

The Lakewood Township Committee held a Meeting on Thursday, July 24, 2014, 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:

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|-------------------------|-------------|----------------------|
| Mayor..... | Absent..... | Menashe P. Miller |
| Deputy Mayor..... | | Albert D. Akerman |
| Committee Members..... | | Raymond Coles |
| | | Steven Langert |
| | | Meir Lichtenstein |
| Municipal Manager..... | | Steven Reinman |
| Municipal Attorney..... | | Jan L. Wouters, 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, by Resolution of the Township Committee adopted January 1, 2014 and published in the Asbury Park Press on January 6, 2014.

ROLL CALL

CLOSED SESSION

Resolution No. 2014-259 - Adopted

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 07/08/14

Motion by Committeeman Lichtenstein, second by Committeeman Langert, and carried, to approve the above Minutes. Committeeman Coles did not vote.

MOTION TO APPROVE CLOSED SESSION MINUTES: 07/08/14

Motion by Committeeman Lichtenstein, second by Committeeman Langert, and carried, to approve the above Closed Session Minutes. Committeeman Coles did not vote.

PRESENTATIONS - None

2014 MUNICIPAL BUDGET HEARING

Mr. Reinman advised that the 2014 Municipal Budget was submitted to the State, and has been reviewed and approved for adoption. The Budget has been published and made available to the public. The Township Auditor and CFO are present to answer any questions that may arise.

At this time, Deputy Mayor Akerman opened the 2014 Municipal Budget Hearing to the public for comments and questions.

Seeing no one wishing to be heard, the 2014 Municipal Budget Hearing was closed to the public.

RESOLUTION AMENDING THE 2014 MUNICIPAL BUDGET

The Township Clerk read the 2014 Budget Amendment Resolution into the record.

Mr. Reinman explained the amendment. Based on the State's review they had to move certain expenses, for example, for Tent City line item, from one line to another. That is what the amendment is about; otherwise everything is the same.

Motion by Committeeman Coles, second by Committeeman Langert.

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

Resolution No. 2014-260 – Adopted

RESOLUTION OF FINAL ADOPTION OF 2014 MUNICIPAL BUDGET

The Township Clerk read the Resolution adopting the 2014 Municipal Budget into the record.

Motion by Committeeman Coles, second by Committeeman Langert.

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

Resolution No. 2014-261 – Adopted

LAND SALE

BLOCK 430, Lot 16

Mr. Wouters advised that they would now hold the Public Sale of Block 430, Lot 16, with the conditions as set forth in the Notice of Sale, including that the successful bidder will reimburse the Township the amount of \$2,100.00 which is the cost of the appraisal. The property is being sold as is. Closing is to be held within thirty (30) days. There is a minimum bid of \$750,000. He asked if there were any bidders for this property, and if so, to please come forward.

Alexander Mashinsky, 16 Empire Lane – Offered a bid in the amount of \$750,000.00.

Mr. Wouters asked if the property will be purchased in his name individually, and if he was prepared to deposit ten (10) percent of the purchase price with the Township Clerk.

Mr. Mashinsky answered yes.

Mr. Wouters asked if there were any other bidders on this property. As no one else came forward, the bidding was closed.

ORDINANCES FOR DISCUSSION - None

QUALITY OF LIFE

Deputy Mayor Akerman reviewed quality of life items from the previous meeting.

With regard to the issue of the site triangle being cleared at the intersection of Somerset Avenue and Kennedy Boulevard, Mr. Saccomanno responded that the area has been cleared.

With regard to the repair of potholes on East End Avenue and Curtis Lane, and road repairs on Forest Avenue, between Tenth and Eleventh Streets, Mr. Burdge responded that the potholes have been repaired.

With regard to the clean-up of the memorial plaque area off South Lake Drive, Mr. Burdge responded the area has been cleaned.

With regard to the installation of "Soft Ball Only" signs at Clayton Park, Mr. Burdge responded that the signs are present.

