

The Lakewood Township Committee held a Meeting on Thursday, May 19, 2016 in the Lakewood Municipal Building, at 6:30 PM for the Workshop/Executive Session, and 7:30 PM for the Public Meeting, with the following present:

Mayor.....Menashe P. Miller
Deputy Mayor.....Albert D. Akerman
Committee Members.....Raymond Coles
Michael J. D’Elia
Meir Lichtenstein
Municipal Manager.....Thomas L. Henshaw
Municipal Attorney.....Steven Secare, 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 6, 2016.

ROLL CALL

CLOSED SESSION

Resolution No. 2016-199 - Adopted

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

Motion by Committeeman Coles, second by Committeeman D’Elia, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: None

MOTION TO APPROVE WORKSHOP AND CLOSED SESSION MINUTES: None

PRESENTATIONS

Mayor Miller and Committeeman Coles presented a Proclamation to Ralph Guzman on the occasion of his retirement from the Department of Public Works, for his twenty-nine years of outstanding service and dedication to the Township.

Arbor Day Poster Contest Winners

Craig Theibault, Vice Chair of the Lakewood Shade Tree Commission, advised that the Arbor Day Festivities were held on May 10, 2016 at the grounds of the Lakewood Township Municipal Utilities Authority, where a Japanese _____ tree was planted which will in years to come enhance the grounds of the LTMUA. In conjunction

with the planning of the Arbor Day ceremony, the Shade Tree Commission also put together a Poster Contest for all the public schools grades 1 through 6. The Poster Contest is held in effort to promote the importance of trees to the younger generation. This is the reason they have assembled this evening to recognize the winners of this years' Poster Contest. Mr. Theibault also announced that Lakewood Township this year received the prestigious Tree City USA award for the thirty-fifth consecutive year. Lakewood also received a Proclamation from the State Arbor Day Association. He thanked Lakewood Public Works for planting the tree on Arbor Day at the MUA. He also thanked the Lakewood Blueclaws for donating the tickets for all the winners, the Lakewood Township Committee for making the Township Resolutions, and also the 30th Legislative Offices of Senator Robert Singer, Assemblyman Dave Rible, and Assemblyman Sean Kean, for making the State Resolutions. He further thanked First Commerce Bank for providing and donating the US Savings Bond to the first, second and third prize winners. Mr. Theibault announced the names of the winners and presented them with their Proclamations and awards.

Auction - Distribution Liquor License

Mr. Secare advised that any prospective bidders are asked to come forward and announce their name, and name of their organization.

Simcha Ingber, The Vineyard, Hillside Boulevard, Lakewood, came forward.

Mr. Secare asked Mr. Ingber if he was aware that the minimum bid is \$187,000.00.

Mr. Ingber answered yes.

Mr. Secare advised Mr. Ingber that if he is the successful bidder, he would be required to submit ten percent of the bid.

Mr. Ingber offered a bid in the amount of \$187,000.00 and submitted ten percent of the bid to the Township Clerk.

Mr. Secare advised that Mr. Inger is the sole bid, and appears to be the successful bidder.

Mayor Miller thanked David Drukaroff for providing documentation with regard to "How to Provide More Affordable Housing by Outlawing Property Tax, an Idea to Abolish Property Tax" He will distribute the information to Committee members.

ORDINANCES FOR DISCUSSION - None

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 Miller opened the meeting to the public.

Alice Kelsey, 295B Malvern Court East – Commented on the closing of the service office for the Puerto Rican Action Board due to lack of State of funding.

Bill Hobday, 30 Schoolhouse Lane – Commented on the closing of the service office for the Puerto Rican Action Board. Also commented on a recent meeting held at Senator Singer's Office, and thanked the Committee for their participation. Also commended the Arbor Day Poster Contest winners.

Maria _____ - Translator for New Labor Organization. Commented on the issues of domestic workers.

Joyce Blay, NJ News and Views, 311 Floral Way, Toms River – Commented on the Ordinance to Prohibit Possession of Weapons at First Energy Park.

Yehuda Friedman, 700 Albert Avenue – Commented on a recent Planning Board application by Yeshiva _____ to apply for a permit for two acres of property they wish to purchase.

Mayor Miller explained the procedure for the request to purchase property, which includes a letter and map to be submitted to the Municipal Manager, to be discussed with the professionals and Committee members.

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

Mayor Miller also thanked the New Labor Organization for coming this evening.

Mr. Secare advised that the Township Committee is in support of their proposal. However, in his opinion, there are already laws in effect in the State of New Jersey, covering their situation. There is a Wage and Hour Division within the Department of Labor, that they can petition for what they want. There are three levels of law in the United States, local, state and federal. There are State and Federal Laws that cover the issues that they want to have covered. If they find they are being short-changed on their paychecks, they can go to the Wage and Hour Division. There is an article that came out in a local law journal, which is for lawyers in New Jersey, that there are class action suits that are being brought by folks like them and lawyers are willing to take them because they get their fees paid by the defendants. So they are more than adequately covered for the situation for which they have concerns. Again, the Committee shares their concerns, but in his opinion, there are superseding state and federal laws that cover the situations. The Committee can not pass laws that are below where State and Federal law has already mandated the rules.

