

The Lakewood Township Committee held a Meeting on March 28, 2019 in the Lakewood Municipal Building, at 6:00 PM for the Public Meeting, with the following present:

- Mayor.....Raymond Coles
- Deputy Mayor.....Menashe P. Miller
- Committee Members..... Meir Lichtenstein
Albert D. Akerman....Absent
Michael D’Elia
- Municipal Manager.....Patrick Donnelly
- Municipal Attorney.....Steve Secare, Esq. & Harold Hensel, Esq.
- Municipal Clerk..... Kathryn Hutchinson

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 January 5, 2019 and revised via email on March 11, 2019.

ROLL CALL

CLOSED SESSION

Resolution 2019-138 Approved.

ROLL CALL –Present: Mayor Coles, Deputy Mayor Miller Committeeman Lichtenstein, Committeeman D’Elia
Absent: Committeeman Akerman

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION: Motion by Deputy Mayor Miller, second by Committeeman D’Elia, with all in favor, to enter open session at 6:01PM.

MOTION TO APPROVE MINUTES OF EXECUTIVE AND WORKSHOP SESSION OF MARCH 7, 2019 - Motion by Committeeman Lichtenstein, second by Committeeman D’Elia, with all in favor to approve the above minutes.

MOTION TO APPROVE MINUTES OF REGULAR SESSION OF MARCH 7, 2019– Motion by Committeeman Lichtenstein, second by Committeeman D’Elia, with all in favor, to approve the above minutes.

PRESENTATIONS - Proclamation for National Library Week

A representative from the Lakewood Branch of the Ocean County Library system read a proclamation for National Library Week.

Mayor Coles thanked this representative and all librarians for the work that they do and how much they support the community.

PUBLIC AUCTION – New Plenary Retail Distribution Liquor License

Steven Secare, Township Attorney, opened the meeting to the public for the bidding of a Class D Liquor License. Mr. Secare stated the minimum bid for this license will be \$175,000.00. He invited whoever is interested in bidding to come up to the microphone.

Mr. David Lachman approached the podium. He advised that he is looking to purchase the license, and is bidding \$175,000.00.

Mr. Secare stated that since he is the only bidder, he is the highest bidder.

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Accepting A Bid For A New Class D Plenary Retail Distribution Liquor License

Motion by Deputy Mayor Miller, second by Committeeman D’Elia, to approve the above Non Consent Agenda Resolution.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D’Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Resolution 2019-139 approved.

BUDGETARY ITEMS

1. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Making Application To The Local Finance Board Pursuant To N.J.S.A. 40A:4-45.3d

Motion by Committeeman Lichtenstein, second by Committeeman D’Elia, to approve the above resolution.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D’Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Resolution 2019-140 approved.

2. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, To Exceed The Municipal Budget Appropriation Limits And To Establish

A Cap Bank (N.J.S.A. 40A:4-45.14)

Motion by Committeeman Lichtenstein, second by Committeeman D'Elia, to approve the above ordinance.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-27 adopted after first reading. Second reading and public hearing scheduled for April 17, 2019.

3. Introduction of 2019 Municipal Budget

Kathryn Hutchinson, Township Clerk, read the budget resolution allowed.

Mayor Coles stated that the second reading and public hearing of the 2019 Municipal Budget will be held on May 9, 2019.

Motion by Committeeman D'Elia, second by Deputy Mayor Miller, to approve the first reading of the 2019 Municipal Building.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Resolution 2019-140a approved after first reading. Second reading and public hearing scheduled for May 9, 2019.

PUBLIC COMMENT

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 Coles opened the meeting to the public.

Elizer Richter, 16 Birch Street – Mr. Richter spoke on his beliefs regarding assisted suicide. He also spoke on his beliefs regarding the Ocean County Library, and how he believes the Township should not support the library or the Lakewood Blueclaws for supporting people of all sexual orientations. Mr. Richter proclaimed his thoughts on how Hurricane Sandy was the doing of a higher power for the “immorality” of the people of New Jersey.

Avrohom Shubert, 18 Gefen Drive – Mr. Shubert spoke on the intersection at Brook Road and Ridge Avenue. He spoke on the increased amount of accidents in the area, and wants to look at the reasoning why so many are happening. He suggested some type of flashing red lights, or police enforcement during busy traffic times.

Mayor Coles stated that they are looking into this matter still, and gave various things that they are trying to implement in order to make this a safer intersection.