With regard to the intersection of Williams Street and Prospect Street, and the request for a right turning lane, Sgt. Miick advised that they received an e-mail from Traffic & Safety, Sgt. Work, who advised that the Ocean County Engineering Department is in the process of getting bids to put a traffic light at that location, which will not commence until the Fall. They will try to get a thru-lane and a turning lane; the only concern they have is with the lane markings, with the tractor trailers trying to make the turn, it may cause a problem because of the line markings.

In the area of this intersection of Williams Street and Prospect Street, Committeeman Lichtenstein commented that as the schools are out, many of the school buildings are being utilized for day camps, and the children are all on foot or on bicycles. There has already been one pedestrian struck in that area, and possibly two. He requested that they put a crossing guard at this location, at least temporarily.

With regard to the issue of parking spaces in the front of retail businesses near the intersection of Fourth Street and Clifton Avenue, across from the Municipal Building parking lot, Sgt. Miick advised that he received an e-mail concerning this matter. They are talking about putting additional roadway markings and signage at this location. Also, they are talking about possibly, with the green light making it independent where the westbound traffic has the green light the whole time, and eastbound traffic has the green light the whole time, instead of at the same time, when it causes the traffic back-up.

With regard to the request for right and left turning signals on Oak Street, Mr. Staiger responded that he reached out to the County on two separate occasions, and he is awaiting a reply.

Committeeman Lichtenstein requested this matter be carried over to the next meeting.

With regard to the request to alleviate traffic on Route 9, Committeeman Langert advised that the Engineer set up a conference call with the DOT, and they have agreed to come down after Labor Day to look at the intersection of Central Avenue and Route 9, the intersection of Pine Street and Route 9, and the intersection of Route 88 and South Clifton Avenue, to do traffic counts, and look at the timing signals to see if they can do anything to alleviate traffic.

Committeeman Lichtenstein requested that they include turning signals on Kennedy Boulevard and County Line Road.

Committeeman Langert also asked that when the DOT comes down, that they also look at the amount of time that pedestrians have to cross Route 9, on the north side of the intersection at Route 88 and North Lake Drive. They have complained that they cannot walk fast enough to get across the street and have requested that the timing be extended.

With regard to the request for a survey of Route 9, Mr. Staiger advised he reached to the DOT, and they got back to him with a survey which he provided to Mayor Miller.

Deputy Mayor Akerman responded that there are parts of it that are missing.

Mr. Staiger responded that is correct; it is not the entire section of Route 9 but they did provide a large portion of Route 9.

Deputy Mayor Akerman asked if they can get the rest of it.

Mr. Staiger responded that they may not have those sections, but he will request the missing sections.

Deputy Mayor Akerman asked about the DOT making the changes concerning the turning arrows at Kennedy Boulevard and County Line Road.

Mr. Staiger responded that the DOT has supposedly been looking at the signal optimization of the Route 9 corridor from Lakewood down through Toms River for the past two to three years.

Committeeman Lichtenstein asked Mr. Burdge to look at Private Way between Fifth and Sixth Streets where the road is in need of repair.

Committeeman Lichtenstein asked Mr. Burdge to look at the area of Apple Street, near the railroad tracks; the path area needs to be cleaned up.

The Committee members offered condolences to Mr. Saccomanno on the passing of his father.

Committeeman Langert asked who is responsible for the small patches of land between fences and the sidewalks on some of the major roads, for example, on James Street, across from the Water Company, between Sunset and the tracks, where you have all those backyards with the fences across. And then there is a foot or six inches between the fence and the sidewalk where it is all overgrown.

Mr. Burdge advised that anything beyond the sidewalk the homeowner has to maintain.

Ally Morris advised that from experience on the Planning Board, Mr. Franklin is very adamant about having any approvals having a dual frontage like that, that they have a gate in the back yard, because that strip is usually the responsibility of the homeowner. However, when there is no gate, they have to go out the front yard and come around.

Mr. Langert requested that the homeowners be advised to cut the grass and clean up the garbage in their yards.

Deputy Mayor Akerman requested that Traffic & Safety look into Third Street, and the possibility of making it a two-way street, between Clifton Avenue and Madison Avenue.