QUALITY OF LIFE

Mayor Miller reviewed quality of life items from the previous meeting.

With regard to the status report from Chief Lawson and Mr. Staiger, regarding the request from residents for traffic control at West County Line Road and Teaberry Court, Mr. Staiger advised that he did reach out to the County, and the County did indicate that the intersection did not meet the requirements for a signal, but they are looking to improve the site distances at that intersection.

Committeeman Lichtenstein added that the residents have since gone up to the County and are working with them to see what they can get done.

With regard to the request by Committeeman D'Elia to restripe Central Avenue to allow more stacking on Central Avenue heading to Route 9, Mr. Staiger advised that his conversation with the County is that they have issues with the movements in and out of Caranetta Drive, which is in close proximity. If they were to extend a right turn after Caranetta, they could only extend it to Freeman. They are hesitant to do that.

Mayor Miller stated the Committee would like to see if they can do this. He knows they are hesitant, but if they could, it would be appreciated.

Committeeman D'Elia advised his understanding is that there is some kind of meeting being set up with the County. He does not agree with that theory. He travels that road two or three times a day. People are illegally coming down on the right, starting at Sunset Road. He does not see why they can not stripe it. He has spoken with the Township Engineer about it.

With regard to the request for a traffic signal at Locust and Vermont, Mr. Staiger responded that he received an e-mail from the County, and this is already in the works. They have a consultant on board working on the design for that intersection.

Mayor Miller thanked Mr. Arecchi for completing the "Do Not Block the Box" designation at First Street and Clifton Avenue, and extending the left turn lane.

With regard to the request for a four-way stop at Ninth Street, this has been completed.

Committeeman Lichtenstein advised that Cross Street has become very heavily travelled in the morning. Both he and the Mayor had contacted County Officials as well as the County Engineer. A very simple fix would be to put a left turning lane on Cross Street heading southeast, so if making a left turn onto James or Prospect, it would alleviate a huge amount of traffic. If the County will allow them to do it, he would ask Public Works to do something temporary.

Committeeman D'Elia asked if any complaints have been received with regard to Pine Street and MLK.

Mayor Miller answered yes. They are still looking at Vine Street going through. They actually have some residents who will be building in that area as well, and are working with the DEP. They are hoping that once Vine Street opens up, that will alleviate a lot of traffic from Pine Street and MLK. They also will be able to turn on the traffic light at the Avenue of the Americas with will be helpful as well.

Mayor Miller advised the Memorial Day Parade is coming up on May 30th. They have an old stage which is utilized for parades. They speak about this every year and he asked Mr. Arcchi to look into the feasibility of upgrading and getting a better stage, possibly one with a sound system, similar to what the County has.

At this time, the professionals left the meeting.

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, Authorizing the Execution of an Agreement With Ocean County for the Electrical Current to be Provided for the Traffic Signal Located at the Intersection of Prospect Street (County Road #10) and Massachusetts Avenue (County Road #81)
Resolution No. 2016-200**
- 2. Resolution of the Township of Lakewood, County of Ocean State of New Jersey, Supporting the Click It or Ticket Mobilization of May 23 through June 5, 2016.
Resolution No. 2016-201**
- 3. Resolution of the Township of Lakewood, County of Ocean State of New Jersey, Rejecting All Bids For Snow Removal Services Pursuant to N.J.S.A. 40A:11-1, Et. Seq.
Resolution No. 2016-202**
- 4. Resolution of the Township of Lakewood, County of Ocean State of New Jersey, Authorizing Emergency Temporary Appropriations for the Period Between the Beginning of the Current Fiscal Year and the Date of the Adoption of the 2016 Budget.
Resolution No. 2016-203**

5. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Sale of Surplus Personal Property No Longer Needed for Public Use on an Online Auction Website.
Resolution No. 2016-204**
6. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Execution of a Municipal Services Agreement Between the Township of Lakewood and Amber Grove, a Qualified Private Community, Pursuant to and in Accordance With N.J.S.A. 40:67-23.2, Et Seq.
Resolution No. 2016-205**
7. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing a Performance Guarantee Posted by Lakewood Equity, LLC, in Connection with SP #2070, Block 549.01, Lot 2
Resolution No. 2016-206**
8. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing a Performance Guarantee Posted by Bais Tova, Inc., in Connection with SP #1985, Block 792, Lot 1 and Block 795, Lot 1.01
Resolution No. 2016-207**
9. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing the Maintenance Guarantee Posted by Manley Performance Products in Connection with SP #2001, Block 1601, Lot 13
Resolution No. 2016-208**
10. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Requesting the State Division of Alcoholic Beverage Control to Renew the Club Liquor License for the Fiscal Year 2016/2017
Resolution No. 2016-209**

Motion by Committeeman Coles, second by Committeeman D'Elia, to approve Resolution Nos. 1 through 10 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles (Abstained on Resolution No. 10), Committeeman Lichtenstein, Committeeman D'Elia, Deputy Mayor Akerman and Mayor Miller.