Mr. Weinstein, no address provided – Mr. Weinstein spoke about the intersection in the area of Squankum Avenue and County Line Road. He also thanked Committeeman Lichtenstein for the motion to add illuminated signs, and asked for it to be expanded to older homes as well.

Yosef Gluck, 1468 Oak Street – Mr. Gluck spoke on the need for the Oak Street development to be kept completely residential. He spoke on the viewpoints of his neighbors as well.

Mr. Gilberger, 1460 Oak Street – Mr. Gilbergr also spoke on the need for Oak Street to be kept residential. He spoke on the difficulties they are currently experiencing, especially with the increased amount of schools that are being built.

Aaron Hirsch, 146 Mountainview Drive – Mr. Hirsch spoke on a court case regarding zoning in the Township. He spoke on increased density in certain neighborhoods without traffic improvements.

Mayor Coles stated the judge struck down a small portion, and stated all of the other stages are still in effect. He stated nothing else goes into effect until a new zoning map is put into effect. He also stated he has spoken with many neighbors in the Stamford Hill area and they do not agree with many of the things that are being said at the podium. He also stated that the one ordinance in question is going to die at second reading.

Seeing no one else approaching the podium, Mayor Coles 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 Of The Township Of Lakewood, County Of Ocean, State of New Jersey, Consenting To Assignment Of Payments Under The 1975 Service Contract For The Benefit Of The Holders Of Certain Project Notes And Revenue Bonds Of The Lakewood Township Municipal Utilities Authority
Resolution 2019-141
2. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Purchasing Agent To Enter Into Any Cooperative Purchasing System On Behalf Of The Township Pursuant To And In Accordance With N.J.A.C. 5:34-7.6(a)

- Resolution 2019-142**
3. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Reducing The Performance Guarantee (First Reduction) Posted By Adil Home, LLC., In Connection With SD #2070B/SD#1435 (East County Line Road), For Block 190, Lots 73.25-73.26, 73.29-73.36 and 73.40
Resolution 2019-143
 4. Resolution Of the Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted by AMT Investments, LLC., In Connection With SD #2200 (Audubon Avenue) block 1016, Lot 3
Resolution 2019-144
 5. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Daniel Czermak in Connection With SD #2223AO (Wadsworth Avenue), Block 1026, Lot4.01
Resolution 2019-145
 6. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted by Vine Heaven, LLC., In Connection With SD #2230AO (Havens Avenue), Block 1037, Lot 1
Resolution 2019-146
 7. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Vine Heaven, LLC., In Connection With SD #2229AO (Bradhurst Avenue), Block 1026, Lot5
Resolution 2019-147
 8. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted by Vine Heaven, LLC., In Connection With SD #2236Ao (Broadway Avenue), Block 1044, Lot 1
Resolution 2019-148
 9. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By SGKL, LLC., In Connection With SD #2209AO (Bradhurst Avenue), Block 1027, Lot6
Resolution 2019-149
 10. Resolution Of The Township Of Lakewood, County Of Ocean State Of New Jersey, Releasing A Performance Guarantee Posted by ABGK, LLC., In Connection With SD #2213ao (Bradhurst Avenue), Block 1035, Lot 2
Resolution 2019-150
 11. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted by SGKL, LLC., In Connection With SD #2239AO (Broadway Avenue), Block 1037, Lot 7
Resolution 2019-151

12. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Portion Of A Performance Guarantee Posted By Regency Development Properties, LLC., And the Conversion To a Maintenance Guarantee In Connection With SP #2265, (New Hampshire Avenue) Block 1160.03, Lot 47.01
Resolution 2019-152
13. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Portion Of A Performance Guarantee Posted by Regency Development Properties, LLC., And The Conversion To A Maintenance Guarantee In Connection With SP#2163 (Cross Street-Phase 1), Block 439 Lots 9 and 20
Resolution 2019-153
14. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund A Payment Erroneously Paid
Resolution 2019-154
15. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing A Refund Based On A Tax Court Judgment
Resolution 2019-155
16. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing A Refund Based On A Tax Court Judgment
Resolution 2019-156
17. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing A Refund Of Taxes On Parcels No Longer Assessed
Resolution 2019-157
18. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Bid Award For The Oak Road Construction Project To S Brothers, Inc., Pursuant To And In Accordance With N.J.S.A. 40A:11-1 Et Seq
Resolution 2019-158
19. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Bid Award For The Case Road Construction Project To Mecco Inc., Pursuant To And In Accordance With N.J.S.A. 40A:11-1 Et Seq
Resolution 2019-159
20. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing The Procurement And Installation Of Courtroom Security Measures Pursuant To And In Accordance With N.J.S.A. 19:44A-20.5 et seq.
Resolution 2019-160

21. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Procurement Of A Controlled Substances And Alcohol Abuse Compliance Testing Service Pursuant To And In Accordance With N.J.S.A. 40A:11-1 Et Seq.
Resolution 2019-161
22. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Certification Of Compliance With The United States Equal Employment Opportunity Commission's "Enforcement Guidance On The Consideration Of Arrest And Conviction Records In Employment Decisions Under Title VII Of The Civil Rights Act Of 1964"
Resolution 2019-162
23. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing The Procurement Of A Geospatial Mapping And Land Management Consultant Service Pursuant To And In Accordance With N.J.S.A. 40A:11-1 Et Seq
Resolution 2019-163
24. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Appointing A Member To The Lakewood Utility Advisory Committee
Resolution 2019-164
25. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Bid Award For Solid Waste Removal To Republic Services of NJ, LLC d/b/a Marpal Disposal, Pursuant To And In Accordance With N.J.S.A. 40A:11-1 Et Seq
Resolution 2019-165

Deputy Mayor Miller had a question regarding the resolution authorizing the pavement of Oak Street. He wanted to clarify that if we accept the resolution, does it mean that the project has to start immediately.

Patrick Donnelly, Township Manager, stated no.

Motion by Deputy Mayor Miller, second by Committeeman Lichtenstein, to approve the above Consent Agenda.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Resolutions 2019-141 through 2019-165 approved.

ORDINANCES FOR SECOND READING

1. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending An Ordinance, To Improve Clarity And Precision Of Previously Adopted Ordinances

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Seeing no one approaching the podium for comment, Mayor Coles closed the meeting to the public.

Motion by Deputy Mayor Miller, second by Committeeman Lichtenstein, to approve the above ordinance.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-15 adopted after public hearing and second reading.

2. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Chapter II Of The Revised General Ordinances Of The Township Of Lakewood, 1999, Entitled "Police Regulations" By The addition Of A New Section 3-30 Entitled "Code Blue Warming Center"

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Seeing no one approaching the podium for comment, Mayor Coles closed the meeting to the public.

Motion by Committeeman D'Elia, second by Deputy Mayor Miller, to approve the above ordinance.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-16 adopted after public hearing and second reading.

3. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Conveyance And Execution Of A Deed Of Easement For Road Widening To The County Of Ocean For A 156 Square Foot Portion Of Block 191 Lot 13 Fronting On County Line Road East Right Of Way

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Seeing no one approaching the podium for comment, Mayor Coles closed the meeting to the public.

Motion by Deputy Mayor Miller, second by Committeeman D'Elia, to approve the above ordinance.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-17 adopted after public hearing and second reading.

4. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Private Sale OF Block 175 Lot 62 (Vacant Land No Assigned Address In The Area Of Kennedy Blvd. East), In The Township Of Lakewood, County Of Ocean, State Of New Jersey, At Private Sale Pursuant To N.J.S.A. 40A:12-1 Et Seq.

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Seeing no one approaching the podium for comment, Mayor Coles closed the meeting to the public.

Motion by Committeeman Lichtenstein, second by Deputy Mayor Miller, to approve the above ordinance.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-18 adopted after public hearing and second reading.

5. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing And Directing That An Easement Of Certain Real Property In Block 174.04, Lot 20.01; Block 175.02, Lot 87; Block 183, Lots 1, 2 & 4; Block 183, Lot 5; And Block 187.16, Lot 1.04 Be Acquired By Donation, Purchase Or Condemnation For The Construction Of Sidewalks

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Seeing no one approaching the podium for comment, Mayor Coles closed the meeting to the public.

Motion by Deputy Mayor Miller, second by Committeeman Lichtenstein, to approve the above ordinance.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-19 adopted after public hearing and second reading.

6. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing, Extinguishing And Vacating Portions Of Certain Streets, Accepting The Dedication Of Other Portions Of Land For Public Streets And To Further Accept A Dedication Of Property

Mayor Coles stated that this ordinance is to die. He asked for a motion.

No motion was received.

Ordinance 2019-20 died at second reading.

7. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Chapter XI (Traffic), Section 11-13 (Parking Prohibited At All Times On Certain Streets) Of The Revised General Ordinances Of The Township Of Lakewood 1999 (East Seventh Street)

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Seeing no one approaching the podium for comment, Mayor Coles closed the meeting to the public.

Motion by Deputy Mayor Miller, second by Committeeman Lichtenstein, to approve the above ordinance.

Deputy Mayor Miller stated that this is something they want to try first to see if it improves the intersection.

Mayor Coles asked Committeeman Lichtenstein if he could please talk to the Traffic and Safety Unit and advise them about this, and see if any progress is made from the painting of the yellow lines.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-21 adopted after public hearing and second reading

8. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing, Extinguishing And Vacating The Rights Of The Public To A Portion Of A Paper Street Known As Evergreen Boulevard, In The Township Of Lakewood

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Susanne DiMaria, Harrogate Representative – Ms. DiMaria stated she is from Harrogate, and introduced other representatives from Harrogate. She spoke on the extensive discussions they have had with the Planning Board regarding this matter.

Charles Benjamin, Executive Director of Harrogate – Mr. Benjamin spoke on the project they have been working on, as well of how well they have worked with their new neighbors. He wants to keep the pristine conditions of their development, and believes their plan to make the area of Evergreen Boulevard in which they want to vacate a parking lot for Harrogate.

Brice Bennet, Landscape Architect – Mr. Bennet explained the landscaping that will be implemented with this new vacation, and the green frontage that will be kept in this area.

Scott Kennel, Traffic Engineer – Mr. Kennel spoke on his evaluation on the traffic of this area, and believes this vacation will be an enhancement to the entire neighborhood.

Seeing no one approaching the podium for comment, Mayor Coles closed the meeting to the public.

Motion by Committeeman Lichtenstein, second by Deputy Mayor Miller, to approve the above ordinance.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-22 adopted after public hearing and second reading

ORDINANCES FIRST READING – Public Hearing Scheduled For April 17, 2019

1. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing, Extinguishing And Vacating The Rights Of The Public To A Paper Street Known As Linwood Avenue (Also Referred To As Linwood Drive), In The Township Of Lakewood

Read by title only for first reading.

Motion by Committeeman Lichtenstein, second by Deputy Mayor Miller, to approve the above ordinance after first reading.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-23 adopted after first reading. Second reading and public hearing scheduled for April 17, 2019.

2. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Requiring All New Residential And Commercial Buildings To Have Illuminated Street Address Signs

Read by title only for first reading.

Motion by Committeeman Lichtenstein, second by Committeeman D'Elia to approve the above ordinance after first reading.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-24 adopted after first reading. Second reading and public hearing scheduled for April 17, 2019.

3. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Private Sale And Conveyance Of Block 554, Lot 1(Vacant Land No Assigned Address In The Area Of America Avenue And Cedarbridge Avenue) Lying Within The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40A:12-21, Et Seq., To Hatzolah EMS, Lakewood, New Jersey

Read by title only for first reading.

Motion by Deputy Mayor Miller, second by Committeeman D'Elia, to approve the above ordinance after first reading.

On Roll Call: Affirmative: Committeeman D'Elia, Deputy Mayor Miller, Mayor Coles
Abstained: Committeeman Lichtenstein
Absent: Committeeman Akerman

Ordinance 2019-25 adopted after first reading. Second reading and public hearing scheduled for April 17, 2019.

4. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing, Extinguishing And Vacating The Rights Of The Public To An Unnamed Paper Street Located Off Of Doctor Szold Way As Depicted On Tax Map Sheet 126 In The Township Of Lakewood

Read by title only for first reading.

Motion by Deputy Mayor Miller, second by Committeeman D'Elia, to approve the above ordinance after first reading.

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Ordinance 2019-26 adopted after first reading. Second reading and public hearing scheduled for April 17, 2019.

CORRESPONDENCE- None

MOTION TO APPROVE BILL LIST: Dated March 26, 2019

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

On Roll Call: Affirmative: Committeeman Lichtenstein, Committeeman D'Elia,
Deputy Mayor Miller, Mayor Coles
Absent: Committeeman Akerman

Bill List of March 26, 2019 approved.

COMMENTS FROM COMMITTEE MEMBERS

Deputy Mayor Miller stated they are working on the Memorial Day Parade and letters will be sent out shortly.

ADJOURNMENT

Motion by Deputy Mayor Miller, second by Committeeman Lichtenstein, with all in favor to adjourn the meeting. Meeting adjourned at 6:44PM.