Committeeman Langert added that here is a new parking lot that was opened up that exits onto Third Street. They would like Traffic & Safety to take a look at that, the way that empties out, to see if it would be beneficial to have Third Street turned into a two way street now that there is a parking lot that opens onto it.

Committeeman Akerman added there is also a parking lot that goes from Fourth Street to Third Street, and there is an upcoming parking lot that will go from Second Street to Third Street.

Committeeman Langert stated that given those two recent occurrences, he asked it if makes sense to now make Third Street a two-way street, for only that one block.

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.

Deputy Mayor Akerman opened the meeting to the public.

Noreen Gill, 192 Coventry Drive – Commented on the intersection of Kennedy Boulevard and Squankum Road. If you are travelling east on Kennedy, there is a light, where it is difficult to make a left or right turn, because people block that intersection. And also cars park near the intersection to get the bus in the morning, which also blocks the turning lanes.

Mrs. Gill also commented on the new sidewalks and lights in town. She stated there are thirty-two new lights and new sidewalks on Ridge Avenue and people are still walking in the street.

Mrs. Gill also complained about the traffic between Ridge Avenue, Squankum Road, Kennedy Boulevard, and East County Line Road, at 2:00 in the afternoon. Also complained about the hitch-hikers on Ridge Avenue.

Committeeman Langert asked that the Engineer request that the County look at the intersection of Squankum and Kennedy, and suggested that maybe "Do Not Block the Box" striping may be needed.

Larry Simons – Commented with regard to the proposed public bus system coming to Lakewood, and the proposed bus routes. He supports a proposed public bus system in Lakewood and hopes it will be operational for all of Lakewood residents.

Deputy Mayor Akerman advised that the contractor who will be running the bus system is working on some of their certifications and licensing by the State, therefore, the buses are presently in their company parking lot. As to the routes, the routes are proposed, and it has nothing to do with demographics. The proposed routes are in areas they feel will be heavily used.

Bill Hobday, 30 Schoolhouse Lane – Commented with regard to discussion at a recent Board of Education meeting, dealing with trash collection. He suggested that the Township look into providing trash collection services for the public schools.

Robert Dubello, 1008 _____ Avenue, Beachwood – Commented on a local business in Lakewood, which is a real estate business. He advised that this company, which is based on Route 88, is not licensed. This is a State regulated type of business, and they

are running an illegal operation. He asked that the officials look into it, and possibly stop them from doing business.

Deputy Mayor Akerman requested that he submit this information to the Township Attorney and they will look into it.

Mr. Dubello also advised that this business leases out many buildings in Lakewood, and many of those businesses are substandard. He will also provide this information to the Attorney.

_____ Johnson, 162 Martin Luther King Drive – Commented with regard to trash collection for the public schools. Also asked about the maintenance of the bus terminal.

Mr. Johnson was advised that the bus terminal is the responsibility of NJ Transit.

Mr. Johnson further commented with regard to Tent City and the homeless issue.

Gerry Ballwanz, Governors Road – Commented on land sales being held at Township Committee Meetings; meeting agendas being posted on the website; Ordinance descriptions on the Agenda; and the Ordinance for the exchange of lands.

Moshe Neuhouse, 30 Giddy Road – Commented on the condition of the development where he lives, Chesterfield Commons, south of Cross Street. He asked about the status of the incomplete items.

Committeeman Lichtenstein updated Mr. Neuhouse on the completion of the bonded items, which matter is currently in litigation with the bonding company.

Mr. Wouters advised they are in the discovery stage. They are working with the Engineer's Office to go out to bid for the completion of the items. Then they will deal with the bonding company at a later date.

Esther Ginsberg, representing Empire Telecom, 23 Engleberg Terrace – Commented with regard to the Contract being awarded this evening for the telecom services in the Township. She believes that the Manager, Purchasing Agent and Committee Members have done their best to award the Contract fairly based on the information they had. However, she strongly feels there is a lot of information that was missing that they did not know about and had they been aware of this, the Contract would have been awarded differently. Her company, Empire Telecom, is based in Lakewood, and they service most of the large companies in town, including BMG, Madison Title, the Lightstone Group, and about 450 medical facilities, including St. Peters Hospital, Methodist Hospital, and many more. Their reputation and integrity is widely known. She questioned why the Contract is being awarded to an outside vendor that does not reside in this town and pay taxes to this town, when it could be awarded to a local

company that contributes to the town. She asked exactly what is being awarded, what is the money going toward, what is the difference in the price, etc. She asked that this matter be postponed until these questions are answered.

