

**BOROUGH OF LAKEHURST
REGULAR MEETING
JULY 21, 2022
MINUTES**

MEETING OPENED AT 7:30 P.M. BY MAYOR ROBBINS.

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

PUBLIC MEETINGS STATEMENT READ INTO RECORD BY MUNICIPAL CLERK CAPASSO:

“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 TWENTY-FIRST DAY OF JULY, 2022, 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, 207 CENTER STREET, LAKEHURST, NEW JERSEY, AT WHICH TIME, THE BUSINESS OF THE BOROUGH WILL BE CONDUCTED.”

ROLL CALL:

COUNCILMAN DAVIS: PRESENT	COUNCILWOMAN HODGES: PRESENT
COUNCILMAN DiMEO: ABSENT	COUNCILMAN McCARTHY: PRESENT
COUNCILWOMAN DUGAN: PRESENT	COUNCILMAN OGLESBY: PRESENT
MAYOR HARRY ROBBINS: PRESENT	

WORK SESSION:

PRESENTATION AND PUBLIC HEARING ON COMCAST APPLICATION FOR RENEWAL OF MUNICIPAL CONSENT:

Robert Clifton, Senior Director of Government and Regulatory Affairs with Comcast, stated Comcast is nearing the end of the federally mandated process adding the Certificate of Approval with the Board of Public Utilities, a document that the cable company has to have in order to operate within the municipality, will expire in January 2023. Mr. Clifton went on to say the Board of Public Utilities will grant a Certificate of Approval once the Governing Body adopts a Consent Ordinance and Comcast files a petition of renewal with the Board of Public Utilities. Mr. Clifton further stated a Consent Ordinance that Comcast is seeking is a simple right-of-way agreement that allows Comcast to continue to run their cable line along the borough's right-of-way. Mr. Clifton noted that any provider has the same rights to come in front of the governing body seeking to offer services just as Comcast is doing tonight. Mr. Clifton stated if another provider did come in, the governing body would have to judge them on their merit adding

there are four areas under federal state law that the governing body would use to rate the applications. Mr. Clifton reviewed the four areas:

- 1) The cable operator has substantially complied with the material terms of the current agreement.
- 2) Has the quality of the cable operator's service been reasonable in light of community needs?
- 3) Does the cable operator have the financial, legal, and technical ability to provide the services?
- 4) Is the renewal proposal reasonable to meet the future cable needs of the municipality?

Mr. Clifton went on to say that there are two areas that the governing body cannot consider in whether to renew or not renew and that is rates, which are governed by the state and federal regulators, and the channel line-up, which are protected under the first amendment.

Mr. Clifton thanked the governing body for the opportunity to be here tonight and will answer any questions that they may have.

Councilman McCarthy stated this is a request to utilize the borough's poles and to provide Comcast services to the borough's residents upon request.

Mr. Clifton answered in the affirmative and stated that Comcast wants to maintain their presence in the borough and continue to offer services to residents.

Councilwoman Dugan asked if any additional services are planned.

Mr. Clifton responded what Comcast offers to all of Ocean County is the state-of-the-art system; however, the renewal is for cable television services.

Councilwoman Hodges asked if agreements with other municipalities differ.

Mr. Clifton answered the agreements do differ adding some municipalities have their own channels.

Ms. Dugan questioned the franchise fees owed to the borough.

Mr. Clifton responded the franchise fees are 2% but when another provider comes to the municipality and services 60% of the municipality then the franchise fee increases to 3.5%.

Council President Oglesby stated the materials that are used for the cables has not changed over the years asking if Comcast plans on switching the materials.

Mr. Oglesby also stated the streetlight on Church Street is still out.

Mr. Oglesby further stated that the Ordinance Committee received a request from Dave Winton, Public Works Department Head, in regard to the Solid Waste Ordinance. Mr. Oglesby went on to say Mr. Winton is requesting that the Solid Waste Ordinance include no more than two large items be placed at the curb during schedule sanitation pick-up.

Councilman McCarthy responded that he disagrees adding who will define the word large items. Mr. McCarthy went on to say that one of the “perks” of living in Lakehurst is that Lakehurst is a full-service town.

