

BOROUGH OF LAKEHURST

**WORK SESSION/REGULAR MEETING
DECEMBER 21, 2023
TENTATIVE AGENDA**

1. Approval of Minutes of December 7, 2023 Regular Meeting
2. Approval of Executive Session minutes from December 2, 2022
3. Resolution regarding payment of bills
4. Resolution regarding Current Fund and Utility Fund Transfer
5. Resolution authorizing second amendment to T-Mobile lease agreement
6. Resolution regarding appointment of Joseph A. Ciaurro as a Police Officer
7. Resolution approving shared services agreement with the Plumsted Municipal Utilities Authority for basic utility financial services
8. Resolution authorizing a stipend in connection with a shared service agreement with Plumstead Municipal Utilities Authority for Wayne Sibia
9. Resolution authorizing a stipend in connection with a shared service agreement with Plumstead Municipal Utilities Authority for Renee James
10. Resolution authorizing a stipend in connection with a shared service agreement with Plumstead Municipal Utilities Authority for Kori Brennan
11. Resolution authorizing a stipend in connection with a shared service agreement with Plumstead Municipal Utilities Authority for Pamela Heinzman
12. Resolution authorizing cancellation of 2023 tax for Bl. 36, L. 12
13. Resolution regarding Hold Harmless Agreement for snow removal
14. Resolution regarding raffle licenses for VFW Post 10061
15. Second reading and public hearing of Ordinance ##2023-24 entitled “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER IV, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, ENTITLED “GENERAL LICENSING”

16. Second reading and public hearing of Ordinance #2023-25 entitled “AN ORDINANCE OF THE BOROUGH OF LAKEHURST COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER XIII OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF LAKEHURST ENTITLED “HOUSING AND PROPERTY MAINTENANCE” TO CREATE A NEW SUBSECTION ENTITLED “LEAD-BASED PAINT INSPECTIONS”
17. 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
DECEMBER 21, 2023**

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 \$219,800.42 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 December 21, 2023.

**Maryanne Capasso
Municipal Clerk, RMC**

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
23-00976	12/13/23	N0079 NJ CLEAN COMMUNITIES COUNCIL									
		1 NJ SUSTAINABILITY IN MOTION	590.00	G-02-00-200-429	B	Clean Communities Grant 2022 (23 Budget)	R	12/13/23	12/20/23		
23-00977	12/13/23	M0082 MARINE LUMBER & PILING									
		1 2X10X14 T&G	3,117.60	C-04-00-563-001	B	Ordinance 2021-07 Various Improvements	R	12/13/23	12/20/23		
		2 6X6X16	436.86	C-04-00-563-001	B	Ordinance 2021-07 Various Improvements	R	12/13/23	12/20/23		
		3 7/8 X23 AUGER	45.68	C-04-00-563-001	B	Ordinance 2021-07 Various Improvements	R	12/13/23	12/20/23		
			<u>3,600.14</u>								
23-00979	12/15/23	A0019 A.C. SCHULTES, INC.									
		1 EMERGENCY REPAIRS WELL #15	94,354.00	C-08-01-584-001	B	2023-21 Repairs to Potable water Well	R	12/15/23	12/20/23		46886
23-00980	12/15/23	H0626 HENDERSON LABS, J.R. INC.									
		1 LAB TESTS DECEMBER 2023	185.00	3-09-00-101-222	B	CONTRACTUAL SERVICES	R	12/15/23	12/20/23		62481
23-00981	12/15/23	U0562 USA BLUE BOOK									
		1 HONEYWELL CIRCULAR CHART 7 DAY	113.90	3-09-00-101-212	B	MAINTENANCE SUPPLIES	R	12/15/23	12/20/23		
		2 SHIPPING	14.80	3-09-00-101-212	B	MAINTENANCE SUPPLIES	R	12/15/23	12/20/23		
			<u>128.70</u>								
23-00984	12/15/23	R0042 ROK INDUSTRIES, INC									
		1 TAX LIEN ADVERTISED	30.00	3-01-20-145-215	B	Tax Collector - Advertising	R	12/15/23	12/20/23		LAKEHURST23
23-00985	12/15/23	P0152 PETTY CASH FUND									
		1 HOLIDAY DECORATING CONTEST	225.00	3-01-55-900-006	B	PETTY CASH	R	12/15/23	12/20/23		
23-00988	12/15/23	A0093 ACTION UNIFORM CO.									
		1 BADGES FOR UNIFORMS	336.00	3-01-25-240-273	B	UNIFORM ALLOWANCE - KLINE	R	12/15/23	12/20/23		56510
		2 HAT BADGES	276.00	3-01-25-240-273	B	UNIFORM ALLOWANCE - KLINE	R	12/15/23	12/20/23		56510
			<u>612.00</u>								
23-00990	12/19/23	U0005 UNIFIRST CORPORATION									
		1 PW UNIFORM CLEANING 11/23	1,651.15	3-09-00-101-271	B	UNIFORMS	R	12/19/23	12/20/23		
23-00991	12/19/23	H0622 HOME DEPOT CREDIT SERVICES									
		1 LIFT RENTAL	280.80	3-01-26-310-299	B	B&G - MISCELLANEOUS	R	12/19/23	12/20/23		1903101
23-00992	12/19/23	B9112 B & K EQUIPMENT SERVICES									
		1 TRASH TRUCK INVOICE# 38580	618.06	3-01-26-291-254	B	SANITATION VEHICLE MAINT/REP	R	12/19/23	12/20/23		38580

PO #	PO Date	Vendor	Contract	PO Type	First	Rcvd	Chk/Void	
Item Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Invoice
23-00993	12/19/23	B9112 B & K EQUIPMENT SERVICES						
1 DUMP-2 TRUCK INVOICE#	3,694.74	38601 3-01-26-291-256	B	PUBLIC WKS VEHICLE MAINT/REP	R	12/19/23	12/20/23	38601
23-00994	12/19/23	P0151 PEDRONI FUEL OIL CO.						
1 DYED DIESEL FOR PW GARAGE	1,964.44	3-01-31-447-266	B	DIESEL FUEL	R	12/19/23	12/20/23	585940
23-00995	12/19/23	00012 ONE CALL CONCEPTS						
1 ONE CALL MESSAGES 11/23	20.02	3-09-00-101-275	B	TELEPHONE	R	12/19/23	12/20/23	3115379
23-00996	12/19/23	C0107 CHARLES PHILLIPS						
1 OVERPAYMENT OF TAXES	4,350.45	3-01-55-900-003	B	Tax Overpayments Refunded	R	12/19/23	12/20/23	
23-00997	12/20/23	A0024 ACTION DATA SERVICES						
1 PAYROLL SERVICEPEND 11/26/23	383.84	3-01-20-130-299	B	Finance - Miscellaneous	R	12/20/23	12/20/23	85416
23-00998	12/20/23	W0010 W. B. MASON OFFICE SUPPLIES						
1 PD BALANCE DUE	5.76	3-01-25-240-211	B	OFFICE SUPPLIES	R	12/20/23	12/20/23	
23-00999	12/20/23	C0076 CLEARY, GIACOBBE, ALFIERI &						
1 LABOR ATTORNEY FEES	511.50	3-01-20-155-231	B	LEGAL SERVICES	R	12/20/23	12/20/23	128462
23-01001	12/20/23	L0040 LOWE'S						
1 B & G SHARE	398.76	3-01-26-310-262	B	MINOR TOOLS & EQUIPMENT	R	12/20/23	12/20/23	
23-01002	12/20/23	V0855 VERIZON						
1 PHONE BILL	375.18	3-01-31-440-275	B	TELEPHONE	R	12/20/23	12/20/23	
23-01004	12/20/23	V0855 VERIZON						
1 PHONE BILL	100.22	3-09-00-101-275	B	TELEPHONE	R	12/20/23	12/20/23	
2 PHONE BILL	100.22	3-09-00-101-275	B	TELEPHONE	R	12/20/23	12/20/23	
	200.44							
23-01005	12/20/23	NJ105 NJ DEPT. OF LABOR AND						
1 UNEMPLOYMENT CHARGES 1ST Q 22	17,719.00	3-01-23-225-296	B	UNEMPLOYMENT	R	12/20/23	12/20/23	
23-01006	12/20/23	S0110 S&G PAVING, INC.						
1 2023 DOT PINE ST/UNION AVE	54,300.58	G-02-00-200-629	B	NJDOT FY 2023 - Pine St & Union Ave	R	12/20/23	12/20/23	