Isaac Fajerman, President of Data Network Solutions, 85 Waterman Avenue, Rumson – Spoke on the award of the Contract for telecom services. He stated there are qualified people in town. His company employs residents of Lakewood. There were three bids submitted. His company is on a state approved co-op. Allegedly Lightpath is on a state approved co-op. He left a letter from his lawyer indicating the invalidity of that Contract. It is not a valid co-op contract because it was issued not according to the statutes, which requires lowest price. It was based on a competitive bid which was not the criteria for internet or voice services. The additional services on that contract were never competed. This was a contract given because Lightpath covers the entire county of Passaic. There is no competition so the County always buys from them. Due to that close relationship, they are permitted to do whatever they want. Also, this contract bid started as an open public bid. Mr. Reinman had a meeting with forty bidders, who were told to bid what they thought Lakewood needed, but the bids were rejected. Of the three bids submitted, he asked who did the cost comparison, or was there a cost comparison done. There is a big difference in the bid amounts. Lightpath cannot provide all the items in the contract. His company bid everything, they can do it all. They work for five counties, all of Essex County, NJ Transit, he knows what he is doing. He does the innovative work for the State. He requested the Committee to table this matter.

Moshe Steiner, 916 East End Avenue – Spoke in support of Empire Telecom, and they are trying to save the Township money.

Coleen _____, Lightpath, 33 Sherbrook Drive, Florham Park – She is a rep in New Jersey for the past five years. She services many customers and Townships all over New Jersey. They have over 250 Townships and schools on their network, for a very good reason, because what they supply is what the schools and Townships really require, and they are very good at it. Once the bids came out, and the bids were pulled, what they presented was something different, band width (?), which was much more valuable, and would bring Lakewood into the future. Things are changing dramatically. The existing network infrastructure, if it stayed as it was, at the same price, would only have to be upgraded in the very near future, based on normal things that are happening. As to state and county co-op, they have many schools and Township that are buying off of it, and love it, and love the idea that they can buy off of it. They were awarded it not too long ago, and it has provided a mechanism for many Townships and schools to purchase what they want to purchase.

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

At this time, the professional left the meeting.

Mr. Reinman explained the details of the contract being awarded this evening to Lightpath. He gave a quick brief history as to how they came to the decision that they recommended to the Township Committee for action this evening. Over the past three years or so, it was recommended to them that they look at making a change in the phone service and equipment. The current system is antiquated and can no longer be serviced. Their assessment, together with the advisory panel they put together, was that this is the best solution for the Township. This gives the Township a solution for today, and also into the future, not only for voice services, but also gives them a very robust network infrastructure to support the Township's growing data needs as they move forward. While they can open it up for every vendor to come in and comment on what choices were made, that is a never ending process, and it is really not a fair way to operate. They have done the best that they can, and made their best recommendation, and they stand by that recommendation. The dollars amounts are fair because of what the Township is getting, because of the infrastructure they are building, because of the product they are getting, and because of the quality they are getting. It may not be the best solution for everyone, but given the Township's needs, it is the best long term solution.

