ROCK SALT DELIVERED	5,085.00	1-01-26-290-268	B SAND & SALT		R	02/19/21	03/17/21		
21-00131	02/23/21	A0706 AWARD COMPANY OF AMERICA									
		1 DESK NAMEPLATES	54.45	1-01-20-120-299	B MISCELLANEOUS		R	02/23/21	03/17/21		
		2 SHIPPING	15.90	1-01-20-120-299	B MISCELLANEOUS		R	02/23/21	03/17/21		
			<u>70.35</u>								
21-00134	02/23/21	D0072 DYNAMIC TESTING SERVICE, LLC									
		1 LIMITED QUERY TESTS - PW	18.00	G-02-00-222-002	B Recycling Tonnage Grant 2017		R	02/23/21	03/17/21		13385
21-00135	02/25/21	R0667 R & R RADAR									
		1 RADAR REPAIR & CERTIFY	489.00	1-01-25-240-244	B EQUIPMENT - MAINTENANCE/REPAIR		R	02/25/21	03/17/21		
21-00137	02/25/21	E0923 Edmunds GovTech									
		1 Cloud Hosting Services 2021	3,750.00	1-01-20-140-222	B Information Technology - Contractual Srv	R		02/25/21	03/17/21		21-IN2495
21-00166	03/04/21	A0570 AMAOC									
		1 AMAOC DUES 2021 - MARTIN LYNCH	125.00	1-01-20-150-281	B PROFESSIONAL MEMBERSHIP & DUES		R	03/04/21	03/17/21		
		2 AMANJ DUES 2021 - MARTIN LYNCH	75.00	1-01-20-150-281	B PROFESSIONAL MEMBERSHIP & DUES		R	03/04/21	03/17/21		
			<u>200.00</u>								
21-00181	03/16/21	E0035 ELITE VEHICLE SOLUTIONS									
		1 UC CAR WINDOW TINT	325.00	1-01-26-291-252	B POLICE VEHICLE MAINT/REPAIR		R	03/16/21	03/17/21		07296

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
21-00182	03/16/21	M0063 MATTHEW KLINE									
		1 REIMBURSEMENT ALCOTEST SHIPPIN	166.48	1-01-25-240-218	B	POSTAGE	R	03/16/21	03/17/21		
21-00185	03/17/21	J0900 JCP&L									
		1 HOLIDAY LIGHTING 2020-2021	282.10	1-01-31-435-276	B	ELECTRICITY	R	03/17/21	03/17/21		
21-00186	03/17/21	J0900 JCP&L									
		1 ELECTRIC BILL UF	3,189.84	1-09-00-101-276	B	ELECTRIC	R	03/17/21	03/17/21		
21-00187	03/17/21	C0060 COMCAST CABLE									
		1 PW CABLE MODEM	110.84	1-01-31-440-275	B	TELEPHONE	R	03/17/21	03/17/21		
		2 COMM CENTER CABLE MODEM	196.19	1-01-31-440-275	B	TELEPHONE	R	03/17/21	03/17/21		
			<u>307.03</u>								
21-00188	03/17/21	A0024 ACTION DATA SERVICES									
		1 PAYROLL SERVICE PDEND 2/21/21	321.42	1-01-20-130-299	B	Finance - Miscellaneous	R	03/17/21	03/17/21		72445
		2 PAYROLL SERVICE W-2'S	685.00	1-01-20-130-299	B	Finance - Miscellaneous	R	03/17/21	03/17/21		72313
		3 PAYROLL SERVICE QUARTERLYS	924.50	1-01-20-130-299	B	Finance - Miscellaneous	R	03/17/21	03/17/21		72119
			<u>1,930.92</u>								
21-00189	03/17/21	N0136 NJ NATURAL GAS COMPANY									
		1 ESC GAS BILL	1,520.11	1-01-31-437-269	B	NATURAL GAS	R	03/17/21	03/17/21		
		2 PW GARAGE GAS BILL	1,067.24	1-01-31-437-269	B	NATURAL GAS	R	03/17/21	03/17/21		
		3 COMMUNITY CENTER GAS BILL	996.54	1-01-31-437-269	B	NATURAL GAS	R	03/17/21	03/17/21		
		4 PD HQ GAS BILL	477.98	1-01-31-437-269	B	NATURAL GAS	R	03/17/21	03/17/21		
		5 BOROUGH HALL GAS BILL	402.56	1-01-31-437-269	B	NATURAL GAS	R	03/17/21	03/17/21		
			<u>4,464.43</u>								
21-00190	03/17/21	V0855 VERIZON									
		1 PHONE BILL	6.55	1-01-31-440-275	B	TELEPHONE	R	03/17/21	03/17/21		
21-00191	03/17/21	P0158 PITNEY BOWES									
		1 MAILING METER CHARGES	126.00	1-01-20-120-299	B	MISCELLANEOUS	R	03/17/21	03/17/21		1017648225
21-00192	03/17/21	A0075 GANNETT NEW JERSEY NEWSPAPERS									
		1 CLERK ADVERT. 2/01 - 2/28/21	555.05	1-01-20-122-215	B	Advertising - Legal Advertisements	R	03/17/21	03/17/21		0003746204
21-00193	03/17/21	O0012 ONE CALL CONCEPTS									
		1 ONE CALL MESSAGES 2/21	20.02	1-09-00-101-275	B	TELEPHONE	R	03/17/21	03/17/21		1025365