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type Description	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
23-01008	12/20/23	N0029 TWIN ROCKS WATER									
		1 BORO HALL WATER AND COOLER	101.94	3-01-20-120-299	B MISCELLANEOUS		R	12/20/23	12/20/23		
		3 PW WATER AND COOLER	<u>24.00</u>	3-09-00-101-299	B MISCELLANEOUS		R	12/20/23	12/20/23		
			125.94								
23-01009	12/20/23	S0896 SHORE BUSINESS SOLUTIONS									
		1 PW COPIER INVOICE# AR89635	79.76	3-01-26-305-299	B MISCELLANEOUS		R	12/20/23	12/20/23		AR89635
23-01010	12/20/23	P0837 PITNEY BOWES, INC.									
		1 DM1001 RED INK CARTRIDGES	84.99	3-01-20-120-211	B Clerk - Office Supplies		R	12/20/23	12/20/23		1024439257
23-01011	12/20/23	R0046 RUMPF LAW									
		1 PUBLIC DEFENDER	375.00	3-01-43-495-231	B PUBLIC DEFENDER		R	12/20/23	12/20/23		
23-01012	12/20/23	O0140 OCEAN COUNTY BOARD OF HEALTH									
		1 ANIMAL SHELTER BILLING 11/23	32.00	3-01-27-340-299	B MISCELLANEOUS		R	12/20/23	12/20/23		
23-01013	12/20/23	N0136 NJ NATURAL GAS COMPANY									
		1 ESC GAS BILL	952.85	3-01-31-437-269	B NATURAL GAS		R	12/20/23	12/20/23		
		2 PW GARAGE GAS BILL	752.69	3-01-31-437-269	B NATURAL GAS		R	12/20/23	12/20/23		
		3 COMMUNITY CENTER GAS BILL	713.35	3-01-31-437-269	B NATURAL GAS		R	12/20/23	12/20/23		
		4 PD HQ GAS BILL	405.48	3-01-31-437-269	B NATURAL GAS		R	12/20/23	12/20/23		
		5 BOROUGH HALL GAS BILL	<u>269.85</u>	3-01-31-437-269	B NATURAL GAS		R	12/20/23	12/20/23		
			3,094.22								
23-01014	12/20/23	C0060 COMCAST CABLE									
		1 WATER PLANT CABLE MODEM	93.22	3-09-00-101-275	B TELEPHONE		R	12/20/23	12/20/23		
23-01015	12/20/23	C0060 COMCAST CABLE									
		1 ESC CABLE MODEM	177.76	3-01-31-440-275	B TELEPHONE		R	12/20/23	12/20/23		
		2 PD CABLE MODEM	<u>146.21</u>	3-01-31-440-275	B TELEPHONE		R	12/20/23	12/20/23		
			323.97								
23-01016	12/20/23	J0900 JCP&L									
		1 ELECTRIC BILL UF	4,097.70	3-09-00-101-276	B ELECTRIC		R	12/20/23	12/20/23		
23-01017	12/20/23	J0900 JCP&L									
		1 LED STREET LIGHTING	445.84	3-01-31-436-276	B STREET LIGHTING		R	12/20/23	12/20/23		

PO #	PO Date	Vendor	Amount	Charge Account	Contract PO Type	Stat/Chk	First Rcvd	Chk/Void	Invoice
Item Description					Acct Type Description		Enc Date Date	Date	
23-01020	12/20/23	R0158 REMINGTON & VERNICK ENGINEERS							
1		PROVCO PINEGOOD SITE INSPECT.	250.00	T-03-00-400-416	B Provco Pinegood (Insp Escrow) 1514-P-084	R	12/20/23	12/20/23	1514P084-30
23-01021	12/20/23	R0158 REMINGTON & VERNICK ENGINEERS							
1		C3 LAKEHURST 145 RT 70	1,375.48	T-03-00-400-417	B C3 lakehurst LLC B56 L18	R	12/20/23	12/20/23	1514P091-10
23-01022	12/20/23	R0158 REMINGTON & VERNICK ENGINEERS							
1		404 CENTER ST	370.00	T-03-00-400-019	B 404 Center St	R	12/20/23	12/20/23	1514P095-3
23-01023	12/20/23	R0158 REMINGTON & VERNICK ENGINEERS							
1		MASTER PLAN RE-EXAMINATION	170.00	3-01-55-900-013	B RESERVE MASTER PLAN UPDATE	R	12/20/23	12/20/23	1514T122-7
23-01024	12/20/23	R0158 REMINGTON & VERNICK ENGINEERS							
1		PROF SRVS STORMWATER MANAGEMEN	1,410.48	3-01-20-165-232	B ENGINEERING SERVICES	R	12/20/23	12/20/23	1514T123-8
23-01025	12/20/23	R0158 REMINGTON & VERNICK ENGINEERS							
1		WATER TREATMENT PLANT REHAB	3,854.95	C-08-01-583-001	B Ordinance 2022-12 WTP Upgrades	R	12/20/23	12/20/23	1514U080-7
23-01026	12/20/23	R0158 REMINGTON & VERNICK ENGINEERS							
1		PINE ST & UNION AVE.	10,149.53	G-02-00-200-629	B NJDOT FY 2023 - Pine St & Union Ave	R	12/20/23	12/20/23	1514U081-7
<hr/>									
Total Purchase Orders:	47	Total P.O. Line Items:	65	Total List Amount:	217,755.25	Total Void Amount:	0.00		

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS	3-01	39,892.34	0.00	39,892.34	0.00	0.00	39,892.34
WATER & SEWER OPERATING	3-09	<u>9,018.23</u>	<u>0.00</u>	<u>9,018.23</u>	<u>0.00</u>	<u>0.00</u>	<u>9,018.23</u>
	Year Total:	48,910.57	0.00	48,910.57	0.00	0.00	48,910.57
	C-04	3,600.14	0.00	3,600.14	0.00	0.00	3,600.14
	C-08	<u>98,208.95</u>	<u>0.00</u>	<u>98,208.95</u>	<u>0.00</u>	<u>0.00</u>	<u>98,208.95</u>
	Year Total:	101,809.09	0.00	101,809.09	0.00	0.00	101,809.09
	G-02	65,040.11	0.00	65,040.11	0.00	0.00	65,040.11
	T-03	1,995.48	0.00	1,995.48	0.00	0.00	1,995.48
Total of All Funds:		<u><u>217,755.25</u></u>	<u><u>0.00</u></u>	<u><u>217,755.25</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>217,755.25</u></u>