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 Governing Body of the Township of Lakewood Certification of the Annual Audit.
Resolution No. 2014-262
2. Resolution Authorizing Emergency Temporary Appropriations for the Period between the beginning of the Current Fiscal Year and the date of the Adoption of the 2014 Budget.
This Resolution was removed from the Consent Agenda.
3. Resolution Directing the Planning Board to conduct a Preliminary Investigation as to whether or not the Franklin Street Study Area, or any part thereof, qualifies as a "Condemnation Area in need of Redevelopment", pursuant to the New Jersey Local Redevelopment & Housing Law.
Resolution No. 2014-263
4. Resolution Approving a Community Development Block Grant Award to NJHAND regarding Block 818, Lot 2, and Block 819, Lot 3.
Resolution No. 2014-264

5. Resolution Approving a Community Development Block Grant Award to NJHAND, for the project known as Lakewood Commons Phase III.
Resolution No. 2014-265
6. Resolution Accepting Department of Environmental Protection Green Acres Grant for Parks.
Resolution No. 2014-266
7. Resolution Releasing a Performance Guarantee posted by Bais Hamedrash of East End Inc., in connection with SP# 1840, Block 208, Lot 180.
Resolution No. 2014-267
8. Resolution Authorizing a Contract with Lightpath of Parsippany for Dedicated Internet Access with Integrated Voice Option through the Passaic County Cooperative Purchasing Program.
Resolution No. 2014-268
9. Resolution Posting of New Original Performance Guarantee and Releasing the Prior Performance Guarantee of Accurate Builders, LLC, SP# 1406 (Primrose Estates) Block 11.01, Lots 4, 5, 6, 7.01, 15, 18, and 19.
Resolution No. 2014-269
10. Resolution Authorizing the Execution of an Agreement with the Teamsters Local 469 AIW I.B.T.
Resolution No. 2014-270

Motion by Committeeman Langert, with the removal of Item 2 which is no longer needed as the 2014 Municipal Budget was adopted, second by Committeeman Coles, to approve Resolution No. 1 and Nos. 3 through 10 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Langert and Deputy Mayor Akerman
Resolution Nos. 2014-262 through 2014-270 – Adopted.

ORDINANCE SECOND READING

An 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. **(Chap. XI, Traffic, Sec. 11-13 Parking Prohibited – Elmhurst Blvd.)**

Read by title only for second reading.

Deputy 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 Committeeman Coles, second by Committeeman Langert.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Langert and Deputy Mayor Akerman.
Ordinance No. 2014-48 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter IV (General Licensing), of the Revised General Ordinances of the Township of Lakewood, 1999 by Amending Section 4-3 (Transient Merchants, Peddlers and Hawkers), Sub-Section 4-3.1 (Definitions). **(Chap. IV – Transient Merchants, Peddlers and Hawkers)**

Read by title only for second reading.

Deputy 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 Committeeman Coles, second by Committeeman Langert.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Langert and Deputy Mayor Akerman.
Ordinance No. 2014-49 adopted on second reading.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Acquisition of Certain Properties located in an Area Designated as in Need of Redevelopment, in Fee Simple, by Conveyance or the Exercise of Eminent Domain.

Read by title only for second reading.

Deputy 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 Committeeman Coles, second by Committeeman Langert.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Langert and Deputy Mayor Akerman.
Ordinance No. 2014-50 adopted on 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, Section 18-901 (Establishment of Zoning Districts and Zoning Map), and Section 18-902 (Residential Zoning Districts).

Read by title only for second reading.

Mr. Wouters noted for the record that this Ordinance, which deals with an amendment to the Oak Street Overlay, was, after first reading, forwarded to the Planning Board for review. The Planning Board at their meeting held on July 15th did consider this Ordinance, and by memo dated July 16, 2014, a copy of which is included in the Committee's packet, and is included in the record of tonight's meeting, the Planning

Board indicated that they did discuss the merits of the Ordinance, and they are in favor of the Ordinance.

Deputy 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 Committeeman Coles, second by Committeeman Lichtenstein.

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

Ordinance No. 2014-51 adopted on second reading.

With regard to the following Ordinance, Committeeman Langert left the dais and recused himself from all discussions relating to this Ordinance.

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.

Read by title only for second reading.

Mr. Wouters noted for the record that this Ordinance deals with the proposed rezoning in the area of Cross Street and James Street. In accordance with the Municipal Land Use Act, the Ordinance after it passed first reading was forwarded to the Planning Board for review. The Planning Board did in fact review this Ordinance at its meeting held on July 15, 2014, and by memo dated July 16, 2014 to the Mayor and Township Committee, a copy of which will be included in tonight's meeting, they indicated that the Planning Board is in favor of the adoption of this Ordinance. However, they do recommend that a requirement be added where that no Certificates of Occupancy be issued for developments in the area before a plan for improving Drake Road is in place. The Township will look at amending the Ordinance if it is adopted to include something to that effect. It can be amended at a later date.

