The Lakewood Township Committee held a Meeting on Thursday, March 2, 2017 in the Lakewood Municipal Building, at 6:00 PM for the Workshop/Executive Session and 7:30 PM for the Public Meeting, with the following present:

Mayor..............................................Raymond Coles
Deputy Mayor.................................Menashe P. Miller….Absent
Committee Members....................... Albert D. Akerman
                                    Michael J. D’Elia….Absent
                                    Meir Lichtenstein
Municipal Manager.......................Thomas Henshaw
Municipal Attorney.......................Steve 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 10, 2017 and revised via email on February 27, 2017.

ROLL CALL
CLOSED SESSION
Resolution No. 2017-101 Approved
ROLL CALL
SALUTE TO THE FLAG AND PRAYER
OPEN SESSION
Motion by Committeeman Lichtenstein, second by Committeeman Akerman, to enter open session at 7:32pm. Motion carried.

MOTION TO APPROVE MINUTES OF WORK SHOP AND EXECUTIVE SESSION OF: February 15, 2017
Motion by Committeeman Lichtenstein, second by Committeeman Akerman, and motion carried to approve the above Minutes.

MOTION TO APPROVE MINUTES OF REGULAR SESSION: February 15, 2017
Motion by Committeeman Lichtenstein, second by Committeeman Akerman, and motion carried to 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.

Joyce Blay, 311 Floral Way, Toms River – Ms. Blay expressed her confusion on why there was a resolution for the TID Impact Fees when it should be an ordinance. She asked for clarification on this matter. She also asked why it is on the agenda since it had already been passed in a year prior.

Township Manager, Tom Henshaw stated there is a resolution for this ordinance because it needs to be reviewed by the Planning Board. He added that this ordinance will be attaching the Impact Fee schedule.

Bill Hobday, 30 Schoolhouse Lane – Mr. Hobday mentioned that the previous week two meetings of the Master Plan Subcommittees were held. At those meetings, issues with the downtown area density were discussed. Mr. Hobday suggested that the Township stop issuing variances and be mindful of the quality of life of current residents.

Noreen Gill, 192 Coventry Drive – Ms. Gill stated she is a member of the subcommittee for density and asked the Township Committee to protect the residents of Lakewood and to make the roads safe for pedestrians and drivers.

Kathy Stillwell, 850 Brook Road – Mrs. Stillwell commented on the ordinance on the agenda that references commercial use on County Line Road. She stated that when the original ordinance was passed, there was no notice sent out to the affected residents and that the ordinance should be repealed.

Tom Gatti, The Enclave – Mr. Gatti began by asking if the occupants of 1536 Massachusetts Avenue had moved out.

Committeeman Akerman stated he is unsure but believes their deadline was March 1, 2017.

Mr. Gatti then asked if the area is spoken for or what can replace the previous building.

Mayor Coles stated if the boards of the different communities in the area want to provide ideas, the Township Committee will review them.

Thomas Henshaw added that the building will be demolished.

Tom Gatti asked for a time frame on the demolition.
Thomas Henshaw stated currently there is no time frame.

Jerry Baldwanz, resident of Lakewood – Ms. Baldwanz began by questioning why communications from the Township Committee are being sent to the Master Plan Committee but not to the Planning and Zoning Board. She continued by asking if the application and approval processes are being done legally for basement and attic apartments.

Alice Kelsey, 295 B Malvern Court East – Ms. Kelsey expressed her concern with new immigration laws that are being enacted by the federal government. She asked the Township Committee to pass a resolution that prevents the Lakewood Police Department from acting as agents of ICE.

Shlomi Klein, 189 Chateau Drive – Mr. Klein began by speaking of the debate that ensued at the Master Plan meeting over traffic and density. He expressed his concerns regarding certain members of the Planning Board and requested the Committee look into those issues. He ended by commending Mayor Coles for his willingness to listen to the public during meetings.

Committeeman Lichtenstein commented on the positive character of the current Chairman of the Planning Board.

Mayor Coles requested a meeting between the attorney, himself and Mr. Jackson, Planning Board Attorney, to discuss certain planning board issues. Mayor Coles requested that Committeeman Akerman provide his expertise to the Chairman of the Planning Board.