December 13, 2023
12:50 PM

Borough of Lakehurst
Bill List By P.O. Number

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

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

Include Non-Budgeted: Y

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
23-00972	12/07/23	M0082				MARINE LUMBER & PILING					
		1 8FT T&G INVOICE# 187063	1,764.00	C-04-00-563-001	B Ordinance	2021-07 Various Improvements	R	12/07/23	12/13/23		187063
		2 INVOICE # 187197	281.17	C-04-00-563-001	B Ordinance	2021-07 Various Improvements	R	12/07/23	12/13/23		187197
			<u>2,045.17</u>								

Total Purchase Orders: 1 Total P.O. Line Items: 2 Total List Amount: 2,045.17 Total Void Amount: 0.00

Totals by Year-Fund
Fund Description

Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
C-04	2,045.17	0.00	2,045.17	0.00	0.00	2,045.17
Total of All Funds:	<u>2,045.17</u>	<u>0.00</u>	<u>2,045.17</u>	<u>0.00</u>	<u>0.00</u>	<u>2,045.17</u>

**RESOLUTION #23-XXX
DECMEBER 21, 2023**

WHEREAS, a survey of the disbursements and anticipated commitments against the 2023 Current Fund and 2023 Water-Sewer Utility Fund Budget Appropriations reveals the need to transfer funds; **and**

WHEREAS, Title 40A:4-58 of the Revised Statutes of the State of New Jersey authorizes transfers commencing November 1 of the current year to March 31 of the next year.

PER ATTACHMENT

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the above stated transfer 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 governing body at the meeting of December 21, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

TRANSFER RESOLUTION #23-XXX OF DECEMBER 21, 2023 ATTACHMENT

CURRENT FUND

Transfer from:

Municipal Clerk - Salary & Wages	\$ 2,500.00
Vehicle Maintenance - Other Expenses	3,200.00
Landfill Disposal Costs	17,000.00
Total Current Fund transfers from:	\$ <u><u>22,700.00</u></u>

Transfer to:

Central Postage - Other Expenses	\$ 500.00
Finance - Other Expenses	500.00
Unemployment Insurance	17,700.00
Electricity - Other Expenses	2,000.00
Street Lighting - Other Expenses	2,000.00
Total Current Fund transfers to:	\$ <u><u>22,700.00</u></u>

WATER-SEWER OPERATING FUND

Transfer from:

Ocean County Utilities Authority	\$ 9,000.00
Total Water-Sewer Operating Fund transfers from:	\$ <u><u>9,000.00</u></u>

Transfer to:

Other Expenses	\$ 9,000.00
Total Water-Sewer Operating Fund transfers to:	\$ <u><u>9,000.00</u></u>

RESOLUTION
RESOLUTION AUTHORIZING SECOND AMENDMENT TO T-MOBILE
NORTHEAST LLC LEASE AGREEMENT
DECEMBER 21, 2023

WHEREAS, the Borough of Lakehurst (Lessor”) and T-Mobile Northeast, LLC (“Lessee”) through its predecessor in interest entered into a certain lease for one antenna upon the Borough’s Water Tower on March 23, 1998; **and**

WHEREAS, the parties have expressed a desire to enter into this amendment in order to modify and amend certain provisions of the Lease; **and**

WHEREAS, the Lessee will have the right to modify its Antenna Facilities with the addition of three (3) Antennas within the eight-one (81) square feet of space currently leased; **and**

WHEREAS, with the modifications, the monthly rent shall increase to \$3,000.00 per month and shall increase three percent (3%) over the rent paid during the previous year; **and**

WHEREAS, the Borough desires to authorize and approve the lease amendment as more fully described within the Second Amendment attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Borough hereby authorizes the modification of space for the provision of three antennas upon the Borough’s Water Tower with rent increase to \$3000.00 subject to and conditional upon T-Mobile Northeast LLC’s compliance with all of the terms and conditions of the lease amendment;

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute closing necessary to effectuate the purposes of this Resolution; **and**

BE IT FURTHER RESOLVED, that this Resolution take effect immediately.

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 December 21, 2023.

Maryanne Capasso, RMC
Municipal Clerk

**RESOLUTION
DECEMBER 21, 2023**

WHEREAS, N.J.S.A 40A:14-118 allows for the creation of a police department and the appointment of members as deemed appropriate, **and**

WHEREAS, the Governing Body recognizes the need to increase the number of regular police officers as the result of attrition, **and**

WHEREAS, the Civil Service Commission has set forth the requirements and procedures for hiring of entry level law enforcement officers pursuant to N.J.S.A. 11A:4-1.3; **and**

WHEREAS, the Borough of Lakehurst has adopted such requirements and procedures, **and**

WHEREAS, Joseph A. Ciaurro has successfully completed the Police Training Commission and has been recommended for appointment by Chief Matthew Kline.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey appoints Joseph A. Ciaurro to the position of police officer, effective January 7, 2024, at a base salary of \$46,371.39 per annum.

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 December 21, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
DECEMBER 21, 2023**

**RESOLUTION APPROVING SHARED SERVICES AGREEMENT WITH THE
PLUMSTED MUNICIPAL UTILITIES AUTHORITY FOR BASIC UTILITY
FINANCIAL SERVICES**

WHEREAS, the Borough of Lakehurst and the Plumsted Municipal Utility Authority have negotiated the terms of a shared services agreement, pursuant to which the Borough of Lakehurst shall provide Plumsted Municipal Utility Authority with Basic Utility Financial, upon the terms substantially set forth in the shared services agreement attached hereto and incorporated by reference, subject to the final review and approval of the Borough Attorney; **and**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes local units in the State of New Jersey to enter into agreements with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; **and**

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Lakehurst hereby approves entry into a shared services agreement with the Plumsted Municipal Utility Authority, consistent with the foregoing.

BE IT FURTHER RESOLVED that the Mayor and Council President are hereby authorized to execute the shared services agreement as approved by the Borough Attorney.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing.

I, Maryanne Capasso, 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 December 21, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
DECEMBER 21,2023**

RESOLUTION AUTHORIZING A STIPEND IN CONNECTION WITH A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF LAKEHURST AND THE PLUMSTED MUNICIPAL UTILITIES AUTHORITY FOR BASIC UTILITY FINANCIAL SERVICES

WHEREAS, Wayne M. Sibilía is the Chief Financial Officer for the Borough of Lakehurst;
and

WHEREAS, the Borough of Lakehurst desires Wayne M. Sibilía to serve as the Chief Financial Officer for the Plumsted Municipal Utility Authority in connection with a Shared Services Agreement for basic utility financial services; **and**

WHEREAS, the Borough of Lakehurst desires to compensate Wayne M. Sibilía for his role as Chief Financial Officer for the Plumsted Municipal Utility Authority in connection with a Shared Services Agreement for basic utility financial services;

WHEREAS, the Certification of Funds has been issued by the CFO:

CERTIFICATION OF FUNDS: I, Wayne M. Sibilía, Chief Financial Officer of the Borough of Lakehurst, do hereby certify that funds in the amount of \$15,000 annually will be made available pursuant to the approval of a shared services agreement with the Plumsted Municipal Authority.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council authorizes a stipend of \$15,000 annually, effective December 1, 2023.