Committeeman Lichtenstein advised that what he requested at the last meeting was not for a plan to be in place, but that the Certificates of Occupancy not be issued until the roads were actually being installed, so that from the time that a CO is issued, they do not go years until the next phase puts money into Drake Road. Because even if some of those houses go in, there still has to be a plan to very quickly do Drake Road, because if only a portion is in, they can not only do half the road. That was his point. A plan is OK. He is not saying for the first CO you have to have the whole road done. But it has to happen fairly quickly.

Mr. Wouters responded that the recommendation from the Planning Board is exactly that. The Township is not obligated to accept this recommendation. The Planning Board indicated conceptually the same position, and if the Ordinance is amended at some time in the future, that would be included in that amendment.

Deputy Mayor Akerman opened the meeting to the public.

George Weinberger, 38 Drake Road – Spoke in opposition to this Ordinance. He feels there are procedural and wetlands issues, issues of conflict of interest, spot zoning, and many other reasons why this Ordinance should not be adopted.

Walt Lucas, Newport Avenue – Handed out information to the Committee members. Stated there is a need for R-12 housing in the subject area, which would promote family neighborhoods. Also commented on the bussing issue. Having local housing would reduce this problem significantly. Spoke in favor of R-12 housing, and it is needed. If this Ordinance is adopted this evening, it will take three to five years before the infrastructure is ready. And in the meantime, things will get worse, with traffic, etc.

Brian Flannery, 590 Atlantic Avenue – Disagreed with Mr. Weinberger's comments. Stated that this proposed Ordinance came about by the right process. The history of the property is that in 1999, it was all zoned agriculture. In 2007, there was a re-examination report that said there was no more agriculture in Lakewood, so part of it was zoned R-12, and part was zoned R-40. Between that time, and 2013, there were eight schools built in the area. Schools have created traffic and problems, and that is when the neighbors in the area presented a petition to the Committee requesting the whole area to be rezoned R-7.5. In 2014, the Planning Board had two public hearings on this matter, and everyone in the neighborhood came out and gave input, and the Planning Board adopted a document. That is the way zoning is supposed to be done. This area was looked at in 2008, so it is very appropriate that this 335 acre piece is looked at differently, because there are unique properties of it. If the Planning Board did not do anything, and if the Township Committee did not do this in the proper way, the Zoning Board would piece by piece change this. The population projection for Lakewood by the year 2030 is 220,000 people. The town is going to grow, and the Planner's report shows that by rezoning this area to accommodate more housing units, and a larger population, the Township would be making a proactive effort to accommodate its' growing population consistent with the overall objective of the Smart Growth Plan. And that is why the Township Committee should adopt this Ordinance. It is what the neighbors have asked for, it is what is appropriate for the area. It will provide for impact fees to make the improvements necessary in the area, and it will provide the incentive to bring sewer in to the schools that are presently on septic systems.

Gregg Stafford-Smith, 1200 Cross Street – Commented on the petition of the neighbors which was submitted for rezoning. There are many schools, and they need to enhance the quality of life in the area. They have been productive to get city water in an area that never had it. They now have fire hydrants on Cross Street. What is being done here is an opportunity to breed life into an area and give people a quality of life. This rezoning was requested by the vested shareholders of this Township, not someone that just came in three years ago. It is time to do the right thing.

Sam Paluso, 45 Neiman Road – Submitted information to the Committee members for the record, the Master Plan amendment adopted April 8, 2014. This plan was developed by professionals. He thinks that this plan should be the basis for all the approvals that may come before the Committee. He does not think there should be any redactions or additions to it. It takes a lot to project what will be good for the community. This plan should be the basis for it, as opposed to something less. His request would be no additions and no redactions to that plan.

Gerry Ballwanz, Governors Road – Commented and questioned the rezoning of the subject area.

