

**BOROUGH OF LAKEHURST
REGULAR MEETING,
DECEMBER 15, 2022
MINUTES**

MEETING OPENED AT 7:30 P.M. BY MAYOR HARRY 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 FIFTEENTH DAY OF DECEMBER, 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: ABSENT COUNCILWOMAN HODGES: PRESENT
COUNCILMAN DiMEO: PRESENT COUNCILMAN McCARTHY: PRESENT
COUNCILWOMAN DUGAN: PRESENT COUNCILMAN OGLESBY: PRESENT
MAYOR HARRY ROBBINS: PRESENT

WORK SESSION:

REVIEW OF REGULAR MEETING AGENDA:

Municipal Clerk Capasso reviewed the regular meeting agenda.

PUBLIC COMMENTS ON AGENDA ITEMS:

Time opened: 7:33 p.m.

NO PUBLIC COMMENT

Time closed: 7:33 p.m.

Council President Oglesby stated that after reviewing the bills list, he has concerns regarding the New Jersey Natural Gas bills. Mr. Oglesby further stated the bill at the Emergency Service Complex is over \$1,000.00 whereas the bill at borough hall is less than \$300 adding borough hall is occupied eight hours a day, Monday through Friday.

Motion by: Patricia Hodges
To approve/release executive session minutes of September 15, 2022. Roll call vote held.
All votes affirmative with the exception of Councilman McCarthy who abstained due to his absence at the September 15th meeting.

CONSENT AGENDA:

All matters to be considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items. If any discussion is desired by Council, that particular item will be removed from the Consent Agenda and will be considered separately.

A. RESOLUTIONS:

1. Resolution #22-183 re: Payment of Bills
2. Resolution #22-184 re: Current Fund Transfer
3. Resolution #22-185 re: Chapter 159 for FY2022 Homeland Security Grant
4. Resolution #22-186 re: Appointment of Anthony D'Angelo as Part-time Police Officer
5. Resolution #22-187 re: Raffle Licenses for VFW Post 10061

Motion by: Patricia Hodges
To approve consent agenda. Roll call vote held. All votes affirmative.

Seconded by: Bernadette Dugan

ORDINANCES NOT ON CONSENT AGENDA:

Motion by: Steven Oglesby
To approve on second reading and open the public hearing on Ordinance #2022-11 entitled: "AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF NEW JERSEY, LLC. TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE MUNICIPALITY OF LAKEHURST, OCEAN COUNTY, NEW JERSEY" (#2022-11)
Roll call vote held. All votes affirmative.

Seconded by: Bernadette Dugan

Time opened: 7:37 p.m.

NO PUBLIC COMMENT

Time closed: 7:37 p.m.

Motion by: Steven Oglesby
To adopt Ordinance #2022-11. Roll call vote held. All votes affirmative.

Seconded by: Bernadette Dugan

Motion by: Robert McCarthy Seconded by: Patricia Hodges
To approve on second reading and open the public hearing on Ordinance #2022-13
entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF
OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE
REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER IV, SECTION
4-1 ENTITLED “MERCANTILE LICENSING”; AND CHAPTER XIII, SECTION 13-
2.1 ENTITLED “LANDLORD REGISTRATION AND LICENSE REQUIRED” (#2022-
13) Roll call vote held. All votes affirmative with the exception of Council President
Oglesby who abstained due to the fact he is a landlord.

Time opened: 7:38 p.m.

NO PUBLIC COMMENT

Time closed: 7:38 p.m.

Motion by: Robert McCarthy Seconded by: Bernadette Dugan
To adopt Ordinance #2022-13. Roll call vote held. All votes affirmative with the
exception of Council President Oglesby.

Motion by: Patricia Hodges Seconded by: Brian DiMeo
To approve on second reading and open the public hearing on Ordinance #2022-14
entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF
OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE
REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER V,
ENTITLED “ANIMAL CONTROL”, BY ADDING SECTION 14” (#2022-14) Roll call
vote held. All votes affirmative.

Time opened: 7:39 p.m.

Kieran Duffy, 410 Union Avenue, stated he is an owner of farm animals and
acknowledged the ordinance but questioned not being able to replace an animal when it
passes away.