I, Maryanne Capasso, 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 December 21, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
DECEMBER 21, 2023**

RESOLUTION AUTHORIZING A STIPEND IN CONNECTION WITH A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF LAKEHURST AND THE PLUMSTED MUNICIPAL UTILITIES AUTHORITY FOR BASIC UTILITY FINANCIAL SERVICES

WHEREAS, Renee James is the Deputy Tax Collector for the Borough of Lakehurst; **and**

WHEREAS, the Borough of Lakehurst desires Renee James to serve as a Utility Account Services Specialist for the Plumsted Municipal Utility Authority in connection with a Shared Services Agreement for basic utility financial services; **and**

WHEREAS, the Borough of Lakehurst desires to compensate Renee James for her role as a Utility Account Services Specialist for the Plumsted Municipal Utility Authority in connection with a Shared Services Agreement for basic utility financial services;

WHEREAS, the Certification of Funds has been issued by the CFO:

CERTIFICATION OF FUNDS: I, Wayne M. Sibilia, Chief Financial Officer of the Borough of Lakehurst, do hereby certify that funds in the amount of \$6,500 annually will be made available pursuant to the approval of a shared services agreement with the Plumsted Municipal Authority for the position of procurement specialist.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council authorizes a stipend of \$6,500 annually, effective December 1, 2023.

I, Maryanne Capasso, 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 December 21, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
DECEMBER 21, 2023**

RESOLUTION AUTHORIZING A STIPEND IN CONNECTION WITH A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF LAKEHURST AND THE PLUMSTED MUNICIPAL UTILITIES AUTHORITY FOR BASIC UTILITY FINANCIAL SERVICES

WHEREAS, Kori Brennan serves as a Clerk I for the Borough of Lakehurst; **and**

WHEREAS, the Borough of Lakehurst desires Kori Brennan to serve as a Utility Account Services Specialist for the Plumsted Municipal Utility Authority in connection with a Shared Services Agreement for basic utility financial services; **and**

WHEREAS, the Borough of Lakehurst desires to compensate Kori Brennan for her role as a Utility Account Services Specialist for the Plumsted Municipal Utility Authority in connection with a Shared Services Agreement for basic utility financial services;

WHEREAS, the Certification of Funds has been issued by the CFO:

CERTIFICATION OF FUNDS: I, Wayne M. Sibilia, Chief Financial Officer of the Borough of Lakehurst, do hereby certify that funds in the amount of \$5,500 annually will be made available pursuant to the approval of a shared services agreement with the Plumsted Municipal Authority for the position of procurement specialist.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council authorizes a stipend of \$5,500 annually, effective December 1, 2023.

I, Maryanne Capasso, 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 December 21, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION
DECEMBER 21, 2023**

**RESOLUTION AUTHORIZING A STIPEND IN CONNECTION WITH A SHARED
SERVICES AGREEMENT BETWEEN THE BOROUGH OF LAKEHURST AND THE
PLUMSTED MUNICIPAL UTILITIES AUTHORITY FOR BASIC UTILITY
FINANCIAL SERVICES**

WHEREAS, Pamela Heinzman is the Treasurer for the Borough of Lakehurst; **and**

WHEREAS, the Borough of Lakehurst desires Pamela Heinzman to serve as the Procurement Specialist for the Plumsted Municipal Utility Authority in connection with a Shared Services Agreement for basic utility financial services; **and**

WHEREAS, the Borough of Lakehurst desires to compensate Pamela Heinzman for her role as the Procurement Specialist for the Plumsted Municipal Utility Authority in connection with a Shared Services Agreement for basic utility financial services;

WHEREAS, the Certification of Funds has been issued by the CFO:

CERTIFICATION OF FUNDS: I, Wayne M. Sibilio, Chief Financial Officer of the Borough of Lakehurst, do hereby certify that funds in the amount of \$4,000 annually will be made available pursuant to the approval of a shared services agreement with the Plumsted Municipal Authority for the position of procurement specialist.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council authorizes a stipend of \$4,000 annually, effective December 1, 2023.

I, Maryanne Capasso, 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 December 21, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

**RESOLUTION 2023-
DECEMBER 21, 2023**

AUTHORIZING CANCELLATION OF 2023 TAXES TO THE HOMEOWNER

BE IT RESOLVED by the Borough Council of the Borough of Lakehurst that upon the recommendation of the Tax Assessor, the 2023 taxes are exempt and should be cancelled on the following property assessed to the appropriate homeowner that became a 100% Disabled Veteran effective June 27, 2023.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>YEAR</u>	<u>AMOUNT</u>
36	12	Gavin Brown 505 Oak Street Lakehurst, NJ 08733	2023	\$ 4,544.28

I, Maryann 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 December 21, 2023.

**Maryann Capasso, RMC
Municipal Clerk**

RESOLUTION
December 21, 2023

WHEREAS, the Borough of Lakehurst is desirous of entering into an agreement with the Lakehurst Board of Education for the removal of snow; **and**

WHEREAS, the Borough of Lakehurst agrees to abide by all terms and conditions in said Hold Harmless 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 Hold Harmless Agreement between the Borough of Lakehurst and the Lakehurst Board of Education for the removal of snow.
2. That the term of said agreement will be for a period of one year commencing January 1, 2024 and ending December 31, 2024
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, 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 December 21, 2023.

Maryanne Capasso, RMC
Municipal Clerk

**RESOLUTION
DECEMBER 21, 2023**

WHEREAS, VFW Post 10061 has applied for raffles license to conduct instant on-premise raffles awarding cash as a prize seven days a week from December 1, 2023 through December 1, 2024, **and**,

WHEREAS, the Statement of Findings and Determinations shows no reason why this license 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 License for VFW Post 10061 is hereby approved.

I, Maryanne Capasso, 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 December 21, 2023.

**Maryanne Capasso, RMC
Municipal Clerk**

ORDINANCE

“AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER IV, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, ENTITLED “GENERAL LICENSING”

2023-24

NOW, THEREFORE, BE IT ORDAINED by the Mayor and council of the Borough of Lakehurst, County of Ocean, State of New Jersey, that Chapter 4, Section 6 of the Borough Code of the Borough of Lakehurst entitled “Jewelry, Gems and Precious Metals Dealers, Secondhand Dealers and Thrift Stores” is hereby repealed and replaced in its entirety and shall read as follows:

SECTION I.

§4-6.1 Purpose and Intent.

The purpose of this chapter is to:

Implement, within the jurisdictional boundaries of the Borough of Lakehurst and establish procedures pursuant to the New Jersey Pawn Broking law (N.J.S.A.45:22-2 et. seq);

Establish procedures for the licensing and operation of pawnbrokers and dealers of secondhand goods, through the implementation of a standard body of uniform policies and recordkeeping requirements to which each business governed by this chapter shall abide.

Facilitate the prevention of fraud, impositions, and other abuses upon citizens of the Borough of Lakehurst.

Ensure the difficulty of disposing of stolen property and aid in the recovery of stolen property.

No person shall use, exercise or carry on the business, trade or occupation of buying scrap gold, old gold, silver, jewelry, home electronics/audio and visual equipment, musical instruments, telephones and telephonic equipment, scales, computers, computer hardware and software, typewriters, word processors, scanners, sporting goods of all kinds, antiques, platinum, all other precious metals, tools of all kinds, televisions, DVRs, GPS, camcorders, car stereos, gift cards, furniture, clothing or other valuable articles, hereinafter referred to as "secondhand goods or articles," or

being a secondhand Dealer within the Borough of Lakehurst without having first obtained a license from the Borough of Lakehurst Clerk as hereinafter provided.