Councilwoman Dugan stated the concern is landlords cleaning out rental properties.

Mr. McCarthy responded then those situations should be treated accordingly.

Mr. Oglesby stated Mr. Winton wants the Solid Waste Ordinance updated so that it is in writing and tickets can be issued accordingly. Mr. Oglesby went on to say that the Ordinance Committee will make the necessary changes and send a copy to the governing body for review.

Mr. Oglesby reported the beach sand is a nuisance, it is in the streets and parking lot.

Ms. Dugan responded she had spoken to Mr. Winton, and he stated the cost of beach sand is \$650 a ton and added the heavier beach sand is \$1300 a ton.

Mr. Oglesby suggested combining the two sands and asked how much money is spent cleaning sand from the streets and parking lot.

Councilman Davis stated he will talk with Mr. Winton.

Mayor Robbins suggested benches with a barrier underneath to catch the sand.

Mr. Oglesby reported he, Municipal Clerk Capasso, Wayne Sibilio, Borough CFO, Pam Hilla, Borough Engineer, representatives from the New Jersey Department of Environmental Protection, and a representative from the New Jersey Infrastructure Bank (NJIB) met via Zoom to discuss the upgrades to the water plant, the watermain replacement project, and the interconnect with Manchester Township. Mr. Oglesby stated there is a NANO loan that more than likely, the borough will qualify for adding it is up to \$500,000 forgiveness and the balance would be low interest. Mr. Oglesby further stated that unfortunately, NJIB will not commit to the borough until all planning and design is completed and added if the borough does not qualify for the NANO loan, then NJIB has an affordability fund loan, that is an extreme low interest loan but with no forgiveness. Mr. Oglesby went on to say that NJIB fiscal year starts July 1st and ends on June 30th and suggested that the borough starts the planning and designing process for the water plant upgrade that is in desperate need of upgrade.

6. Resolution #22-126 re: 2023 NJ DOT Municipal Aid Grant Application for Pine Street Reconstruction from Myrtle Street to Orange Street
7. Resolution #22-127 re: Authorizing Extension of Grace Period for Third Quarter 2022 Property Taxes
8. Resolution #22-128 re: Cancellation of Unexpended Balance in the 2022 Current Fund Budget
9. Resolution #22-129 re: 2022 Salaries for Non-Contractual Employees
10. Resolution #22-130 re: Renewal of “Pocket” Liquor License for Boemio’s Market, LLC
11. Resolution #22-131 re: Raffle Licenses for St. John’s R.C. Church
12. Resolution #22-132 re: Approving Membership in Lakehurst Fire Department for Kayla L. Graver

Motion by: James Davis

Seconded by: Patricia Hodges

To approve consent agenda. Roll call vote held. All votes affirmative with the exception of Councilwoman Dugan who abstained from Resolution #22-131 for she is a member of the St. John’s R.C. Church

ORDINANCES NOT ON CONSENT AGENDA:

Motion by: Steven Oglesby

Seconded by: Patricia Hodges

To approve on second reading and open the public hearing on Ordinance #2022-09 entitled: “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY ADOPTING A CODE CONTAINING THE CODIFIED ORDINANCES OF THE BOROUGH OF LAKEHURST” (#2022-09) Roll call vote held. All votes affirmative.

Time opened: 8:09 p.m.

NO PUBLIC COMMENT

Time closed: 8:09 p.m.

Motion by: Patricia Hodges

Seconded by: Bernadette Dugan

To adopt Ordinance #2022-09. Roll call vote held. All votes affirmative.

COMMITTEE/COUNCIL REPORTS:

Councilwoman Hodges echoed Councilwoman Dugan sentiments on the 100th Anniversary celebration adding it was a beautiful day.

Council President Oglesby reported the OEM would like to next year, leading up to the 4th of July festivities, stage a fully active shooter drill and invite one representative from each agency that would be responding if something should happen. Mr. Oglesby stated this is something that, unfortunately, is necessary.

