The Lakewood Township Committee held a Meeting on Thursday, July 11, 2013, in the Lakewood Municipal Building, at 5:30 PM for the Workshop/Executive Session, and 7:30 PM for the Public Meeting, with the following present:

Mayor..................................................... Albert D. Akerman
Deputy Mayor......................................... Steven Langert.
Committee Members.................................Raymond Coles
                                              Meir Lichtenstein
                                              Arrived at 7:42 PM.............. Menashe Miller
Municipal Manager.................................Michael Muscillo
Deputy 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, and published in the Asbury Park Press on July 8, 2013.

ROLL CALL

CLOSED SESSION
Resolution No. 2013-238 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION
Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to open the meeting.

As there were many members of the public present to speak on a certain topic, Mayor Akerman advised that they would be heard at this time.

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

Mayor Akerman opened the meeting to the public.

Bob McGregor, 410 Monticello Lane, Board President of the Enclave Homeowners Association – Thanked the Mayor Committee Members for working with the seniors of the Enclave and Fairways, and Yeshiva Hatorah, and Somerset Development,
by formulating the land exchange agreement and approving it on February 20th. To facilitate the land exchange, there is a need for an Ordinance creating zoning modifications to the involved lots at the new location. Somerset Development and Township Attorney, Jan Wouters, have worked out the details for this Ordinance. Without this zoning change, the Yeshiva move is stalled. He requested that the Township Committee act correctively and with a sense of urgency to get the zoning modifications fully developed and approved so that the project can move forward. This land exchange is important to the seniors of the Enclave and Fairways, and equally important to the Yeshiva so they can plan their future at their new location.

Bill Hobday, 30 Schoolhouse Lane – Commented on the issue of the Yeshiva on Massachusetts Avenue, and their proposed move.

Yehuda ____________, 1464 Tower Street – Commented on the issue of the Yeshiva on Massachusetts Avenue, and spoke in opposition to the proposed zoning changes.

Nochum Talb, 1390 Towers Street – Commented on the land exchange, and spoke in opposition to the proposed zoning changes.

Noreen Gill, 192 Coventry Drive – Commented on the Yeshiva on Massachusetts Avenue, and traffic problems throughout the town.

Saul Cohen, 301 Albert Avenue – Commented on the Yeshiva on Massachusetts Avenue, and the proposed zoning changes.

Yackov ____________, 1401 South Street – Spoke in opposition to the proposed zoning changes.

Steve Rottenberg, 1424 Tower Street – Spoke in opposition to the proposed zoning changes, and the proposed construction of seventy-four townhomes, and basement rentals, and spoke in favor of moving the Yeshiva to the Albert Avenue area.

Elizabeth Johnson, Lanes Mill Road – Advised that she spoke with the Ocean County Engineering Department regarding the repaving of Lanes Mill Road, between Route 88 and the Parkway. Requested that the construction be done at night so as not to disturb the business people on Lanes Mill Road.

Committeeman Lichtenstein requested that the Township Manager speak with Traffic & Safety regarding this matter.

Joshua Schwartzman, East Spruce Street – Commented on moving the Yeshiva from Massachusetts Avenue to the Albert Avenue area, and spoke in opposition to the proposed zoning changes.
Avi ___________501 Spruce Street – Spoke in opposition to the proposed zoning changes.

Carl Fink, 146 Enclave Boulevard – Commented on moving the Yeshiva from Massachusetts Avenue.

Shlomo Meyer, 423 Sixth Street – Commented on the Ordinance regarding No Parking During School Hours on Sixth Street.

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

Mayor Akerman responded to comments with regard to the proposed zoning changes for the Albert Avenue area, to which the neighborhood is opposed, and moving the Yeshiva from its present location on Massachusetts, to the Albert Avenue area.

Mayor Akerman advised they would take short break at this time to allow any member from the public to leave, if they wished.

Meeting resumed.

PRESENTATIONS - Suzanne Chiavarri – New Jersey American Water

Deputy Mayor Langert introduced Suzanne Chiavarri, the Executive Vice President of Engineering for NJ American Water, and her team, Kevin Watsi, Head of Governmental Affairs for NJ American Water, George Bauer, Head of the Lakewood Office, and Elliot Schwartz, Infrastructure Development Coordinator, who worked on the Affordable Housing Project on Coles Way.

Mrs. Chiavarri spoke regarding the infrastructure needs of Lakewood, and how it is handled by NJ American Water, in order to accommodate the growth of Lakewood now, and in the future. She provided maps to the Committee, and highlighted several of the water and sewer projects they will be constructing over the next year

MOTION TO APPROVE MINUTES OF: 06/06/13, 06/19/13 (Special Meeting)
Motion by Deputy Mayor Langert, second by Committeeman Coles, and carried, to approve the above Minutes. Committeeman Lichtenstein and Committeeman Miller abstained on the Minutes of the Special Meeting of June 19, 2013. Minutes approved.
MOTION TO APPROVE CLOSED SESSION MINUTES: 06/06/13
Motion by Committeeman Lichtenstein, second by Committeeman Miller, and carried, to approve the above Closed Session Minutes.
Minutes approved.