§4-6.2 Definitions

Words used in the present tense shall include the future, words in the plural number shall include the singular number, and words in the singular number shall include the plural number. The word "shall" is always mandatory and not merely directory. As used in this chapter, the following terms shall have the meanings indicated:

ACCEPTABLE IDENTIFICATION

Acceptable forms of identification include: a current valid New Jersey Driver's License or Identification Card, a current valid photo driver's license issued by another US state, a valid United States Passport, or other verifiable US Government issued identification.

ANTIQUA OR ANTIQUES

One or more old and valuable art object or item no longer in production that is at least fifty (50) years old. As used in this chapter, the terms "antiqua" or "antiques" shall also mean "primitives."

ANTIQUA DEALER

Any person, partnership, firm, association or corporation, other than a licensed pawnbroker or licensed secondhand dealer, having a place of business in the Borough of Lakehurst for the purpose of purchasing, trading or dealing in antiques or primitives and who derives seventy-five percent (75%) of his or her gross sales from the sale of antiques or primitives.

ARTICLE

Any article of merchandise, including any portion of such article, whether a distinct part thereof or not, including every part thereof whether separable or not, and including material for manufacture. And as so defined in N.J.S.A. 51:6-1.

BUSINESS ENTITY

Any and all forms of business organization operating pursuant to law, including but not limited to entities designated and/or operating as a partnership, limited liability company, corporation, "S" corporation, association, or firm. For purposes of this chapter, the term "business entity" includes a foreign business or business

formed under the laws of another state which business is authorized by the State of New Jersey Division of Revenue to conduct business within this state and, at all times relevant to this chapter, is in good standing with the New Jersey Division of Revenue. Foreign businesses include all forms of business entity recognized in the foreign jurisdiction, including any form of business entity not otherwise recognized by the laws of the State of New Jersey, such as, without limitation, a limited liability partnership.

CHIEF OF POLICE

The Chief of Police of the Borough of Lakehurst or his designee/representative.

DATABASE

A computerized internet capable database with hardware and software compliant to, accessible by, and acceptable to the Chief of Police.

DEALER

Any person, partnership, corporation, or other entity, whether permanent or itinerant, who on one or more occasions (through any means) buys or sells or otherwise exchanges or trades secondhand gold, silver, precious metals, gems, or jewelry, and includes anyone advertising the purchase or sale of any of the aforementioned items.

DESIGNATED VENDOR

A person or entity who is appointed or designated by the Chief of Police who is authorized to collect and maintain precious metal transaction information or other purchase information as defined herein, for the Borough of Lakehurst.

GARAGE SALE

Includes all sales entitled "garage sale," "lawn sale," "attic sale," "rummage sale," "flea market sale," "auction sale" or "yard sale" or any similar casual sale of used tangible personal property which is advertised by any means whereby the public at large is or can be made aware of the sale.

GIFT CARD

A restricted monetary equivalent or script that is issued by retailers or banks to be used as an alternative to a nonmonetary gift.

LICENSEE

Any person or business entity granted a license pursuant to this chapter and/or granted a license by the Department of Banking and Insurance in accordance with the Pawn Broking Law.

MINOR

Any person under the age of 18 years.

P AWNBROKER

Any person, partnership, association or corporation lending money on deposit or pledge of personal property, other than chooses in action, securities, or printed evidences of indebted ness; purchasing personal property on condition of selling it back at a stipulated price; or doing business as furniture storage warehouseman and lending money on goods, wares, or merchandise pledged or deposited as collateral security. For purposes of this chapter, the term "pawnbroker" shall include any secondhand dealer who also operates as a pawnbroker or undertakes any action or conduct which includes the business of a pawnbroker as defined in the Pawnbroker Law.

PAWN BROKING LAW

The New Jersey statute and implementing regulations, N.J.S.A. 45:22-1, et seq. and N.J.A.C. 3:16-1.1, et seq., respectively, and any and all amendments thereto, which govern and regulate pawn shop businesses and pawnbrokers operating within the State of New Jersey.

PERSON

Any individual which is not a business entity. For purposes of this chapter, the term "person" shall also include an individual operating a business as a sole proprietorship.

PRECIOUS METALS

Comprised of gold, silver, sterling, platinum and/or their alloys as defined in N.J.S.A. 51:5-1 et seq., N.J.S.A. 51 :6-1 et seq. and/or N.J.S.A. 51:6A-1 et seq.; gems, gemstones, coins and all forms of jewelry herein contained.

PLEDGE

An article or articles deposited with a pawnbroker in the course of business.

PLEDGOR

A person who delivers the pledge into the possession of a pawnbroker, unless such person discloses that he is or was acting for another, and in such an event "Pledgor" means the disclosed principal.

PURCHASE

Not only the exchange of money for precious metals, but the exchange or trading of any other tangible or intangible property for precious metals.

PURCHASE

The exchange of money and the exchange, deposit, pledge, sale, conveyance or trade of any tangible or intangible article.

REPORTABLE TRANSACTION

Every transaction conducted by a Dealer in which precious metals, or other tangible property, are purchased or exchanged from or with the public.

SECONDHAND DEALER OR DEALER IN SECOND-HAND GOODS

As used in this chapter, any person, partnership, corporation, association, joint venture, trustee, court-appointed representative or agent thereof which operates a business for profit which buys, sells, possesses on consignment for sale or trades jewelry, stamps, coins or any precious metals which may have been previously owned by a consumer or which derives more than 35% of its gross receipts from the sale, consignment for sale, pledge or trade of any goods, wares or merchandise which have previously been owned by a consumer, including but not limited to furniture, appliances, consumer electronic goods, clothing, automobile accessories, books, magazines, athletic cards and memorabilia or precious metals, whether in bulk or manufactured state. The term "secondhand dealer" shall include businesses commonly known as "pawnbrokers," "trading posts," "swap shop operators," "stamp dealers," "coin dealers," "jewelers" and "auction houses" that purchase and resell items from persons other than dealers and suppliers. The fact that any business does any of the following acts shall be prima facie proof that said business is a secondhand dealership:

- A. Advertises in any fashion that it buys or sells secondhand or used items. Such advertisements shall include, but are not limited to, media advertisements, telephone listings, and signs, whether on the exterior or interior of the business.
- B. Devotes a significant segment or section of the business premises to the purchase or sale of secondhand or used items.

C. Secondhand Goods. Goods which have been previously owned, worn or used by a consumer and/or that are not new. For the purposes of this chapter, the term "secondhand goods" shall include "secondhand watches" except where the context clearly indicates to the contrary.

D. Secondhand Watches. A watch shall be deemed to be second-hand if:

1. It as a whole or the case thereof or the movement thereof has been previously sold to or acquired by any person who bought or acquired the same for his use or the use of another, but not for resale; provided, however, that a watch which has been so sold or acquired and is thereafter returned either through an exchange or for credit to the original individual, firm, partnership, association or corporation who sold or passed title to such watch, shall not be deemed to be a second hand watch for the purposes of this chapter if such vendor shall keep a written or printed record setting forth the name of the purchaser thereof, the date of the sale or transfer thereof, and the serial number (if any) on the case and the movement, and any other distinguishing numbers or identification marks, which said record shall be kept for at least five (5) years from the date of such sale or transfer and shall be open for inspection during all business hours by the Ocean County Prosecutor or the prosecutor's duly appointed representative;
2. Its case, serial numbers or movement numbers or other distinguishing numbers or identification marks shall be erased, defaced, removed, altered or covered; or
3. If its movement is more than five (5) years old and has been repaired by any person or persons, including the vendor, notwithstanding that it may have been returned either through an exchange or for credit to said original vendor. Cleaning and oiling a watch movement or recasting the movement in a new case shall not be deemed watch repair for the purposes of this chapter.

