

The Lakewood Township Committee held a Meeting on Thursday, October 3, 2013, in the Lakewood Municipal Building, at 5:30 PM for the Executive/Workshop Session, and 7:30 PM for the Public Meeting, with the following present:

Mayor..... Albert D. Akerman
Deputy Mayor..... Steven Langert
Committee Members..... Raymond Coles
Meir Lichtenstein
Menashe P. Miller
Interim Municipal Manager..... Steven Reinman
Municipal Attorney..... Mike DiCicco, Esq.
Municipal Clerk..... Mary Ann Del Mastro

Adequate notice of this meeting has been provided in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6, and published in the Asbury Park Press on October 2, 2013.

ROLL CALL

CLOSED SESSION

Resolution No. 2013-319 - Adopted

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

Motion by Deputy Mayor Langert, second by Committeeman Lichtenstein, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 09/12/13

Motion by Deputy Mayor Langert, second by Committeeman Lichtenstein, and carried, to approve the above Minutes.

Committeeman Coles did not vote.

MOTION TO APPROVE CLOSED SESSION MINUTES: 09/12/13

Motion by Deputy Mayor Langert, second by Committeeman Lichtenstein, and carried, to approve the above Closed Session Minutes.

Committeeman Coles did not vote.

PRESENTATIONS - None

ORDINANCES FOR DISCUSSION - None

Comments from the public will be heard for a limit of one (1) hour. Each speaker will have four (4) minutes and shall be limited to one time at the podium.

Mayor Akerman opened the meeting to the public.

Gregg Stafford-Smith, 1200 West Cross Street - Presented a petition from residents of his neighborhood (40 + Acres, containing Neiman Road, Drake Road, Cross Street, James Street) with regard to the request for a zoning change from R-40 to R-75.

Mayor Akerman advised they will refer this petition to the Township Planner and Township Professionals for review and recommendation.

Noreen Gill, 192 Coventry Drive – Commented with regard to a Jackson Zoning Board Meeting that she attended concerning a private school to be built in Jackson. Also commented with regard to the dump site on Vermont Avenue.

Dr. Dasgupta, Georgian Court University – Commented with regard to the residents of Tent City and the current conditions.

Seeing no one else wishing to be heard, Mayor Akerman closed the meeting to the public.

CONSENT AGENDA

The items listed below are considered to be routine by the Township of Lakewood and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

- 1. Resolution Authorizing a Shared Services Agreement with the County of Ocean for "The Driving While Intoxicated Grant 2014".
Resolution No. 2013-320**
- 2. Resolution Authorizing the Execution of a Shared Services Agreement between the Township of Lakewood and the County of Ocean for the "Prosecutor's Program 2014".
Resolution No. 2013-321**
- 3. Resolution Authorizing the Execution of an Agreement between the Federal Aviation Administration and the Township of Lakewood for a Grant in the Amount of \$206,529.00.
Resolution No. 2013-322**

- 4. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2013 Municipal Budget for Funding under a Federal Aviation Administration Grant for Airport Development, in the amount of \$206,529.00. (Chapter 159)
Resolution No. 2013-323**
- 5. Resolution Approving the Submission of an Application and for the Execution of a Grant Agreement with the New Jersey Department of Transportation for the Swarthmore Avenue and Oak Street Road Improvements Project.
Resolution No. 2013-324**
- 6. Resolution Approving a Maternity Leave of Absence, without pay, for Janelle Acchione.
Resolution No. 2013-325**
- 7. Resolution Releasing a Performance Guarantee, posted by Star Developers LLC, in connection with Application SD# 1425C, (North Apple Street), Block 172, Lot 16.
Resolution No. 2013-326**
- 8. Resolution Releasing a Performance Guarantee, posted by Star Developers LLC, in connection with Application SD# 1655, (5 N. Apple Subdivision), Block 172, Lot 17.
Resolution No. 2013-327**
- 9. Resolution Authorizing a Person-to-Person, Place-to-Place Transfer of Plenary Retail Consumption License #1514-33-002-006.
Resolution No. 2013-328**
- 10. Resolution Authorizing the Liquor License Renewal for 2013-2014, to Brothers Cantina LLC, Liquor License No. 1514-33-001-010.
Resolution No. 2013-329**
- 11. Resolution Releasing a Maintenance Guarantee, posted by Congregation Yeshiva Yesodei Hatorah, in connection with Application SP# 1899, (Bellinger Street), Block 806, Lots 1 & 8, Block 821, Lot 5, and Block 822, Lot 4.
Resolution No. 2013-330**