Yechiel Ball, 1094 Somerset Avenue – Mr. Ball stated he is a thirteen year resident of Lakewood. Since he first moved to Somerset Avenue, the demographics have changed exponentially. He mentioned the ordinance repealing commercial use on East County Line Road. He asked the Township Committee to keep this area residential and to build homes, not more businesses.

Nechama Goldstein, 31 Kingsfield Drive – Ms. Goldstein questioned how the new development in the Oak Street corridor has been approved without sidewalks.

Mayor Coles stated that he was under the assumption sidewalks had to be put in. He asked Steve Secare and Committeeman Akerman to look into this issue.

Steven Secare, Township Attorney, asked Ms. Goldstein to leave her number with the Township Clerk. He will have to look into the issue to get her the correct answer.

Committeeman Akerman expressed his surprise for this since this area was going to be developed with very high standards. He sees the need for sidewalks in this area and will speak to the Planning Board about this.
Adam Pfiefer, Attorney – Mr. Pfiefer requested clarification on the resolution for temporary certificates of occupancy. He asked if this applies to duplexes or solely single family homes.

Mayor Coles state this resolution is to aid residents who have disturbed the road but not a large area and can still live in their homes prior to paving the street.

Michael McLaughlin, 11 Alvarado Avenue – Mr. McLaughlin expressed his concerns over density throughout Lakewood. He added that traffic and density are one in the same and these committees need to move past this argument. He requested the Township Committee to guide these committees so they can begin to better Lakewood and do what they were appointed for.

Maria Resnick, 22 Sandztown Road – Ms. Resnick stated she came to a meeting two months ago to address the situation in the Westgate Community regarding unfinished attics. She asked for clarification on what an unfinished attic is.

Mayor Coles stated to the best of his knowledge, an unfinished attic is an attic with exposed beams and plywood on the floor. The Westgate community was approved twenty years ago. He asked Thomas Henshaw, the Township Manager, to speak with the director of the Inspections Department to clarify what an unfinished attic was.

Ms. Resnick also asked the reasoning behind a flag that has been placed in the area of New Egypt Road and Sunset Road.

Mayor Coles stated it is a memorial for a fallen Lakewood Police officer.

Harold Herkowitz, 296 Cedar Row – Mr. Herkowitz expressed his anger over the resolution for electronic billboards.

Mr. Lebowski, 209 James Court – Mr. Lebowski brought up the new development in the area of James and Prospect that is being built without the implementation of sidewalks.

Mayor Coles stated he will look into this issue and will make sure sidewalks are put in.

Al Zaconi, Local Engineer - Mr. Zaconi discussed the issue involving outdoor advertising and electronic billboards. He stated the content will be appropriate since the owner is Orthodox and understands the community well.

Yehuda Katay, 1 Swiss Mountain Drive – Mr. Katay discussed the issue of New Hampshire Avenue and Cedarbridge Avenue. He also stated in the area of Route 70 and New Hampshire Avenue the turning problem seems to be creating danger to drivers and pedestrians. Mr. Katay also requested the Township Committee to look into the idea of putting a cement barrier down Route 9 to allow U-turns at busy intersections.
Committeeman Lichtenstein told Mr. Katay he had spoken with the County Road Department in reference to the issues on New Hampshire Avenue. He stated they are in the process of potentially increasing the timing of the traffic lights. He stated the idea Mr. Katay had for cement barriers is called an access management plant. He added that New Jersey Transportation is looking into this matter, however not specifically cement barriers.