TRANSIENT BUYER

A Dealer who has not been in any retail business continuously for at least six (6) months at that address in the municipality where the Dealer is required to register or who intends to close out or discontinue all retail business in the Borough of Lakehurst within six (6) months. Or as so defined in N.J.S.A. 51:6A-5 and N.J.A.C. 13:47C- 1.1

Compliance with state and federal laws required.

Any licensee operating as a pawnshop or pawnbroker shall comply with all applicable state and federal laws and regulations that govern the same. Specifically, businesses dealing in the purchasing of precious metals will comply with the laws outlined in NJ .SA 51:6A-1.

Notwithstanding anything in Chapter 4-1 ("Mercantile Licensing") to the contrary, except where otherwise stated in this chapter, the provisions of this chapter shall govern pawnbrokers, pawn broking activities, dealers in secondhand goods and precious metal dealers with respect to issuance, term, renewal and effect of licenses issued pursuant to this chapter and the violations and penalties set forth in this chapter. It is the express intent of the Borough of Lakehurst that any conflict between this chapter and Chapter 4-1 of the Code of the Borough of Lakehurst, entitled "Mercantile Licensing," be resolved in favor of this chapter.

§4-6.3. License required.

No person, either as owner, manager, lessee, officer or agent, or in any other business, within the Borough of Lakehurst, shall operate or permit to operate as a pawnbroker/secondhand dealership without first having obtained a license from the Borough of Lakehurst to do so.

If an individual is deemed a pawnbroker or business deemed a pawn shop, then a license from the Commissioner of Banking and Insurance is required. [NJ.S.A. 45:22-21]

A. Exemptions.

The following are exempt from the requirements of this chapter:

Garage sales. As used in this section, a "garage sale" is defined in above definitions.

Sales conducted by governmental, civic, patriotic, fraternal, educational, religious or benevolent organizations which have been in active and continuous existence for at least one year prior to the holding of the sale or which are incorporated as a not-for-profit corporation by the state.

Sales or purchases which are regulated by the licensing laws of the state, including automobile dealers, used parts dealers and automotive parts recyclers.

Antique dealers. As used in this section, an antique dealer is defined as one who derives 75% of his gross sales each year from the sale of antiques and/or primitives. As used in this section, an "antique" or "primitive" is defined as an old and valuable art object or article no longer in production that is at least 50 years old. As used in this section, the term "sale" does not include an exchange, trade, or swap of items

B. Application.

An application for a license required shall be made in writing to the Borough of Lakehurst Clerk which shall minimally set forth the following:

The name of the individual, partnership, corporation or association applying for a license;

The residence, phone number, date of birth, driver's license number, and social security number or federal tax identification number of the applicant or partners or, if a corporation or association, the residence, phone number and driver's license number of the officers and all shareholders owning more than 5% of the outstanding shares of stock;

The location for which the license is requested;

Whether the applicant, its partners, officers or listed shareholders have been convicted of any criminal offense or ordinance violation (other than traffic or parking offenses) in any jurisdiction and, if so, a list of such convictions with date and prosecuting jurisdiction; and

Whether the applicant, its partners, officers or listed shareholders have held a license or had an interest in a license issued by this or any other jurisdiction regulating the purchase or sale of secondhand property revoked for cause and, if so, list the date of revocation and jurisdiction.

In the case of a pawnbroker, the applicant's name, address, fingerprints and written consent for a criminal history record must be forwarded to the Commissioner.

C. Fees.

Any pawnbroker or secondhand dealer shall, before engaging in business within the Borough of Lakehurst, apply for and secure a license to engage in, conduct, and transact such a business, the fee for which license shall be the sum of two hundred dollars, in addition to the standard business license fee. The applicant shall pay the

Borough of Lakehurst Clerk, prior to filing an application, a license fee of (\$100.00) One Hundred Dollars per Township fiscal year or part thereof. The license shall be renewed each year. Application for renewal of License shall be made to the Borough Clerk on or before January 31st of each year and shall be submitted to the Borough Council for approval. The annual renewal fee shall be (\$10.00) Ten Dollars. Should the license be denied, the license fee shall be refunded to the applicant.

Following the issuance of a license, the licensee shall secure the acceptable Database Software System. Any software licensing fee shall be paid by the licensee direct to the software provider and shall not be part of and is in addition to the license fee required by the Borough of Lakehurst.

D. Issuance.

The Borough Clerk shall issue the license requested unless the Borough of Lakehurst Clerk shall find:

The applicant is under the age of 18;

The location requested is not in a permanent structure;

The applicant, its partners, officers or listed shareholders have been convicted of or have pleaded guilty to any offense related to theft, burglary, or purchasing or receiving stolen items under the laws of this state, Borough of Lakehurst or any other jurisdiction within the past 10 years, or have forfeited a bond to appear in court to answer for charges for such offenses during said time;

That the location requested and structure to be used would not comply with all applicable laws, including the Zoning Code of the Borough of Lakehurst.

That the applicant, its partners, officers or listed shareholders have held a license or had an interest in a license issued by the Borough of Lakehurst or any other jurisdiction regulating the purchase or sale of secondhand property which was revoked for cause; or

That the applicant, its partners, officers or listed shareholders have knowingly furnished false or misleading information or withheld relevant information on any application for a license required by this chapter or any investigation into any application.

E. Posting.

Every license issued under the provisions of this chapter shall, at all times during the period for which it is effective, be posted in a conspicuous place at or near the

principal entrance to the premises for which the license is issued.

F. Revocation.

Any license issued for a secondhand dealer may be revoked or suspended for a period not to exceed 30 days by the Mayor and Council if they shall find after hearing:

That the licensee, its officers, agents or employees have violated any of the provisions of this chapter, the laws of the state or ordinances of the Borough of Lakehurst in the operation of the business; or

That the licensee, its partners, officers or shareholders have been convicted of any offense set forth in this chapter; or

That the licensee, partners, officers or shareholders have knowingly furnished false or misleading information or withheld relevant information on any application for a license required by this chapter or any investigation into any application. The licensee shall be responsible for the acts of its agents, servants and employees in the operation of the business. Prior to holding a hearing concerning the question of whether a license shall be revoked or suspended, the Mayor shall give at least 10 days written notice to the licensee setting forth the alleged violation. The licensee may present evidence and cross-examine witnesses at such hearing.

G. False or misleading application.

In addition to being subject to penalty as hereinafter set forth, any person who obtains a license as herein provided by furnishing the Borough of Lakehurst with a false or misleading application shall, upon the discovery thereof, suffer an immediate revocation of such license and forfeiture of all fees paid.

H. Transfer.

No license issued under this chapter may be transferred to any other person, partnership, corporation or association.

I. Change of location.

No licensee shall carry on any business required to be licensed under this chapter except at the location designated on the license. Should the licensee wish to change the location, application shall be made to the Borough of Lakehurst for such change in

writing.

§4-6.4 Operation.

A. Hours of operation.

No licensee shall purchase any goods, wares, articles or things, whatsoever, or lend any money to any person between the hours of 11:00 p.m. (2300) and 7:00 a.m. (0700) the next day.