Bill Hobday – Asked if this area has sewers, and if there was a certificate from NJ American Water Company to install sewer in this area.

Committeeman Lichtenstein responded that the area that is proposed is currently in the Ocean County Sewer Service area, which means the County has designated that area to be capable of sewer service. If sewer was to be put into that area, there is capacity to handle it. If the housing is put in, that will be the cause for sewer to be installed. He believes that on those size lots, you can not fit septic tanks, especially for a duplex. The Planning Board will ask for the sewer to be installed when they come for approvals, should this Ordinance pass, and then the people in the area will be able to tap into it. He does not know if there is currently a certificate from NJ American Water Company to actually provide sewer, but the County has designated it as a sewer service area.

Mr. Wouters advised Mr. Hobday that it is not an issue, and that the property is in the sewer service area, and in order to develop the property, it will require the connection to a sewer system.

Sally Wells, 483 Squankum Yellowbrook Road, Howell Township – Moved out of Lakewood two weeks ago. Commented on the rezoning of this area, and the request of the neighbors in the area in which she lived for fifty-four years. It has to do with quality of life, and the fact that there was no water or sewer. There were many years of work that were put in by many of the neighbors to work with people that used to be on the Committee, and used to be on Planning and Zoning Boards, and who are currently on the Planning and Zoning Board, to try to come up with a plan that would enable that area to grow in a way that made sense. Since the development of the Master Plan, she has watched the implementation of projects and development throughout the Township that are contrary to the Master Plan, and as a group of individuals they thought they had an opportunity that was right, and to stay within the guidelines of what the Township paid many hundreds of thousands of dollars to put into place. That was the genesis of their request to the Committee and to the Planning and Zoning Boards. This would be an opportunity for the people that live there, and for the children that go to those schools, to have a much better quality of life. She wished the Committee well with their vote this evening. She hopes they do the right thing, and

keep in mind that it was not just one individual, but it was many individuals who spent many years of their lives in this town, and spent many dollars getting the town to where it is today.

Shlomo Katz, 1415 Cedarview Avenue – In response to Mr. Hobday, who was questioning the sewer, he has a copy of what was published on first reading, which says something to the effect that duplex housing, providing the minimum lot size is 12,000 square feet, and minimum tract size is two acres, the development is serviced by public sewer. He believes that the Ordinance specifically states that if you are going to get that type of housing you must have public sewer. Everyone needs housing. The purpose of proper planning is to do what is good for the community, and this community is growing. He follows Planning Boards and he follows planning. What he has seen with this Ordinance, what the Planning Board did, is one of the most well thought out Ordinances that he has seen in a long time. There was a lot of thought that went into it, and they took the best interests of the community as a whole into account, and it will be a tremendous benefit to the community. He urged the Township Committee to adopt this Ordinance on second reading.

Barbara Flannery, 590 Atlantic Avenue – There is a lot of conflict on this matter. The point she wants to make is that they were requested to sign this petition, that it was something that the neighbors wanted. They did not come up with this idea. It went through the proper channels and was done properly. The community is growing. Her quality of life, along with her neighbors has suffered, because of the development. She cannot even get to her church, St. Mary of the Lake, for her morning services because she can not possibly make it there because of the traffic. But she has accepted it. This process was going along properly. A lot of the neighbors put a lot of time and effort into it, and Mr. Weinberger called them on Sunday and wanted to come to her house, and meet with her in her living room, and he acted as if this was OK with him. But he kept wanting things. By the third meeting, she realized that he was going to keep asking them to give him four pieces of the property she lives on and little by little they agreed, and she realized that he was never going to accept this. He should not have moved here. He should have seen what was going on in Lakewood, and paid attention to what was going on. He moved here, and he wants his little area to remain that way. She would have liked her area to remain that way too, but she had to accept that it is not what is going on in Lakewood. She found out that he did not treat them in an honorable fashion, and very hypocritically gathered votes to develop other parts of Lakewood with zoning that is inappropriate. He now wants to disrupt this process that the neighbors who have lived in Lakewood wanted, that the neighbors who live in this area started, and it is wrong. This process has been done properly. She asked that the Committee vote what the Planning and Zoning Boards have proposed, so the area can be developed properly.