Seeing no one else wished to be heard, 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, Accepting $121,341.60 From New Jersey American Water Company For The Township’s Reconstruction Of 7th Street.  
   **Resolution 2017-102**

2. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Appointing Patricia Komsa As The Director Of The Department Of Human Resources  
   **Resolution 2017-103**

3. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By 962 Finchley, LLC., In Connection With SD #1614, (Finchley Blvd.) Block 430, Lot 37  
   **Resolution 2017-104**

4. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing CDBG Funds For The Resurfacing Of The Basketball Court At Sunset Park In The Township Of Lakewood.  
   **Resolution 2017-105**

5. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing The Maintenance Guarantee Posted by NJ Hand, Inc., In Connection With SP #1838A, (Lakewood Commons-Phase 2) Blocks 833, 834, 835, 836 and 837, Lots 4, 4, 3, 3 and 3  
   **Resolution 2017-106**
6. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Ruel E. Topas And Lauren M. Krause, In Connection With SD #2081 (East 7th Street), Block 208, Lot 134.01
   Resolution 2017-107

7. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Referring An Amendment To Article V Entitled "Off Tract Improvements" Section 18-505 Entitled "Transportation Improvement District," Specifically Sub-Section D Entitled "Impact Fees" And Amending Exhibit B Attached Thereto, Of The Revised General Ordinances Of The Township Of Lakewood To The Planning Board For Review
   Resolution Carried to April 6, 2017

8. Resolution Of the Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing An Amendment To The UEZ Project Management & Administration Budget For 2017
   Resolution 2017-109

   Resolution 2017-110

10. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Execution Of A Shared Services Agreement Between The Township Of Lakewood And The County Of Ocean For The “Fatal Accident Support Team (F.A.S.T.) 2017
    Resolution 2017-111

11. Resolution Of The Township Of Lakewood, County Of Ocean State Of New Jersey, Authorizing The Issuance Of Temporary Certificates Of Occupancy For Individual Homes.
    Resolution 2017-112

12. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Approving Participation With The State Of New Jersey Federal Grant Program Administered By The Division Of Criminal Justice Department Of Law And Public Safety-Safe And Secure Communities Grant
    Resolution 2017-113

    Resolution 2017-114
   Resolution 2017-115

15. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund A Double Payment (Block 158 Lot 2-30 6th Street)
   Resolution 2017-116

16. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing A Refund Based On A State Tax Appeal
   Resolution 2017-117

17. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund A Double Payment-(Block 416 Lot 41-51 Birch Street)
   Resolution 2017-118

Motion by Committeeman Lichtenstein, second by Committeeman Akerman, to approve Resolution Nos. 1-17 on the Consent Agenda with the removal of Resolution No. 7. On Roll Call: Affirmative: Committeeman Akerman with abstention on No. 13, Committeeman Lichtenstein, Mayor Coles. Absent: Deputy Mayor Miller, Committeeman D'Elia.
   Resolution 2017-102 to 2017-118 approved. Resolution 2017-108 was carried to the April 6, 2017 meeting.

ORDINANCES FOR SECOND READING:

1. 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 Casa Nova Today, LLC., For Facilities Located At Block 124, Lot 1, And Authorizing The Mayor And Or His Designee And The Township Clerk To Execute Any And All Documents Necessary And Proper To Enter Into A Tax Abatement Agreement Block 124, Lot 1, 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 second reading.

   Ovadi Malchi, owner of Casa Nova Today, LLC gave a statement explaining the benefits his business will receive due to this tax abatement and the potential for employment and economic growth.

   Mayor Coles opened the meeting to the public.

   Joyce Blay, 311 Floral Way – Ms. Blay asked Thomas Henshaw how much he has in his surplus budget.
Thomas Henshaw replied that he does not know at this time, when the budget comes out he will have an answer.

Ms. Blay asked Mr. Malchi how many jobs he anticipates creating.

Mr. Malchi stated fifteen jobs will be created.

Mayor Coles interjected stating the purpose of tax abatements are to encourage new business owners and help them succeed. He added that with a tax abatement the potential for employment and economic development will increase.

Bill Hobday, 30 Schoolhouse Lane – Mr. Hobday suggested the applicant move to a different area, specifically across the street from his location since the current area is difficult for vehicle and pedestrian traffic.

Jerry Baldwanz, 192 Governors Road – Ms. Baldwanz asked where this is located since the ordinance has only a block and lot listed.

Committeeman Lichtenstein stated it is in the area of 1st Street and Lexington Avenue.