Resolution Nos. 2016-200 through 2016-209 – Adopted.

ORDINANCES SECOND READING

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Pursuant to N.J.S.A. 40A:21-1, Et Seq., Granting Abatement to Local Property Taxes to Lakewood Equity, LLC, for Facilities Located at Block 549.01 Lot 2, and Authorizing the Mayor and or Designee and the Township Clerk to Execute Any and All Documents Necessary and Proper to Enter Into a Tax Abatement Agreement.

Read by title only for second reading.

Mayor Miller opened the meeting to the public.

Miriam Weinstein, Esq., Attorney for Lakewood Equity, LLC, advised this is a project she has been involved with from the beginning, when the applicant acquired the property from the Lakewood Industrial Commission. It is a beautiful state of the art building that will bring many jobs to Lakewood, predominantly Lakewood employees. As of today, there are ten leases that have been signed, with about two hundred employees, almost all Lakewood residents. The tax abatement will serve as an attractive incentive to tenants and to attract local businesses to locate in this building and bring many jobs to Lakewood.

Seeing no one else wishing to be heard, the hearing on this Ordinance was closed to the public.

The above Ordinance was offered by Committeeman Coles, second by Committeeman D'Elia.

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

Ordinance No. 2016-21 adopted on second reading.

Committeeman Lichtenstein removed himself from the dais.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Pursuant to N.J.S.A. 40A:21-1, Et Seq., Granting Abatement to Local Property Taxes to Chateau Holdings, LLC, for Facilities Located at Block 1040 Lot 1.01, and Authorizing the Mayor and or Designee and the Township Clerk to Execute Any and All Documents Necessary and Proper to Enter Into a Tax Abatement Agreement.

Read by title only for second reading.

Mayor Miller opened the meeting to the public.

Alice Kelsey, 295B Malvern Court East – Want to address the word “abatement” both in the first and second Ordinances, and say if the Township has abatements then there is money available to help others. She is anxious to get Township money, not State money.

Saul Mizrahi, 3 Sienna Way, representing the applicant, advised this project is located at 945 River Avenue, south of Oak Street. They anticipate that this facility will employ approximately three hundred employees, with seven tenants.

Seeing no one else wishing to be heard, the hearing on this Ordinance was closed to the public.

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

On Roll Call – Affirmative: Committeeman Coles, Committeeman D’Elia, Deputy Mayor Akerman and Mayor Miller.

Recused: Committeeman Lichtenstein

Ordinance No. 2016-22 adopted on second reading.

Committeeman Lichtenstein returned to the dais.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending an Ordinance Entitled “An Ordinance Establishing the Annual Minimum and Maximum Salary Ranges for the Offices and Positions of Persons Employed by the Township of Lakewood in the County of Ocean and the State of New Jersey” and Providing for an Effective Date 20 Days After Publication After Final Adoption.

Read by title only for second reading.

Mayor Miller 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 Committeeman Coles, second by Committeeman D’Elia.

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

Ordinance No. 2016-23 adopted on second reading.

ORDINANCES FIRST READING – Second Reading and Public Hearing to be held on June 2, 2016

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing, Extinguishing and Vacating All of the Township of Lakewood’s Right, Title and Interest in a Drainage Easement, a Shade Tree Easement, and Two Sight Triangle Easements Over a Portion of Block 769 Lots 19.10, 19.11, 19.12 & 19.13 in the Township of Lakewood.

Read by title only for first reading.

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

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

Ordinance No. 2016-25 adopted on first reading. Second reading and public hearing to be held on June 2, 2016.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey Prohibiting the Possession of Weapons at First Energy Park.

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Committeeman D'Elia.

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

Ordinance No. 2016-26 adopted on first reading. Second reading and public hearing to be held on June 2, 2016.

CORRESPONDENCE

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

PARKS AND EVENTS CORRESPONDENCE

Per schedule of twenty-two (22) parks and events requests, attached hereto and made a part hereof.

Motion by Committeeman Lichtenstein, second by Committeeman Coles, and carried, to accept and process the above correspondence items.

MOTION TO APPROVE BILL LIST OF: May 17, 2016

Motion by Committeeman Lichtenstein, second by Committeeman Coles.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Mayor Miller reminded everyone that the Memorial Day Parade will be held on Monday, May 30th.

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Committeeman D'Elia, and carried, to adjourn the meeting. Meeting adjourned at 8:37 PM.