Tom Bains, 101 Drake Road – He is directly affected by the vote this evening. He is in favor of this Ordinance, and he requested the Committee to vote accordingly, without the threat of litigation.

Wilbur Witteman, 75 White Road – Spoke in favor of the adoption of this Ordinance in order to properly develop the area. There are young people coming into this town, for whom this plan is wisely made, who will be affected and be able to afford to live in this community. The concern of the sewer of huge. The schools on septic is a mistake and it needs to be fixed. It is not safe, and the plan addresses that, and it will be taken care of.

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 Lichtenstein, second by Committeeman Coles.

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

Did Not Vote: Committeeman Langert
Ordinance No. 2014-52 adopted on second reading.

Committeeman Lichtenstein stated this was not a flippant decision. He listened to what everyone had to say. He has lived with what has been going on with the Plan Endorsement process. All they ask is that that the neighbors continue to figure out a way to make this work. Try to work together to make things work.

Committeeman Langert returned to the dais.

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, Article VII (Provisions Applicable to Site Plans and Subdivisions). **(Chap. XVII, Article VII Site Plans & Subdivisions)**

Read by title only for second reading.

Deputy 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 Committeeman Langert, second by Committeeman Lichtenstein.

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

Not Present for the Vote: Committeeman Coles
Ordinance No. 2014-53 adopted on second reading.

An 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. **(Chap. XI, Sec. 11-13 – East Kennedy Blvd. E.)**

Read by title only for second reading.

Deputy 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 Committeeman Langert, second by Committeeman Lichtenstein.

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

Ordinance No. 2014-54 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Exchange of Certain Lands within the Township of Lakewood, in particular, Authorizing the Township of Lakewood to acquire Block 309 Lot 2, Block 311 Lot 3, Block 314 Lot 9, Block 326 Lot 4, Block 330 Lot 3, Block 795 Lot 4 and Block 1132 Lot 1, plus Additional Consideration, and Authorizing the Township of Lakewood to Convey Block 461 Lot 1, and Block 472 Lot 1, as part of an Exchange of Lands pursuant to N.J.S.A. 40A:12-16.

Read by title only for second reading.

Deputy Mayor Akerman opened the meeting to the public.

Gerry Ballwanz, Governors Road – Pointed out inconsistencies in the Ordinance.

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

Motion by Committeeman Coles, second by Committeeman Langert, to carry the above Ordinance to August 7, 2014.

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

Second reading and public hearing on Ordinance No. 2014-55 carried to the meeting of August 7, 2014.

ORDINANCE FIRST READING **(Second reading and Public Hearing 08/07/14)**

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, Article II (Definitions), Section 18-200 (Definition of Terms). **(Chap. XVIII, Article II, Sec. 18-200 – Definitions)**

Read by title only for first reading.

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

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Langert and Deputy Mayor Akerman.
Ordinance No. 2014-56 adopted on first reading. Second reading and public hearing to be held on August 7, 2014.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Public Sale of Block 11, Lot 12, 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 Langert, second by Committeeman Coles.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Langert and Deputy Mayor Akerman.
Ordinance No. 2014-57 adopted on first reading. Second reading and public hearing to be held on August 7, 2014.

CORRESPONDENCE

Per attached list of one (1) correspondence item, attached hereto and made a part hereof.

PARKS AND EVENTS CORRESPONDENCE

Per attached schedule of seventeen (17) parks/events requests, attached hereto and made a part hereof.

Motion by Committeeman Langert, second by Committeeman Lichtenstein, and carried, to approve the above correspondence items.

MOTION TO APPROVE BILL LIST OF: 07/22/14

Motion by Committeeman Coles, second by Committeeman Langert.

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

COMMENTS FROM COMMITTEE MEMBERS

Committeeman Lichtenstein offered prayers and hopes for Committeeman Langert's son to come home safe from Israel.

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Committeeman Coles, and carried, to adjourn the meeting. Meeting adjourned at 9:53 PM.