Adam Pfiefer, Attorney – Mr. Pfiefer state he is representing the applicant for this tax abatement. He stated this will only be a benefit to the area. He added that Mr. Malchi has leased parking spots through New Jersey Transit to ensure his employees and customers will have a safe place to park.

Seeing no one else wished to be heard, Mayor Coles closed the meeting to the public.

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

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

Ordinance No. 2017-3 adopted on second reading.

2. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Bond Ordinance Providing For Various Capital Improvements, Appropriating $10,000,000 Therefore And Authorizing The Issuance Of $9,500,000 Bonds And Notes To Finance A Portion Of The Costs Thereof, Authorized In And By The Township Of Lakewood, In The County Of Ocean, New Jersey.

Mayor Coles asked that this ordinance be carried for second reading at the March 16th meeting because they need four voting members to approve it.

Motion by Committeeman Lichtenstein, second by Committeeman Akerman, to carry this ordinance to the meeting held on March 16th.

On Roll Call – Affirmative: Committeeman Akerman, Committeeman Lichtenstein, Mayor Coles. Absent: Committeeman D’Elia, Deputy Mayor Miller
Ordinance No. 2017-4 carried to March 16, 2017 for second reading.

3. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Changing The Name Of A Street To Palm Court (From Grand Avenue) Pursuant To And In Accordance With N.J.S.A. 40:67-1(k) Et Seq.

Read by title only for second reading.
Mayor Coles opened the meeting to the public.
Seeing no one wished to be heard, the meeting was closed to the public.
The above Ordinance was offered by Committeeman Akerman, second by Committeeman Lichtenstein.
On Roll Call – Affirmative: Committeeman Akerman, Committeeman Lichtenstein, Mayor Coles. Absent: Committeeman D’Elia, Deputy Mayor Miller
Ordinance No. 2017-5 adopted on second reading.

4. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Changing The Name Of A Street To Hunter Drive (From Yechiel Way) Pursuant To And In Accordance With N.J.S.A. 40:67-1(k) Et Seq.

Read by title only for second reading.
Mayor Coles opened the meeting to the public.
Seeing no one wished to be heard, the meeting was closed to the public.
The above Ordinance was offered by Committeeman Akerman, second by Committeeman Lichtenstein.
On Roll Call – Affirmative: Committeeman Akerman, Committeeman Lichtenstein, Mayor Coles. Absent: Committeeman D’Elia, Deputy Mayor Miller
Ordinance No. 2017-6 adopted on second reading.

5. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Accepting A Dedication Of A Fifteen (15) Foot Right Of Way For A Portion Of Salem Street

Read by title only for second reading.
Mayor Coles opened the meeting to the public.
Seeing no one wished to be heard, the meeting was closed to the public.
The above Ordinance was offered by Committeeman Akerman, second by Committeeman Lichtenstein.
On Roll Call – Affirmative: Committeeman Akerman, Committeeman Lichtenstein, Mayor Coles. Absent: Committeeman D’Elia, Deputy Mayor Miller
Ordinance No. 2017-6 adopted on second reading.
6. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Private Sale And Conveyance Of A Portion Of Block 961.01, Lot 2.04, To Be Known As Lot 2.08, 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 Township Municipal Utilities Authority For Nominal Consideration.

Read by title only for second reading.
Mayor Coles opened the meeting to the public.

Jerry Baldwanz, 192 Governors Road – Ms. Baldwanz questioned the loss of money from this property and why there is not a well head protection program instated in Lakewood.

Committeeman Lichtenstein stated they have just finished working on the ordinances needed for the well heads.

Seeing no one else wished to be heard, the meeting was closed to the public. The above Ordinance was offered by Committeeman Lichtenstein, second by Committeeman Akerman.
On Roll Call – Affirmative: Committeeman Akerman, Committeeman Lichtenstein, Mayor Coles. Absent: Committeeman D'Elia, Deputy Mayor Miller
**Ordinance No. 2017-7 adopted on second reading.**

7. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Private Sale And Conveyance Of A Portion Of Block 961.02, Lot 1, To Be Known As Lot 1.03, 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 Township Municipal Utilities Authority For Nominal Consideration.