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Bill List By P.O. Number

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PO #	PO Date	Vendor	Amount	Charge Account	Contract PO Type Acct Type Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice
21-00194	03/17/21	U0005 UNIFIRST CORPORATION							
1	PW UNIFORM CLEANING	2/21	1,214.90	1-09-00-101-271	B UNIFORMS	R	03/17/21 03/17/21		
21-00195	03/17/21	L0040 LOWE'S							
1	B&G SHARE		198.82	1-01-26-310-262	B MINOR TOOLS & EQUIPMENT	R	03/17/21 03/17/21		
21-00196	03/17/21	N0029 TWIN ROCKS WATER							
1	BORO HALL WATER AND COOLER		60.00	1-01-20-120-299	B MISCELLANEOUS	R	03/17/21 03/17/21		5758387
2	POLICE DEPT WATER AND COOLER		23.85	1-01-25-240-297	B Police - Miscellaneous	R	03/17/21 03/17/21		5758387
			83.85						
21-00197	03/17/21	B9112 B & K EQUIPMENT SERVICES							
1	TRASHTRUCK REPAIR INV# 32253		808.57	1-01-26-291-254	B SANITATION VEHICLE MAINT/REP	R	03/17/21 03/17/21		32253
21-00198	03/17/21	S0973 STAPLES							
1	STAPLES CARD CHARGES	2/21	661.11	1-01-20-120-211	B Clerk - Office Supplies	R	03/17/21 03/17/21		
21-00199	03/17/21	B9112 B & K EQUIPMENT SERVICES							
1	REPAIRS TO BACKHOE INV# 32510		157.50	1-09-00-101-252	B MOTOR VEHICLE - MAINT/REPAIR	R	03/17/21 03/17/21		32510
2	REPAIRS TO BACKHOE INV# 32503		892.71	1-09-00-101-252	B MOTOR VEHICLE - MAINT/REPAIR	R	03/17/21 03/17/21		32503
			1,050.21						
21-00200	03/17/21	R0158 REMINGTON & VERNICK ENGINEERS							
1	GENERAL ENGINEERING THRU 2/28		1,429.50	1-01-20-165-232	B ENGINEERING SERVICES	R	03/17/21 03/17/21		1514T114-2
21-00201	03/17/21	R0158 REMINGTON & VERNICK ENGINEERS							
1	2021 NJDOT MUN AID LAKE ST REC		8,500.50	1-01-20-165-232	B ENGINEERING SERVICES	R	03/17/21 03/17/21		1514U077-2
21-00202	03/17/21	R0158 REMINGTON & VERNICK ENGINEERS							
1	800 RT 70 LLC CHNG USE/SITE PL		231.50	T-03-00-400-410	B 800 Rt 70 B1.15 L1 1514-P-085	R	03/17/21 03/17/21		1514P085-3
21-00203	03/17/21	R0158 REMINGTON & VERNICK ENGINEERS							
1	CIESIELSKI BULK VAR. APP REVIE		534.50	T-03-00-400-411	B Ciesielski B27 L1.02 P-086	R	03/17/21 03/17/21		1514P087-2
21-00204	03/17/21	V0011 VERIZON WIRELESS							
1	BORO CELL PHONE BILL	2/21	546.69	1-01-31-440-275	B TELEPHONE	R	03/17/21 03/17/21		
21-00205	03/17/21	B0019 BOLLINGER, INC. - DENTAL							
1	DENTAL INSURANCE	4/21	4,501.73	1-01-23-220-226	B Insurance - Dental	R	03/17/21 03/17/21		049434