- 12. Resolution Releasing a Maintenance Guarantee, posted by Mizz Construction Inc., in connection with Application SD# 1711, (Somerset and Ridge), Block 189.01, Lots 14, 15, and 188.
Resolution No. 2013-331**
- 13. Resolution Awarding Professional Services Contract for Engineering, Consulting Services and Construction Management at Lakewood Airport for Obstruction Removal – Phase II (Construction), in the amount of \$76,658.99. (LIC – Lkwd. Airport)
Resolution No. 2013-332**
- 14. Resolution Awarding a Contract to Kevin Downes Tree Service Co., Inc. D/B/A Downes Tree Service for the Facilitation of Safety Improvements to Lakewood Airport pursuant to and in Accordance with N.J.S.A. 40A:11-1 et seq., in the amount of \$144,300.00. (LIC – Lkwd. Airport)
Resolution No. 2013-333**
- 15. Resolution Authorizing a Refund based on a State Tax Appeal, Block 94, Lot 1, in the amount of \$13,349.14.
Resolution No. 2013-334**
- 16. Resolution Authorizing a Refund based on Tax Court Judgment, in the amount of \$8,523.23.
Resolution No. 2013-335**
- 17. Resolution Releasing a Performance Guarantee, posted by 105 River Avenue LLC, in connection with Application ZB# 3552, (105 River Avenue), Block 758, Lot 1.
Resolution No. 2013-336**
- 18. Resolution Releasing a Performance Guarantee, posted by GPWEI LLC, in connection with Application SD# 1527, (Squankum Road), Block 172, Lot 18.
Resolution No. 2013-337**
- 19. Resolution Accepting a Bid on Block 774.02, Lot 8 as a Result of the Public Land Sale in the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:12-1 et seq.
Resolution No. 2013-338**
- 20. Resolution Authorizing the Township to Execute Documents related to the Sale of Property at Block 961.01, Lots 2.02, 2.03, 2.05, and 2.06
Resolution No. 2013-339**

- 21. Resolution Authorizing the Township to enter into a Lease Agreement with the Lakewood Historical Society.
Resolution No. 2013-340**
- 22. Resolution Authorizing the Tax Collector to Cancel the Taxes, and any Accrued Penalties, and Interest due on Block 1.01, Lot 5, for the years 2012 and 2013.
Resolution No. 2013-341**
- 23. Resolution Authorizing Payment of Expenditures for Former Cross Street Landfill Combustible Gas Collection System by Utilizing Existing NJDEP \$1.00/Ton Escrow Account.
Resolution No. 2013-342**
- 24. Resolution Rejecting Bids for the Improvement of Various Sidewalks in the Township.
Resolution No. 2013-343**

Motion by Committeeman Lichtenstein, second by Deputy Mayor Langert, to approve Resolution Nos. 1 through 24 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles*, Committeeman Lichtenstein (abstained on Resolution No. 12), Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.

*Negative: Committeeman Coles – As to Resolution Nos. 3, 4, 5, 13, 14 Mayor Miller advised they have voted on Resolutions for various Shared Service Agreements with the County and various other grants involving the Police Department. He requested that any time the Police Department will be doing any sort of road block or road stops, that the Committee be notified prior to such operations being implemented.
Resolution Nos. 2013-320 through 2013-343 – Adopted.