2013 MUNICIPAL BUDGET HEARING

Mr. Muscillo explained that this year’s Municipal Budget presented a lot more challenges than the previous three years’ in which they were able to keep a stable zero increase. He went over some of the main items that contributed to the increase this year. In employee health benefits, they had an increase of one million dollars. Contractual salary increases also went up one million dollars. And decreases to surplus went into the amount of $3,300,000, which included tax appeal refunds that they had to pay out, of $1,700,000. A decline in property sales of about one million, and a decrease in the health dividend they normally get, by $600,000. Additionally, the rate will be shrunk in town by about $40,000,000 which roughly equals a $300,000 increase. When added together, the total amount of the decrease comes to roughly $5,600,000 which equates to about 8.97 cents. In regards to taxes for municipal services, in 2012, the number was $43,794,587. In 2013, it jumped to $49,101,420, an increase of $5,300,000. Surplus used in support of the Budget in 2012 was roughly $8,000,000; it was $7,997,000. In 2013, they could use $5,100,000, a decrease of close to $3,000,000.

Mayor Akerman opened the meeting to the public.

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

FINAL ADOPTION – 2013 Municipal Budget

Motion by Committeeman Lichtenstein, second by Deputy Mayor Langert.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.
Resolution No. 2013-239 – Adopted.

ORDINANCES FOR DISCUSSION - None

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 Approving a Second Amendment of a Schedule “C” Agreement with the County of Ocean made February 6, 2013. Resolution No. 2013-240


3. Resolution Releasing the Maintenance Guarantee posted by, American Builders and Contractors Supply Co. (formerly Bradco), in connection with Application SP# 1702 (James Street), Block 358, Lot 1, and 360, Lot 1. Resolution No. 2013-242

4. Resolution Releasing a Performance Guarantee posted by, Klarr Transport Services, in connection with Application SP# 1921 (Lehigh Avenue), Block 1606, Lot 2.01. Resolution No. 2013-243

5. Resolution Releasing the Maintenance Guarantee posted by, Dr. Israel England, in connection with Application SP# 1911 (East Kennedy Blvd.), Block 141, Lots 6 and 7. Resolution No. 2013-244


7. Resolution Releasing the Maintenance Guarantee posted by, John Brown c/o Abraham Chopp, in connection with Application SD# 1613 (Arlington Avenue), Block 774.03, Lot 2.03. Resolution No. 2013-246

8. Resolution Releasing the Performance Guarantee (Second Reduction) posted by, Route 88 Acquisitions LLC, in connection with ZB# 3671A (Ocean Point Major Subdivision and Site Plan Route 88), Block 189, Lots 109, 110, 111.01, 111.02, 112, 113, 114, 148, and 163. Resolution No. 2013-247
9. Resolution Reducing the Performance Guarantee, (First Reduction), posted by, Chaim Abadi, (formerly Uman Holdings LLC), in connection with SD# 1522, (River Avenue), for Block 534, Lot 18. Resolution No. 2013-248

10. Resolution Authorizing the Tax Collector to Refund a Double Payment, for Block 762, Lot 23, in the amount of $2,787.54. Resolution No. 2013-249

11. Resolution Authorizing the Tax Collector to Refund a Double Payment, for Block 778.02, Lot 21.16, in the amount of $2,159.91. Resolution No. 2013-250

12. Resolution Authorizing the Tax Collector to Refund a Double Payment, for Block 11.10, Lot 18, in the amount of $3,896.23. Resolution No. 2013-251

13. Resolution Authorizing the Tax Collector to Refund a Double Payment, for Block 423, Lot 1.31, in the amount of $5,659.80. Resolution No. 2013-252

14. Resolution Authorizing a Refund based on a Tax Court Judgment, for Block 1160.04, Lot 48, in the amount of $2,129.26. Resolution No. 2013-253


16. Resolution Authorizing a Person-to-Person Transfer of Plenary Retail Consumption License #1514-33-031-006. Resolution No. 2013-255

17. Resolution Accepting the offer of Bais Rivka Rochel Inc., to pave the Steckler Street Parking Lot at its own cost subject to the Reimbursement from the Lakewood Development Corporation of $274,000.00. Resolution No. 2013-256
18. Resolution Approving an Encroachment Agreement with Beacon Ridge, LLC relative to Block 423, Lot 1.51 (White Dove Court), Lakewood, NJ. Resolution No. 2013-257