Councilwoman Hodges responded that the intent of the ordinance is to prohibit farm
animals in the Borough of Lakehurst stating that there is not enough land in the
residential zones to support the farm animals.

Mr. Duffy stated all the farm animals that he owns are dwarf animals adding they do not
need that much space and does have adequate shelter for all the animals. Mr. Duffy also
stated that he goes through get lengths to keep the area clean, the animals fed, and added
they are well taken care of. Mr. Duffy asked if an existing farm animal is pregnant, is he
allow to keep the offspring. Mr. Duffy went on to say that there is a good possibility one
of his goats are pregnant as well as his horse adding that he can prevent the animals from
breeding from this point on; however, what is to happen to the offspring at this point.

Council President Oglesby answered without an ordinance in place, any resident, anywhere in the borough, can start a farm adding that is the challenge.

Mr. Duffy stated he would like to have the offspring grandfathered in.

Mayor Robbins responded unfortunately it has to be across the board adding if the governing body allows one, they have to allow everyone.

Mr. Duffy stated that his wife goes well beyond taking care of the animals and assured that no business is conducted at his residency.

Bruce Margeson, 5 Geneva Road, disagreed with the governing body adding if an animal is pregnant at the residence, before that ordinance is adopted, that offspring should be grandfathered in adding once the ordinance is passed, then the offspring should not be allowed to remain at the residence.

Borough Attorney Ian Goldman responded the purpose of the ordinance is to prevent backyard breeding and added if the owner has proof that the animal is pregnant, the governing body can take that into consideration.

Mr. Margeson asked if the owner has a veterinarian conduct a pregnancy test and the test was to show that the animal was pregnant before the ordinance was adopted, would the owner be able to keep offspring.

Mayor Robbins answered the governing body will take the matter into consideration once they have proof of the pregnancy.

Mr. Margeson questioned the passing of the animal.

Mayor Robbins responded the animal cannot be replaced.

Mr. Margeson questioned chickens adding they too are a farm animal.

Mr. Goldman answered the ordinance defines farm animals as goats, horses, ponies, sheep, swine, cattle, and other hooved animals adding the governing took these animals into consideration.

Mr. Duffy asked when he obtains proof of pregnancy, should he bring the proof to the next council meeting.

Mayor Robbins responded to bring the proof to the Municipal Clerk at Borough Hall.

Time closed: 7:51 p.m.

Motion by: Patricia Hodges

Seconded by: Steven Oglesby

To adopt Ordinance #2022-14. Roll call vote held. All votes affirmative.

COMMITTEE/COUNCIL REPORTS:

Councilwoman Hodges reported the ordinances are now codified and are now available on the borough's website.

Council President Oglesby reported there will be committee reports at the next council meeting.

Councilwoman Dugan reported Public Works has repaired two water leaks, the police vehicle that was damaged in an accident has been repaired, police vehicles are undergoing routine maintenance, the generator at the ESC and public works have been serviced and the generators at the police department and the water plant will be serviced at a later date due to inclement weather.

Councilman McCarthy reported the Board of Education meeting is scheduled for December 20th for reorganization and regular business. Mr. McCarthy also reported that the Public Safety Committee meet last week with the Police Chief, the EMS captain, and the OEM coordinator to discuss the mutual aid agreements and the matter in which the county handles the borough in conjunction with other municipalities and came to agreement that was amicable to all parties adding the agreement was sent to the county and now waiting on approval. Mr. McCarthy further reported that all officers have been qualified on side arms and added Police Chief Kline did a great job economically on replacing the side arms. Mr. McCarthy further reported the borough was successful in obtaining the county radio grant for the police department and will be receiving new radios in the near future.

COMMENTS FROM PUBLIC:

Time opened: 7:54 p.m.

NO PUBLIC COMMENT

Time closed: 7:54 p.m.

ADJOURNMENT:

Motion by: Patricia Hodges

Seconded by: Bernadette Dugan

To adjourn meeting. Roll call vote held. All votes affirmative. Time: 7:55 p.m.

Maryanne Capasso, RMC
Municipal Clerk