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PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
21-00206	03/17/21	R0158			REMINGTON & VERNICK ENGINEERS						
		1 SLOAN BULK VARIANCE APP REVIEW	155.00	T-03-00-400-412	B Sloan	B62 L20 P-087	R	03/17/21	03/17/21		1514P086-2

Total Purchase Orders:	33	Total P.O. Line Items:	45	Total List Amount:	43,690.58	Total Void Amount:	0.00
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Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS	0-01	99.93	0.00	99.93	0.00	0.00	99.93
CURRENT FUND APPROPRIATIONS	1-01	34,488.68	0.00	34,488.68	0.00	0.00	34,488.68
WATER & SEWER OPERATING	1-09	8,162.97	0.00	8,162.97	0.00	0.00	8,162.97
	Year Total:	42,651.65	0.00	42,651.65	0.00	0.00	42,651.65
	G-02	18.00	0.00	18.00	0.00	0.00	18.00
	T-03	921.00	0.00	921.00	0.00	0.00	921.00
Total of All Funds:		43,690.58	0.00	43,690.58	0.00	0.00	43,690.58

**RESOLUTION
MARCH 18, 2021**

WHEREAS, a documented water leak occurred at Block 44 Lot 1, that did not enter the sewer system, during 3rd quarter of 2020, **and**

WHEREAS, utility bill for sewage disposal of Block 44 Lot 1 was issued based upon the total reading, an adjustment to the bill must be made,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey hereby authorizes the utility bill for Block 44 Lot 1 for sewage disposal be adjusted to the minimum rate and the amount of \$ 1,372.18 for the 3rd quarter of 2020 be refunded.

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 March 18, 2021.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
MARCH 18, 2021**

WHEREAS, the need exists for the appointment of a Land Use Board member to fill the unexpired term of Board Member Kevin Ford who resigned, **and**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that Land Use Board Alternate Board Member Eric Robbins is hereby appointed to the Lakehurst Land Use Board as a Class IV member for the unexpired term ending on December 31, 2024.

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 at the meeting of March 18, 2021.

**Maryanne Capasso, RMC
Municipal Clerk**

RESOLUTION
RESOLUTION OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE
OF NEW JERSEY, URGING THE IMMEDIATE REPEAL OF SENATE BILL NO. 3454
{P.L. 2021C.25}

WHEREAS, Public Question 1, the "Marijuana Legalization Amendment", was on the ballot in New Jersey as a legislatively referred constitutional amendment on November 3, 2020; **and**

WHEREAS, the text of the ballot question provided as follows:

CONSTITUTIONAL AMENDMENT TO LEGALIZE MARIJUANA

Do you approve amending the Constitution to legalize a controlled form of marijuana called "cannabis"?

Only adults at least 21 years of age could use cannabis. The State commission created to oversee the State's medical cannabis program would also oversee the new, personal use cannabis market.

Cannabis products would be subject to the State sales tax. If authorized by the Legislature, a municipality may pass a local ordinance to charge a local tax on cannabis products.

WHEREAS, Public Question 1 was approved (67.08% Yes votes and 32.92% No votes); **and**

WHEREAS, on February 22, 2021, Governor Phil Murphy signed into law legislation legalizing and regulating cannabis use and possession for adults 21 years and older (A-21, The New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act) and decriminalizing marijuana and hashish possession (A-1897). The Governor also signed S-3454, addressing marijuana and cannabis use and possession penalties for individuals younger than 21 years old and imposing criminal penalties on law enforcement officers; **and**

WHEREAS, the majority of New Jersey residents last fall voted in favor to legalize marijuana for use by adults at least 21 years of age. There is no question, nor debate, on the outcome of the ballot question. However, New Jersey residents were not aware at the time of their vote that this would eventually lead to the New Jersey Legislature voting to make law enforcement officers "guilty of a crime" if they notify parents of children under the age of 18 that their child was caught with marijuana or alcohol, on the first offense; **and**