Read by title only for second reading.
Mayor Coles opened the meeting to the public.
Seeing no one wished to be heard, the meeting was closed to the public. The above Ordinance was offered by Committeeman Akerman, second by Committeeman Lichtenstein.
On Roll Call – Affirmative: Committeeeman Akerman, Committeeman Lichtenstein, Mayor Coles. Absent: Committeeman D'Elia, Deputy Mayor Miller
**Ordinance No. 2017-8 adopted on second reading.**

8. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplemeting Chapter XVIII (Unified Development Ordinance) Of The Revised General Ordinances Of The Township Of Lakewood Specifically Section 18-1112 Entitled "Land Development Checklist"
Mayor Coles opened the meeting to the public.

Aaron Hirsch, resident of Lakewood – Mr. Hirsch asked what the changes are to the “Land Development Checklist”

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

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

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

**Ordinance No. 2017-9 adopted on second reading.**

9. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Article IX ("Zoning Districts And Regulations") Section 18-903E.1(e) Of The Unified Development Ordinance Of The Revised General Ordinances Of The Township Of Lakewood (B-5Zone, Hotel, Motel)

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Aaron Hirsch, resident of Lakewood – Mr. Hirsch asked what the change is for this ordinance and if a hotel will be developed in the future.

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

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

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

**Ordinance No. 2017-9 adopted on second reading.**

**FIRST READING ORDINANCES**

Mayor Coles requested a motion be made to carry this first reading ordinance to the April 6th meeting. 
Motion by Committeeman Akerman, second by Committeeman Lichtenstein to carry this ordinance for first reading on April 6, 2017. 
On Roll Call – Affirmative: Committeeman Akerman, Committeeman Lichtenstein, Mayor Coles. Absent: Committeeman D'Elia, Deputy Mayor Miller  
This ordinance is carried to April 6, 2017 for first reading. 

2. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Repealing, In Its Entirety, Ordinance 2013-79 Found In Chapter XVIII (Unified Development Ordinance), Of The Revised General Ordinances Of The Township Of Lakewood, Specifically, Section 18-1020, Entitled “Commercial Uses On Properties With Frontage On Ocean County Route No. 526”

Read by title only for first reading. 
The above ordinance was offered by Committeeman Akerman, second by Committeeman Lichtenstein.  
Mayor Coles opened this ordinance for discussion by the Committeemen. 
Committeeman Akerman stated his confusion with this ordinance and another. 
Committeeman Lichtenstein stated he is still undecided on the passage of this ordinance. 
Committeeman Akerman requested to rescind his motion and requested a motion to carry this ordinance be carried to April 6, 2017 for first reading.  
Motion by Committeeman Akerman, second by Committeeman Lichtenstein, to rescind Committeeman Akerman’s original motion and to carry the above ordinance to April 6, 2017 for first reading.  
On Roll Call: Affirmative: Committeeman Akerman, Committeeman Lichtenstein, Mayor Coles. Absent: Committeeman D'Elia, Deputy Mayor Miller. 
This ordinance was carried to April 6, 2017 for first reading. 

CORRESPONDCE – Parks and Events 
Per schedule of sixteen (16) parks and events request, attached hereto and made a part hereof. 

Motion by Committeeman Akerman, second by Committeeman Lichtenstein to accept and process the above correspondence.
MOTION TO APPROVE BILL LIST OF: February 28, 2017
Motion by Committeeman Lichtenstein, second by Committeeman Akerman, to approve the above bill list.
On Roll Call: Affirmative: Committeeman Akerman, Committeeman Lichtenstein, Mayor Coles. Absent: Committeeman D’Elia and Deputy Mayor Miller.
Bill List of February 28, 2017 Approved

COMMENTS FROM COMMITTEE MEMBERS
Committeeman Lichtenstein asked the Township Attorney to look further into the issue regarding commercial use on County Line Road. He stated he wants to assure the right thing is done for both the Township and residents.

ADJOURNMENT
Motion by Committeeman Lichtenstein, second by Committeeman Akerman, to adjourn the meeting. Meeting adjourned at 9:08pm.