

The Lakewood Township Committee held a Meeting on July 12, 2018 in the Lakewood Municipal Building, at 7:30 PM for the Public Meeting, with the following present:

Mayor.....Raymond Coles
Deputy Mayor.....Menashe P. Miller.....Absent
Committee Members..... Meir Lichtenstein..... Absent
Albert D. Akerman
Michael D’Elia
Municipal Manager.....Thomas Henshaw
Municipal Attorney.....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 12, 2018 and revised via publication on June 13, 2018.

ROLL CALL

CLOSED SESSION

Resolution 2018-303 Approved.

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

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION: Motion by Committeeman D’Elia, second by Committeeman Akerman, with all in favor, to enter open session at 7:31PM.

MOTION TO APPROVE MINUTES OF EXECUTIVE AND WORKSHOP SESSION OF JUNE 21, 2018: Motion by Committeeman D’Elia, second by Committeeman Akerman, with all in favor, to approve the above minutes.

MOTION TO APPROVE MINUTES OF REGULAR SESSION OF JUNE 21, 2018: Motion by Committeeman D’Elia, second by Committeeman Akerman, with all in favor, approve the above minutes.

PUBLIC LAND SALE – None

PRESENTATIONS – None

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 Coles opened the meeting to the public.

David Drukaroff, 1433 Laurelwood Avenue – Mr. Drukaroff asked if Item No. 10 on the Consent Agenda was for the purpose of issuing change in the Inspection Department.

Mayor Coles stated yes.

Joyce Blay, 311 Floral Way, Toms River, NJ – Ms. Blay questioned the Township Committee regarding the Smart Growth Plan and the development of the downtown area.

Mayor Coles spoke on the beginning stages of the possible redevelopment of an area of 1st Street. He stated he does not know of any other areas as of now.

Ms. Blay asked if the Township will work with the Police Department to clean up certain areas and stores that citizens have concerns about.

Mayor Coles stated that they have spoken with the Police Department multiple times regarding these concerns.

Ms. Blay also asked about Item No. 11 on the Consent Agenda.

Mayor Coles clarified the issues regarding this matter.

Moshe Zienes, 112 Elmhurst Boulevard – Mr. Zienes spoke on the change fund resolution regarding the Inspection Department and the benefits of people speaking up regarding concerns. He also commented on the performance guarantee of a development in the area of Finchley Boulevard.

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, Authorizing The State Contract Purchase Of Perimeter Fencing For The Township Of Lakewood Police Department Firearms Range From EB Fence LLC., Pursuant To And In Accordance With N.J.S.A. 40a:11-12 Et Seq
Resolution 2018-304
2. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Bid Award For The Buttell And Williams Road Improvements And Drainage Improvements At Oakwood And Tuxedo To S. Brothers Pursuant To And In Accordance With N.J.S.A. 40A:11-1 Et Seq
Resolution 2018-305
3. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Mayor To Sign A Revokable License Agreement With 104 Caranetta, LLC And 110 Caranetta LLC To Permit Installation Of A Radiant Heat Sidewalk
Resolution 2018-306
4. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Certification Of The Annual Report Of Audit For 2017
Resolution 2018-307
5. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Insertion Of A Special Item Of Revenue Into The 2018 Municipal Budget For Funding Under The FY2018 Clean Communities Grant Program In The Amount Of \$111,319.11
Resolution 2018-308
6. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Insertion Of A Special Item Of Revenue Into The 2018 Municipal Budget For Funding Of Alcohol Education Rehabilitation Enforcement Fund
Resolution 2018-309
7. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Insertion Of A Special Item Of Revenue Into The 2018 Municipal Budget For Funding Under The UEZ 2018-5 Business Assistance Initiative 8
Resolution 2018-310
8. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Insertion Of A Special Item Of Revenue Into The 2018 Municipal Budget For Funding Under The UEZ 2018-4 Business To Business Networking Initiative 5
Resolution 2018-311

9. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Cancelling Unexpended Balances Of Certain General Capital Improvement Appropriations
Resolution 2018-312
10. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Establishing A Change Fund In The State Uniform Construction Code Office
Resolution 2018-313
11. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Declaring Default Of Maintenance Guarantee Posted By Chateau Holdings, LLC., For SP #1040 (River Avenue) Block 1040, Lot 1.01 **(Removed from Consent Agenda and died due to lack of motion – 2018-314 skipped)**
12. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing The Maintenance Guarantee Posted By 319 Cedarbridge, LLC., In Connection With SD #1607 (Seasons Grocery Store), Block 548, Lot 170.47
Resolution 2018-315
13. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing The Maintenance Guarantee Posted by Sudler Lakewood Land, LLC., In Connection With SD #1882 (New Hampshire Avenue), Block 1160.02, Lot 7.01
Resolution 2018-316
14. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Reducing The Performance Guarantee (First Reduction) Posted By Regency Development In Connection With SP #2045 (Yeshiva Gedolah Bais Yisroel-Ridge Avenue), For Block 175, Lots 11 & 82
Resolution 2018-317
15. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By 902 Ocean Ave., LLC., In Connection With SD #2045 (Dr. Szold Way and Ocean Ave.) Block 548.01, Lot 288
Resolution 2018-318
16. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Manetta Holdings, LLC., In Connection With ZB #3897A (Manetta Avenue), Block 243, Lots 34, 35, 36 and 38
Resolution 2018-319
17. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted by Chaim Kirshenbaum and Esther Weiser In Connection With SD #2071, (Demolition Of Structure) Block 855.05, Lot 29
Resolution 2018-320

18. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Declaring Default of Maintenance Guarantee Posted By 962 Finchley LLC., For SD #1614 (Finchley Blvd.) Block 430, Lot 37
Resolution 2018-321
19. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Declaring Default Of Maintenance Guarantee Posted By Locust Acquisitions, LLC., For ZB #3716 (Locust Avenue) Block 1081, Lots 10.01-10.14
Resolution 2018-322
20. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Congregation Ohr Yisrael, Inc., In Connection With SP #2025AA (Nieman Rd.) Block 251.03, Lot 30 And Posting Of New Original Performance Guarantee By Yeshiva Even Yisroel
Resolution 2018-323
21. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Issuance Of A Duplicate Tax Sale Certificate Pursuant To Chapter 99 Of The Public Laws Of 1997
Resolution 2018-324
22. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Payment Erroneously Paid
Resolution 2018-325
23. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing A Refund Of Taxes On Mother Lot Due To Subdivision
Resolution 2018-326
24. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Taxes Paid Due To A County Board Judgment
Resolution 2018-327
25. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Supporting The State House Commission Pre-Application To The NJDEP Green Acres Program For The Campbell Park Minor Diversion
Resolution 2018-328

Mayor Coles asked to remove Item No. 11 from the Consent Agenda.

Motion by Committeeman Akerman, second by Committeeman D'Elia, to approve the above Consent Agenda with the removal of Item No. 11.

On Roll Call: Affirmative: Committeeman Akerman, Committeeman D'Elia,
Mayor Coles

Absent: Deputy Mayor Miller, Committeeman Lichtenstein

Resolutions 2018-304 through 2018-328 approved. Item No. 11 removed from the Consent Agenda and died due to lack of motion. Resolution 2018-314 skipped.

ORDINANCES FOR SECOND READING

1. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Chapter XI Entitled "Traffic" of The Revised General Ordinances Of The Township Of Lakewood Specifically Section 11-21 (Multiple Stop Intersections)(Ridge Avenue And East 5th Avenue)

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Moshe Zienes, 112 Elmhurst Boulevard – Mr. Zienes thanked the Township Committee for passing this ordinance.

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

Motion by Committeeman Akerman, second by Committeeman D'Elia, to approve the above ordinance after second reading and public hearing.

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

Ordinance 2018- 34 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 XVIII, Entitled "Unified Development Ordinance," Of The Revised General Ordinances Of The Township Of Lakewood To Implement The Lakewood Township Master Plan Recommendation Regarding Educational Campuses

Read by title only for first reading.

Mayor Coles opened the meeting to the public.

Joyce Blay, 311 Floral Way – Ms. Blay asked what this ordinance does to the Township.

Mayor Coles helped explain this ordinance. He added that it will help lower the density.

Mayor Coles stated part of this process for this ordinance was for approval from the Planning Board. At their meeting, they had eight members present, and the vote was four in favor and four not in favor. In order to adopt this ordinance, the Township Committee has to give a clear answer on why they would still like to pass the ordinance. He added that since this was originally approved through the Master Plan but the Planning Board referred it back to the Township Committee, he feels confident to go through with adopting this ordinance.

Steve Secare, Township Attorney, stated each committeeman must state they agree with the Mayor's comments or state their reasoning for voting yes.