19. Resolution Approving and Authorizing the Township to enter into a Waiver of Liability and Hold Harmless Agreement with Manley Performance Products, Inc. Resolution No. 2013-258

20. Resolution Requesting a Consolidation of Block 251.01, Lots 46, 47, 52, 61, 62 and 84; Block 251.04, Lots 77 and 79; Block 253, Lot 1; Block 254, Lot 1; Block 255, Lot 1; Block 256, Lot 1, Block 257, Lot 1; Block 258, Lot 1; Block 263, Lot 1; and Block 264, Lot 1 into new Block 251.01, Lot 46.01 and Consolidation of Block 252, Lot 5 and Block 259, Lot 1 into new Block 252, Lot 5.01. Resolution No. 2013-259


22. Resolution Requesting the Passage of the Superstorm Sandy Relief Act of 2013. Resolution No. 2013-261

23. Resolution Authorizing Final NJDOT Change Order No. 1 to the Contract Awarded to Earle Asphalt Company for the Reconstruction of Lapsley Lane in the amount of $6,214.21. Resolution No. 2013-262

24. Resolution Authorizing Tax Collector to Reimburse Lien Holder for subsequent Tax Payments erroneously collected, for Block 107, Lot 1, in the amount of $1,554.72. Resolution No. 2013-263

25. Resolution Awarding a Contract to IPL Inc., for the purchase of 2,000 Wheeled Refuse Containers pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq., in an amount not to exceed $94,520.00. Resolution No. 2013-264
26. Resolution Awarding a Contract to Granturk Equipment Inc., for the purchase of two 2013 Rear Loading Refuse Bodies, pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq., in an amount not to exceed $137,000.00.
Resolution NO. 2013-265

27. Resolution Awarding a Contract to Bergey’s Truck Center, for the purchase of a 2013 Refuse Chassis and Front Loader, pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq., in an amount not to exceed $227,900.00.
Resolution No. 2013-266

28. Resolution Awarding a Contract to Bergey’s Truck Center, for the purchase of a 2013 Refuse Chassis and Side Loader, pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq., in an amount not to exceed $257,925.00.
Resolution No. 2013-267

29. Resolution Awarding a Contract to Wolfington Body Company, for the purchase of a 2013 Passenger Bus, pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq., in an amount not to exceed $91,404.00.
Resolution No. 2013-268

30. Resolution Accepting a bid on Block 467, Lots 1 and 6, as a result of the Private Land Sale in the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:12-1 et seq.
Resolution No. 2013-269

31. Resolution Accepting a bid on Block 1045, Lot 2, as a result of the Private Land Sale in the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:12-1 et seq.
Resolution No. 2013-270

32. Resolution Approving a Medical Leave of Absence, without pay, for Dovid Egert, beginning June 20, 2013.
Resolution No. 2013-271

Resolution No. 2013-272
34. Resolution Authorizing a Mutual Aid Agreement with Chesed of Lakewood.
Resolution No. 2013-272

Motion by Committeeman Coles, second by Committeeman Lichtenstein, to approve Resolution Nos. 1 through 34 on the Consent Agenda.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert (abstained on Resolution No. 30) and Mayor Akerman.

At this time, the CFO and Auditor left the meeting.

ORDINANCES SECOND READING

Read by title only for second reading.
Mayor Akerman opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.

Ordinance No. 2013-26 died on second reading due to lack of Motion.

Calendar Year 2013 Ordinance to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank (N.J.S.A. 40A:4-45.14)
Read by title only for second reading.
Mayor Akerman opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.
The above Ordinance was offered by Deputy Mayor Langert, second by Committeeman Lichtenstein.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.

Ordinance No. 2013-42 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 11-22 (Four-Way Stops) of the Revised General Ordinances of the Township of Lakewood 1999. (Chap. XI, Sec. 11-22 - Four-Way Stop)
Read by title only for second reading.
Mayor Akerman opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.
The above Ordinance was offered by Committeeman Coles, second by Committeeman Miller.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.
**Ordinance No. 2013-43 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 11-10.1 (Stopping or Standing Prohibited) of the Revised General Ordinances of the Township of Lakewood 1999. (Chap. XI, Sec. 11-1-1.1 – Stopping/Standing Prohibited)**

Read by title only for second reading.

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

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

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

**Ordinance No. 2013-44 adopted on second reading.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XII Entitled Building and Construction of the Code of the Township of Lakewood. (Chap. XII, Sec. 12-2.1 – Construction Permit Fees)**

Read by title only for second reading.

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

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

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

**Ordinance No. 2013-45 adopted on second reading.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII (Unified Development Ordinance), Article XI (Administration), Section 18-1102 (Requirements of Permits), of the Revised General Ordinances of the Township of Lakewood, 1999. (Chap. XVIII, Section 18-1102 – Requirements of Permits)**

Read by title only for second reading.