B. Prohibited purchases.

No licensee shall purchase or accept any goods, wares, articles, or things under any of the following circumstances:

Where the seller is less than the age of 18;

A pawnbroker may not accept a pledge from any person who is under the age of 16. [N.J.S.A. 45:22-31]

Where the seller is intoxicated, "Intoxicated" is defined as a seller whose mental or physical functioning is substantially impaired as a result of the use of alcohol or drugs.

Where the seller fails to present a valid New Jersey driver's license or at least two forms of identification of which at least one contains the seller's full legal name, date of birth, a photograph or full physical description, and an identification number.

Where the article to be purchased had an original manufacturer's serial number at the time it was new but no longer legibly exhibits said number.

C. Purchasing, selling, or displaying weapons prohibited.

No licensee shall deal in, buy or sell, or display in his shop any pistol, revolver, Derringer, Bowie knife, dirk or other deadly weapon of like character, capable of being secreted upon the person, unless such licensee shall also possess valid and current licenses or permits as required by applicable federal, state, or local laws, ordinances, rules or regulations.

D. Pawnbroker s' and Secondhand Dealers' responsibilities and requirements.

Each pawnbroker or secondhand dealer within the Borough of Lakehurst shall, upon the purchase of any precious metals, or secondhand goods from the public, be required to do as follows:

Each pawnbroker or secondhand dealer shall operate and maintain a computer system with internet access and photographic or video capability sufficient for the electronic reporting requirements of this chapter. Any failure or malfunction of such equipment on the part of the licensee shall not exempt the licensee from the below reporting requirements. The licensee shall immediately notify the police department of any such failure or malfunction and shall have such resolved as soon as practicable. Failure by the licensee to resolve any failure or malfunction of equipment in a reasonable amount of time will lead to license revocation.

Record on a numbered receipt the name, address and telephone number of the purchaser; the name, address and telephone number of the seller or sellers; the time and date of the transaction; the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams of the precious metals; and fineness in terms of karats for gold, and sterling or coin for silver, in accordance with N.J.S.A. 51:5-1 et seq. and N.J.S.A. 51:6-1 et seq. This information is to be documented through use of an electronic database software system as designated by the Chief of Police. These records shall be subject to the inspection of any authorized police officer of the Borough of Lakehurst.

Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, enter all transactions into the electronic database within forty-eight (48) hours from the date of purchase. The information contained in Subsection B above, plus the following:

1. A physical description of the seller.
2. The receipt number.
3. A full description of the item or items purchased, including but not limited to marks, numbers, dates, sizes, shapes, initials and monograms.
4. The price paid for the item.
5. The form must be signed by the seller and initialed by the Clerk who made the transaction.

The precious metals are to be made available for inspection by the Chief of Police of Borough of Lakehurst or his designated representative for a period often days from the date the information required above is received by the Chief of Police or his

designated representative, on the approved form. The precious metals shall remain in the same condition as when purchased and shall not be changed, modified, melted or disposed of by the purchaser until the ten-day period has expired. During this ten-day period, the precious metals shall be placed in public view at the purchaser's place of business. If the property is such that it would create a hardship on the pawnbroker by holding the precious metals for such period, the pawnbroker may present the property to the Chief of Police or his representative in order that it may be photographed and, if deemed necessary by the Chief of Police or his designated representative, an investigation be implemented. The Chief of Police or his designated representative has the authority to grant the pawnbroker a waiver of the requirement under this section.

In addition to the information required to be reported above, each pawnbroker or secondhand dealer doing business in the Borough of Lakehurst shall obtain a photographic image of a photo ID card of the seller, sufficiently clear to allow the information on the ID to be read. The photo ID must be currently valid (not expired) card issued by a government entity of the United States and must include the pawn/seller's first and last name, current address, date of birth and physical descriptors. In the event the card is valid but does not contain the seller's current address, the licensee must separately record and report the current address.

Any property exchanged in a transaction shall be digitally photographed and reported as required by the Chief of Police, unless such property bears a valid and unique serial number that is permanently inscribed on the property. It is unlawful to do business with persons failing to supply required information.

It is unlawful to receive or purchase in any manner any goods or articles or make any advance or loan whatever on the same if the person or persons pawning, pledging, depositing or selling the same shall refuse to make known his, her, or their names, to submit to a general description, or shall refuse to make known the name or names of the person or persons for whom the same were pawned, pledged, deposited or sold, or knowingly make any false entry of any matter or thing required to be made in said book or cause or permit the same to be made.

Dealer payment to sellers in cash shall be limited to two (2) transactions during a seven (7) day period for the same seller. The seven (7) day period will commence on the day of the first transaction and end seven days after the transaction, i.e. if transaction #1 occurs on Monday the seven (7) day period ends on Sunday. Furthermore, no cash payments shall be made to the same sellers who make more than five (5) transactions in any given thirty (30) day period. Sellers making transactions over the number of proscribed weekly and monthly periods will be paid by the Dealer by means of a bank check drawn from the Dealer's business account.

It shall be the requisite duty of every Dealer, and of every person in the Dealer's

employ, to admit to the premises during business hours any member of the Borough of Lakehurst Police Department to examine any database, book, ledger, or any other record on the premises relating to the purchase of precious metals from the public, as well as the articles purchased or received, , and to take possession of any article known by the police officer or official to be missing or to have been stolen, or where the officer or official has probable cause to believe the article is missing or stolen.

E. Non-Applicability.

This chapter shall not apply to purchases made by jewelers or other pawnbrokers from wholesalers or other suppliers but shall only apply to those purchases made from the public or other retail purchases. The pawnbroker shall keep records of all wholesale purchases for a period of six months from the date of such purchase, which records shall be opened to investigation by the Borough of Lakehurst Police Department.

F. Inspection of premises; seizures.

Every licensee and every person employed by the licensee in the conduct of business shall admit to any and every part of the premises designated in the license, during normal business hours, any law enforcement officer to examine any goods, articles, things, pledges, pawns, or books or other records on the premises dealing with purchase or sale of used property and to search for and to take into possession without compensation to the licensee any article known or for which such officer has reasonable grounds to believe to have been stolen. Such law enforcement officer may make any such search or seizure as is provided for in this section and property so seized shall be receipted for by such officer, who shall fully describe the seized property and sign the receipt.

Should the officer determine the property not to be stolen, the officer shall promptly return same to the licensee and obtain a receipt therefore, as aforesaid. In the case of property obtained in the case of a domestic theft, the victim shall make restitution for the amount paid to obtain said property. Other restitution will be made by way of criminal complaints against the seller of said items.

§4-6.5 Secondhand Watches

A. Secondhand watches to be clearly marked.

Any person or business entity engaged in the business of buying or selling watches, or any agent or servant thereof, who may sell or exchange, or offer for sale or exchange, expose for sale or exchange, possess with the intent to sell or exchange, or display with the intent to sell or exchange any secondhand watch, shall affix and keep affixed to the same a tag with the words "second-hand" clearly and legibly written or printed thereon, and the said tag shall be so placed that the words "second-hand" shall be in

plain sight at all times.

B. Special invoice for secondhand watches.

Any person or business entity engaged in the business of buying or selling watches, or any agent or servant thereof, who may sell a secondhand watch or in any other way pass title thereto shall deliver to the vendee a written invoice bearing the words "secondhand watch" in bold letters, larger than any of the other written matter upon said invoice, which invoice shall also set forth the following:

1. The name and address of the vendor;
2. The name and address of the vendee;
3. The date of the sale;
4. The name of the watch or its makers;
5. The serial numbers, if any; and
6. Any other distinguishing numbers or identification marks upon its case and movement; or, if the serial numbers or other distinguishing numbers or identification marks shall have been erased, defaced, removed, altered or covered, the invoice shall so state.