Committee Akerman agrees and added that he does not feel that the Planning Board was against this ordinance, but some members were worried about "spot zoning". He stated he was in favor of this ordinance and believed the four votes not in favor from the Planning Board were due to the attorneys and members not agreeing on the spot zoning.

Committee D'Elia agreed with both Mayor Coles and Committeeman Akerman and stated he is in favor of this ordinance.

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

Motion by Committeeman Akerman, second by Committeeman D'Elia, to approve the above ordinance after second reading and public hearing.

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

Ordinance 2018- 35 adopted after public hearing and second reading.

3. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Exchange Of Certain Municipal Lands Known As Block 351 Lot 3 (Vacant Land In The Area Of Hatfield Avenue And James Street) For Certain Lands Known As Block 445 Lot 6 (Vacant Land In The Area Of Blanche Avenue And Columbus Avenue) In The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40A:12-16 Et Seq.

Read by title only for first reading.

Mayor Coles stated that this ordinance will die at tonight's meeting.

Mayor Coles opened the meeting to the public.

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

No motion made for the adoption of the above ordinance.

Ordinance 2018-36 died due to lack of motion.

4. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Private Sale And Conveyance Of Block 1139, Lot 1 (Vacant Land No Assigned Address In The Area Of Vine Avenue And Havens Avenue) Lying Within The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40A:12-13 Et Seq., To The Lakewood Public School District

Read by title only for first reading.

Mayor Coles opened the meeting to the public.

Joyce Blay, 311 Floral Way – Ms. Blay asked why the Township is doing this and what does the school intend to do with it.

Mayor Coles states they wish to build a preschool.

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

Motion by Committeeman D'Elia, second by Committeeman Akerman, to approve the above ordinance after second reading and public hearing.

On Roll Call: Affirmative: Committeeman Akerman, Committeeman D'Elia,
Mayor Coles

Absent: Deputy Mayor Miller, Committeeman Lichtenstein

Ordinance 2018-37 adopted after second reading and public hearing.

ORDINANCES FIRST READING – Public hearing scheduled for August 16, 2018

1. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Public Sale Of Block 182 Lot 5 (Vacant Land No Assigned Address In The Area Of East Kennedy Blvd.) 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.

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

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

Ordinance 2018-38 adopted after first reading. Second reading and public hearing schedule for August 16, 2018.

2. 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, The Township Of Lakewood To Acquire Block 445 Lot 6 (Vacant Land No Assigned Address In The Area Of Columbus Avenue) And To Convey Block 1264 Lot 1 (Vacant Land No Assigned Address In The Area Of Wicks Street And Shorrock Street) As Part Of An Exchange Of Lands Pursuant To N.J.S.A. 40A:12-16

Read by title only for first reading.

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

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

Ordinance 2018-39 adopted after first reading. Second reading and public hearing schedule for August 16, 2018.

3. 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 1400-1480 Ocean Avenue, LLC T/A Pine Belt Chrysler, For Facilities Located At Block 669, Lots 10, 23 & 91 (1400-1480 Ocean Ave.), And Authorizing The Mayor And Or His Designee And Township Clerk To Execute Any And All Documents Necessary And Proper To Enter Into A Tax Abatement Agreement

Read by title only for first reading.

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

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

Ordinance 2018-40 adopted after first reading. Second reading and public hearing schedule for August 16, 2018.

4. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing 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 State Of New Jersey And Providing For An Effective Date 20 Days After Publication After Final Adoption"

Read by title only for first reading.

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

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

Ordinance 2018-41 adopted after first reading. Second reading and public hearing schedule for August 16, 2018.

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 Portion Of Newport Avenue, Said Portions Being South Of Bellevue Avenue And North Of Wenstrom Avenue In The Township Of Lakewood

Read by title only for first reading.

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

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

Ordinance 2018-42 adopted after first reading. Second reading and public hearing schedule for August 16, 2018.

CORRESPONDENCE

1. Traffic Concern – Kennedy Blvd. & Route 9

Motion by Committeeman Akerman, second by Committeeman D'Elia, with all in favor, to approve the above correspondence.

MOTION TO APPROVE BILL LIST: July 10, 2018

Motion by Committeeman D'Elia, second by Committeeman Akerman, to approve the Bill List.

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

Bill List of July 10, 2018 approved.

COMMENTS FROM COMMITTEE MEMBERS - None

ADJOURNMENT

Motion by Committeeman Akerman, second by Committeeman D'Elia, with all in favor to adjourn the meeting. Meeting adjourned at 7:50PM.