Councilwoman Dugan reported, at the Public Works Committee meeting, Dave Winton, Public Works Department Head, stated several residents are disposing hypodermic needles in their trash. Ms. Dugan stated she had called the Ocean County Health Department and they said the proper way to dispose needles is to place them in a plastic laundry container, tape the top and place in the garbage so to prevent any accidents. Ms. Dugan also stated Mr. Winton will prepare a flyer to make the residents aware.

Councilman Davis reported Public Works Department is down manpower adding the last employee hired worked for one day. Mr. Davis went on to say that Mr. Winton has had four applicants interested in the position but walk away when they hear the salary.

Mr. Davis also reported that the Police Department is in need of an additional air conditioning unit, the one air conditioning unit is not keeping the building cool adding Mr. Winton is in the process of requiring quotes.

Mr. Davis further reported that Mr. Winton is looking into CDL training for two employees at \$2500 each.

Mayor Robbins questioned the training for CDL.

Ms. Dugan responded MEL JIF mandates training for CDL licenses.

Councilman McCarthy reported the Board of Education meeting was canceled this month with no rescheduled date.

Mr. McCarthy also reported he attended the OEM meeting last night adding it was very productive. Mr. McCarthy stated there are a lot of great ideas for next year, building off the 4th of July celebration. Mr. McCarthy stated there was discussion in regard to the vendors adding some municipalities charge the vendors 50% of their proceeds.

Mayor Robbins responded the borough had very little vendor showing adding if the borough was to impose a fee, there might be no vendors.

Mr. McCarthy further reported combined services with Manchester Police Department for National Night Out is going well.

Mr. McCarthy went on to report that he had preliminary discussion with Wayne Sibilis, Borough CFO, in regard to the Police Department and Fire Department's budget for next year.

MAYOR COMMENTS:

Mayor Robbins announced the committee members for the Cannabis Committee, Council President Oglesby, Councilman DiMeo, and himself. Mayor Robbins stated that applications went out and once the borough receives them back, the Cannabis committee will meet to review and discuss and set up possible interviews. Mayor Robbins further stated that the Cannabis Committee will bring back to the governing body their findings.

COMMENTS FROM PUBLIC:

Time opened: 8:24 p.m.

Bruce Margeson, 5 Geneva Road, commented on the repaving of Brown Avenue and Union Avenue and added they did a wonderful job. Mr. Margeson asked if there is more forth coming.

Mayor Robbins responded every January the county sends out a letter asking the towns what roads they would like paved adding he will then get together with Dave Winton, Public Works Department Head, to discuss roads that are in need of repair.

Mr. Margeson also commented on the 4th of July celebration adding it went well. Mr. Margeson stated the shuttle was a great help for those that have trouble walking and asked if there could be a shuttle at the National Night Out.

Mayor Robbins answered National Night Out is a police event and that he will reach out Police Chief Kline in regard to a shuttle.

Dominic Pinero, President of the Ocean County Deaf Seniors Club, stated he has been the president of the Ocean County Deaf Seniors Club for 47 years and has operated the monthly meetings at the Community Center for the past few years. Mr. Pinero also stated that he was informed that there will be an increase in the rent. Mr. Pinero further stated that the Ocean County Deaf Senior Club is not as prevalent as other clubs in Ocean County and is asking the governing body if it is possible to receive a discount so to promote the ability to have similar activities as other clubs.

Mayor Robbins applauded the involvement Mr. Pinero has had for the 47 years. Mayor Robbins stated that unfortunately there was an oversight on the borough's part in regard to the rental fees and for the past few years, the Ocean County Deaf Senior Club has been charged erroneously. Mayor Robbins further stated the fee has to be the same across the board adding the borough is not in position at this time to change the fees.

Time closed: 8:36 p.m.

Councilwoman Dugan announced the Historical Society Car Show has been rescheduled for August 6th, rain date August 7th, at the Lakehurst Elementary School.

ADJOURNMENT:

Motion by: Patricia Hodges

Seconded by: Bernadette Dugan

To adjourn meeting. Roll call vote held. All votes affirmative. Time: 8:36 p.m.

Maryanne Capasso, RMC
Municipal Clerk