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

The above Ordinance was offered by Committeeman Coles, second by Deputy Mayor Langert.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman. 

**Ordinance No. 2013-46 adopted on second reading.**

**ORDINANCE FIRST READING (Second reading and Public Hearing 07/25/13)**

An Ordinance Authorizing the Township of Lakewood to Acquire Portions of a certain Property by Conveyance or Condemnation in Order to Access Township Property along Cedarbridge Avenue in Lakewood Township.

Read by title only for first reading.

Committeeman Lichtenstein advised he would be stepping away from the podium with regard to this Ordinance.

Committeeman Coles advised he would be abstaining from this Ordinance.

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

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

Abstain: Committeeman Coles and Committeeman Lichtenstein.

**Ordinance No. 2013-47 adopted on first reading. Second reading and public hearing to be held on July 25, 2013.**

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing, Extinguishing, and Vacating the rights of the Public of a Portion of a Paper Street, known as Bushwick Avenue, in the Township of Lakewood. (St. Vacation – Bushwick Avenue)

Read by title only for first reading.

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

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

**Ordinance No. 2013-48 adopted on first reading. Second reading and public hearing to be held on July 25, 2013.**

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII (Unified Development Ordinance), Article IX (Zoning Districts and Regulations), Section 18-903 R (Corporate Campus/Stadium Support Zone B-6), of the Revised General Ordinances of the Township of Lakewood, 1999. (Chap. XVIII, Sec. 18-903 R, B-6 Zone)

Read by title only for first reading.
The above Ordinance was offered by Committeeman Coles, second by Deputy Mayor Langert.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.


An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII (Unified Development Ordinance), Article X (Conditional Use Requirements), Section 18-1008 (Service Stations and Public Garages), of the Revised General Ordinances of the Township of Lakewood, 1999. (Chap. XVIII, Article X, Sec. 18-008 – Service Stations and Public Garages)
Read by title only for first reading.
The above Ordinance was offered by Committeeman Coles, second by Committeeman Miller.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.


An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII (Unified Development Ordinance), of the Revised General Ordinances of the Township of Lakewood, 1999, specifically Section 18-200 (Definitions), Section 18-812 (Signs), Section 18-903 (Non Residential Zones), and Article X (Conditional Uses). (Chap. XVIII, Sec. 18-200 Definitions; Sec. 18-812 Signs; Sec. 1-903 Non-Residential Zones; and Article X Conditional Uses)
Read by title only for first reading.
The above Ordinance was offered by Committeeman Coles, second by Committeeman Lichtenstein.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.


Deputy Mayor Langert advised that he would be absenting himself from the following Ordinance.

Mayor Akerman advised there were many different versions of the following Ordinance. It should read that parking should be 8:00 AM to 5:30 PM, and based on recommendation, it should say.....from the south westerly prolongated curb lines of Route US 9 and starting at a point at the westerly edge of a driveway that is approximately 163 feet. The way they are voting, it should say, 150 feet from Madison
Avenue. So, it says 163 feet, and it should say 150 feet. And there will be a 13 foot area that will be a No Stopping No Standing area during those hours.

The Municipal Clerk then read the Ordinance, by title.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI (Traffic) by Repealing a portion of Section 11-10.2 (Stopping orStanding Prohibited during Certain Hours or Certain Days on Certain Streets) and amending Section 11-26B (School Bus Loading and Unloading Zone) of the Revised General Ordinances of the Township of Lakewood, 1999. (Chap. XI, Sec. 11-10.2 and 11-26B – Sixth St.)

Read by title only for first reading.
The above Ordinance offered by Committeeman Coles, second by Committeeman Lichtenstein.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller and Mayor Akerman.
Absenting: Deputy Mayor Langert


An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing, Extinguishing and Vacating the Rights of the Public of a Portion of a Paper Street known as Endor Lane, in the Township of Lakewood. (St. Vacation – Endor Lane)

Read by title only for first reading.
The above Ordinance by Committeeman Coles, second by Committeeman Lichtenstein.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committee man Miller, Deputy Mayor Langert and Mayor Akerman.


CORRESPONDENCE

Per list of three (3) correspondence items, attached hereto and made a part hereof.

PARKS AND EVENTS CORRESPONDENCE

Per schedule of twenty-five (25) parks/events requests, attached hereto and made a part hereof.

Motion by Committeeman Lichtenstein, second by Committeeman Miller, and carried, to approve the above correspondence items.
MOTION TO APPROVE BILL LIST OF: 07/09/13
Motion by Committeeman Coles, second by Committeeman Lichtenstein, to approve the above Bill List.
On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.
Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS - None

ADJOURNMENT
Motion by Committeeman Lichtenstein, second by Committeeman Miller, and carried, to adjourn the meeting. Meeting adjourned at 9:10 PM.