The vendor shall keep on file a duplicate of said invoice for at least five (5) years from the date of the sale thereof, which shall be open to inspection during all business hours by the Camden County Prosecutor or his duly authorized representative.

C. Advertising secondhand watches.

Any pawnbroker, secondhand dealer or other person or business entity or any agent thereof, who may advertise or display in any manner a secondhand watch for sale or exchange shall state clearly in such advertisement or display that said watch is a secondhand watch.

§4-6.6 Violations and penalties.

Violation of any provision of this chapter shall, upon conviction thereof, be punished by a minimum fine of \$100 or a maximum of \$1,000, or by imprisonment for a term not exceeding 90 days, or by a period of community service not exceeding 90 days. Each and every violation shall be considered a separate violation. Every day that a violation continues shall be a separate violation. Each violation shall result in an additional ten (10)

day suspension. Any person who is convicted of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the Court to an additional fee as a repeat offender. The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter. For a third or subsequent violation under this chapter, the mercantile license of said business may be revoked upon notification by Mayor and Council.

SECTION II.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION III.

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and 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.

SECTION VIII.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Hon. Harry Robbins, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that an ordinance #2023-24 entitled “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER IV, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, ENTITLED “GENERAL LICENSING” was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the 21st day of December 2023.

Maryanne Capasso, RMC
Municipal Clerk

**“AN ORDINANCE OF THE BOROUGH OF LAKEHURST
COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER XIII OF
THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF LAKEHURST
ENTITLED “HOUSING AND PROPERTY MAINTENANCE” TO CREATE A NEW
SUBSECTION ENTITLED “LEAD-BASED PAINT INSPECTIONS””**

2023-25

WHEREAS, pursuant to P.L. 2021, c.182, all municipalities are now required to inspect every single-family, two-family, and multiple rental dwelling located within the municipality at tenant turnover for lead-based paint hazards; and

WHEREAS, it is in the best interests of the residents of the Borough of Lakehurst to amend the Borough Code at this time to require inspections for lead-based paint in residential rental dwellings to conform with New Jersey State law;

WHEREAS the Borough wishes through this Ordinance to establish entitled “Lead-Based Paint Inspections” of the Borough Code in order to serve the best interests of the Borough and its residents.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Lakehurst, in the County of Ocean and State of New Jersey that:

SECTION 1. Chapter 13 of the Borough Code of the Borough of Lakehurst entitled “Housing and Property Maintenance is hereby amended to create new subsection entitled “Lead-Based Paint Inspections” which shall read as follows:

§13-4 Lead-Based Paint Inspections.

§13-4.1 Definitions.

Lead Abatement – Measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the Commissioner of Community Affairs in compliance with standards promulgated by the appropriate federal agencies.

Dust Wipe Sampling – A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

Lead Evaluation Contractor – A person certified by the New Jersey Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:171.1 et seq.

Lead-based Paint Hazard - Any condition that causes exposure to lead from lead-contaminated dust or soil or lead-contaminated paint that is deteriorated or present in surfaces that would result in adverse human health effects.

Visual Assessment – A visual examination for deteriorated paint or visible surface dust, debris,

or residue.

Tenant turnover - The time at which all existing occupants vacate a dwelling unit and all new tenants move into the dwelling unit.

§13-4.2 Inspections.

A. A lead evaluation contractor retained by the Borough shall inspect every single-family, two-family, or multiple rental dwelling located in the Borough of Lakehurst for lead-based paint hazards through visual assessment and dust wipe sampling in accordance with N.J.S.A. 52:27D-437.1 et seq.

B. In lieu of having the dwelling inspected by the Borough's lead evaluator, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to perform the lead-based paint inspection in accordance with N.J.S.A. 52:27D-437.1 et seq.

C. In accordance with N.J.S.A. 52:27D-437.16(c), a dwelling unit in a single-family, two-family, or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:

(1) Has been certified to be free of lead-based paint;

(2) Was constructed during or after 1978;

(3) Is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least ten (10) years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.);

(4) Is a single-family or two-family seasonal rental dwelling which is rented for less than six months duration each year by tenants that do not have consecutive lease renewals; or

(5) Has a valid lead-safe certification.

D. The owner, landlord, and/or agent of every single-family, two-family, or multiple rental dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three (3) years, or at tenant turnover, whichever is earlier.

E. If lead-based paint hazards are identified, then the owner, landlord, and/or agent of the dwelling shall remediate the lead-based paint hazard using lead abatement or lead-based control methods in accordance with N.J.S.A. 52:27D-437.16(d). Upon the remediation of the lead-based paint hazard, the Borough's lead evaluation contractor shall conduct an additional inspection of the unit to certify that the hazard no longer exists.

F. If no lead-based paint hazards are identified, then the Borough's lead evaluator shall certify the dwelling as lead-safe on a form prescribed by the Department of Community Affairs,

which shall be valid for two (2) years.

G. Pursuant to N.J.S.A. 52:27D-437.16(e), property owners shall:

(1) Provide evidence of valid lead-safe certification and the most recent tenant turnover at the time of the cyclical inspection

(2) Provide evidence of a valid lead-safe certification obtained pursuant to this Section to new tenants of the property at the time of tenant turnover unless not required to have had an inspection by a lead evaluation contractor or permanent local agency pursuant to §13-4.2(C) of this Chapter.

(3) Maintain records of lead-safe certification, which shall include name(s) of the unit tenant(s), if inspection was conducted during a period of tenancy.

H. Fees.

(1) As listed in the fee ordinance

(2) In accordance with N.J.S.A. 52:27D-437.16(h), an additional fee of \$20.00 per dwelling unit inspected by the Borough's lead evaluation contractor or the owner's private lead evaluation contractor shall be addressed for the purpose of the Lead Hazard Control Assistance Act, unless the owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20.00. The fees collected pursuant to this subsection shall be deposited into the Lead Hazard Control Assistance Fund.

(3) In a common interest community, any inspection fee charged pursuant to this subsection shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit.

§13-4.3 Violations.

Penalties for violation of Chapter 13-4 shall be as follows:

A. If a property owner has failed to conduct the required inspection or initiate any remediation as required by N.J.S.A. 52:27D-437.1 et seq. the owner shall have 30 days to cure the violation.

B. If a property owner fails to cure the violation after 30 days, the property owner shall be subject to a penalty not to exceed \$1,000.00 per week until the required inspection has been conducted or remediation efforts have been initiated.

SECTION 2. If any section, paragraph, subsection, clause, or provision of this Amendment shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective;

SECTION 3. If any ordinances or parts thereof are in conflict with the provisions of this

Ordinance those provisions shall be repealed to the extent of such conflict.

SECTION 4. This Ordinance shall take effect upon passage and publication in accordance within applicable law.

Hon. Harry Robbins, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that an ordinance #2023-25 entitled “AN ORDINANCE OF THE BOROUGH OF LAKEHURST COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER XIII OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF LAKEHURST ENTITLED “HOUSING AND PROPERTY MAINTENANCE” TO CREATE A NEW SUBSECTION ENTITLED “LEAD-BASED PAINT INSPECTIONS” was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the 21st day of December 2023.

Maryanne Capasso, RMC
Municipal Clerk