WHEREAS, Senate Bill No.3454 was voted on, passed, and signed into law with less than one hour left before the legalization of marijuana was scheduled to become law; **and**

WHEREAS, as a result of this law, our law enforcement officers will be guilty of a crime if they notify parents that an underage child is using or in possession of marijuana or alcohol on their first offense. Only if the child is found again using or in possession can a law enforcement officer notify the parents; **and**

WHEREAS, the legislation is treacherous to law enforcement officers because it creates a penalty of 3rd Degree Deprivation of Civil Rights if an officer uses the odor or possession of marijuana or alcoholic beverages as the reason for initiating an investigatory stop of a person. The new law states that a law enforcement officer cannot use the odor of marijuana or alcohol as reasonable articulable suspicion to initiate an investigatory stop. The new law states a minor cannot consent to be searched and that a law enforcement officer no longer has probable cause to search a minor for illegally using marijuana or alcohol. And if an officer violates a minor's rights by using pot or alcohol as the reason for a search then the officer will be charged with the crime of deprivation of civil rights; **and**

WHEREAS, Senate Bill No. 3454 establishes penalties of only warnings for illegal use by minors of marijuana or alcohol, but it essentially prevents an officer from even approaching a person suspected of being a minor. The smell of marijuana and its use in the presence of a law enforcement officer will no longer be grounds to search an individual. While marijuana is now legal for those 21 and older Senate Bill No. 3454 is an assault on law enforcement's ability to enforce the law. Senate Bill No. 3454 is an attack on law enforcement officers by making law enforcement officers the target of punishment rather than the individuals breaking the law. This language will have dangerous consequences for the public and law enforcement officers.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, finds as follows:

1. Senate Bill No. 3454 was passed with little to no discussion, no public transparency, and no public debate.
2. By passing Senate Bill No. 3454, the Legislature and Governor Phil Murphy ignored the judgment of parents over the lives of their children. The requirements of the new law will keep parents in the dark about what may be happening in their children's lives. It shows children there are no major consequences if they are found using marijuana or alcohol for the first time. Parents should have the right to know if their child is using or in possession of marijuana from the first encounter and be given the chance to discuss its consequences before it potentially becomes a larger issue.
3. Senate Bill No. 3454 takes a huge step backward on the path of ensuring children are aware of both the short-term and long-term consequences of drug and alcohol use. Essentially, the Legislature is telling children they have one "free pass" to get caught with marijuana or alcohol before there are any real consequences.
4. Senate Bill No. 3454 unfairly and unreasonably imposes criminal penalties on law enforcement officers if they are found to have violated new rules dictating underage possession. The odor of cannabis or alcohol will no longer be enough to justify a search. The same holds true for "the unconcealed possession" of an alcoholic beverage, marijuana, hashish, or cannabis item, according to the bill text.

5. Senate Bill No. 3454 turns law enforcement officer into criminals. It establishes a legal set of enforcement powers, but its criminals the actual enforcement of those powers.
6. Senate Bill No.3454 contradicts a prior law that banned smoking tobacco products on beaches and boardwalks, but now that law may be essentially unenforceable when it comes to smoking marijuana on beaches and boardwalks. Underage users of marijuana will now be free to smoke it anywhere, including in places the law says is illegal because merely stopping a person to enforce the law is now illegal for police. Drug dealers will quickly learn to hide their drugs, guns, and evidence of crimes on anyone under 18 years of age since merely lighting a joint as the officer approaches will put the officer in jeopardy of making an illegal search and being charged criminally.
7. Senate Bill No. 3454 goes well beyond the express terms of the ballot question and the intent of New Jersey's voters when they approved the question.
8. Governor Murphy and the State Legislature should take urgent steps to repeal Senate Bill No.3454 to protect our children and law enforcement officers.
9. A certified copy of this resolution shall be forwarded to Governor Phil Murphy, the State Legislature, Ocean County Board of Commissioners, NJ State League of Municipalities, NJ Municipal Management Association, and NJ State PBA.

Certification

I, Maryanne Capasso, Municipal Clerk, do hereby certify the foregoing to be a true copy of a resolution adopted by the Governing Body of the Borough of Lakehurst, County of Ocean, and State of New Jersey, on the 18th day of March 2021.

Maryanne Capasso, RMC
Municipal Clerk