ORDINANCE SECOND READING

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII of “The Lakewood Township Unified Development Ordinance of 2005”, Specifically Article IX Entitled “Zoning Districts and Regulations” to Create an HS-Hospital Support Zone District and amend the Lakewood Township Zoning Map. (Chap. XVIII, Article IX – Zoning - Hospital Support Zone)

Read by title only for second reading.

Mayor Akerman opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.

The above Ordinance was offered by Deputy Mayor Langert, second by Committeeman Coles.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.

Ordinance No. 2013-59 adopted on second reading.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Public Sale of New Lot 12.01 in Block 119, in the Township of Lakewood, County of Ocean, State of New Jersey, at Open Public Sale pursuant to N.J.S.A. 40A:12-1, et seq.

Read by title only for second reading.

Mayor Akerman advised they were going to allow this Ordinance to die due to errors on the first reading of the Ordinance; they have another similar Ordinance on the Agenda for first reading this evening.

Ordinance No. 2013-63 died on second reading.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey for the Installation of the Traffic Signal at Fourteenth Street and Forest Avenue.

Read by title only for second reading.

Mayor Akerman opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.

The above Ordinance was offered by Deputy Mayor Langert, second by Committeeman Miller.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.

Ordinance No. 2013-64 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 10/17/13)

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Public Sale of New Lot 12.01 in Block 119, in the Township of Lakewood, County of Ocean, State of New Jersey, at Open Public Sale pursuant to N.J.S.A. 40A:12-1 et seq.

Read by title only for first reading.

The above Ordinance was offered by Committeeman Lichtenstein, second by Deputy Mayor Langert.

Committeeman Lichtenstein advised that the Lot is not yet delineated on the map as it has not been created yet. It will be created after second reading of the Ordinance. At that point, before it goes up for public sale, people will be able to see exactly what the bid is, as it will be delineated at that point. If you look at the corner of Fourth Street and Clifton Avenue, it is located opposite the Pizza Shop, attached to the Municipal Lot. Deputy Mayor Langert advised that the Ordinance reads that the New Lot will be 47 feet by 60 feet, is described as being 2820 square feet.

Committeeman Lichtenstein suggested that the Engineer designate the proposed future Lot on the Tax Map, for second reading of the Ordinance.

On Roll Call – Affirmative: Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.

Negative: Committeeman Coles

Deputy Mayor Langert advised he believes there is a question as to whether the lot can be created and sold at the same time, as opposed to first creating the lot, and then selling it.

Committeeman Coles responded that is his concern.

Deputy Mayor Langert advised this is for first reading only; before they have a second reading on this Ordinance they need to get a determination if perhaps they should first subdivide out a lot, and then sell that lot, or is it proper to do this by subdividing it and putting it up for sale at the same time. He asked the Attorney to come back to them before second reading with the information that they need to know whether it is proper, or whether they need to first create a lot and then put it out for sale.

Mr. DiCicco added that there needs to be enough of a description so everyone knows precisely what they are talking about. But he understands the legal issue, and they will look into it.

Ordinance No. 2013-65 adopted on first reading. Second reading and public hearing to be held on October 17, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter III (Police Regulations) Section 3-27 (Prohibiting Open Fires of the Revised General Ordinances of the Township of Lakewood, 1999.

Read by title for first reading.

The above Ordinance was offered by Committeeman Lichtenstein, second by Committeeman Miller.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.

Ordinance No. 2013-66 adopted on first reading. Second reading and public hearing to be held on October 17, 2013.

CORRESPONDENCE

Per list of two (2) correspondence items attached hereto and made a part hereof.

PARKS AND EVENTS CORRESPONDENCE

Per schedule of four (4) picnic/event requests attached hereto and made a part hereof.

Motion by Deputy Mayor Langert, second by Committeeman Coles, and carried, to approve the above correspondence items.

MOTION TO APPROVE BILL LIST OF: 10/01/13

Motion by Deputy Mayor Langert, second by Committeeman Lichtenstein, to approve the above Bill List.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS - None

ADJOURNMENT

Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 7:55 PM.