

The Lakewood Township Committee held a Meeting on Thursday, December 19, 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
Menashe P. Miller
Interim 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 December 19, 2013.

ROLL CALL

CLOSED SESSION

Resolution No. 2013-409 - Adopted

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 12/05/13

Motion by Deputy Mayor Langert, second by Committeeman Miller, and carried, to approve the above Minutes.

Committeeman Coles did not vote.

MOTION TO APPROVE CLOSED SESSION MINUTES: 12/05/13

Motion by Committeeman Miller, second by Committeeman Lichtenstein, and carried, to approve the above Closed Session Minutes.

Committeeman Coles did not vote.

PRESENTATIONS

Mayor Akerman thanked and commended the Police Department in recognition of their outstanding service to the community.

Chief Lawson and Committeeman Lichtenstein presented Service Awards to members of the Police Department, and Civilian Service Awards. (Awards Presentation Brochure attached hereto and made a part hereof)

ORDINANCES FOR DISCUSSION - None

QUALITY OF LIFE

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

With regard to the issue of a status report regarding backyard drainage at Presidential Estates, Mr. Staiger responded they are moving forward with the items that need to be corrected. They hope to have that list completed and out to bid by the end of January with construction anticipated in the Spring.

Committeeman Miller asked Mr. Staiger about borrowing the temporary traffic light from the County in order to do a test run on a certain intersection.

Mr. Staiger responded that he did have a conversation with the County Representative and he needs to coordinate with them.

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.

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

At this time, the professionals left the meeting.

CONSENT AGENDA

The items listed below are considered to be routine by the Township of Lakewood and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

- 1. Resolution Authorizing the Liquor License Renewal for 2013-2014, to Foresters of America Court Lakewood No. 127, Liquor License No. 1514-31-039-001.
Resolution No. 2013-410**
- 2. Resolution Authorizing Appropriation Transfers in the 2013 Municipal Budget, in the amount of \$124,100.
Resolution No. 2013-411**
- 3. Resolution Authorizing the Tax Collector to refund payment erroneously posted, to Block 420.01, Lot 22.02, in the amount of \$1,467.50.
Resolution No. 2013-412**
- 4. Resolution Releasing a Performance Guarantee posted by Zeev Rothschild (c/o Paradise Realty Group), in connection with Application SD# 1434, Block 12.04, Lot 88.
Resolution No. 2013-413**
- 5. Resolution Authorizing the Tax Collector to Refund an Over Payment, to Block 175, Lot 85.03, in the amount of \$2,510.88
Resolution No. 2013-414**
- 6. Resolution Authorizing a Refund Based on a Tax Court Judgment, to Block 1600, Lot 4, in the amount of \$9,248.87.
Resolution No. 2013-415**
- 7. Resolution Authorizing a Refund of Taxes for 2013 pursuant to N.J.S.A. 54:4-3.30 et seq., to Block 284.07, Lot 3, in the amount of \$4,114.34.
Resolution No. 2013-416**
- 8. Resolution Authorizing the Tax Collector to Refund an Over Payment to Block 855.02, Lot 20, in the amount of \$2,776.12.
Resolution No. 2013-417**
- 9. Resolution Authorizing the Tax Collector to Refund an Over Payment, to Block 189.21, Lot 5.02, in the amount of \$5,328.53.
Resolution No. 2013-418**
- 10. Resolution Authorizing the Execution of a Traffic Signal Agreement with the County of Ocean for the Traffic Signal at the Intersection of CR #5 (Cedarbridge Avenue), and Garden State Parkway Interchange 89.
Resolution No. 2013-419**

- 11. Resolution Declaring Default of Performance Guarantee of SP# 1726, (Fourth Street and Princeton Avenue), Block 162, Lot 4, Park Avenue Grocery LLC.
This Resolution was removed from the Consent Agenda.**
- 12. Resolution Awarding a Contract to Turf Equipment and Supply Company LLC for the Purchase of a 2013 Deep Core Aerator pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq.
Resolution No. 2013-420**
- 13. Resolution Authorizing the Township of Lakewood to enter into a Cooperative Pricing Agreement.
Resolution No. 2013-421**
- 14. Resolution Authorizing the Award of a Contract for Proprietary Computer Hardware and/or Software to SRI International.
This Resolution was removed from the Consent Agenda.**
- 15. Resolution Releasing a Performance Guarantee posted by Cong. Chanichei Hayeshivos in connection with, Application SP# 1906, Block 284.17, Lot 6.01.
Resolution No. 2013-422**
- 16. Resolution Authorizing the Place-to-Place Transfer of Club License No. 1514-31-039-002 for Foresters of America Court Lakewood No. 127.
Resolution No. 2013-423**
- 17. Resolution Rejecting all Bids for the Renovation of the Public Bathrooms on the First Floor of the Municipal Building pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq.
Resolution No. 2013-424**

The following Resolution was added:

- 18. Resolution Authorizing the Execution of Amendment to Consent Order in the Case of the Township of Lakewood v. Steve Brigham, et al, including John Does 1-50
Resolution No. 2013-425**

Motion by Committeeman Miller, second by Committeeman Lichtenstein, to approve Resolution Nos. 1 through 10, and 12, 13, and 15 through 17, and the additional Resolution No. 18, on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Miller, Deputy Mayor Langert and Mayor Akerman
Resolution Nos. 2013-410 through 2013-425 – Adopted.

ORDINANCE 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 B (Map and Interpretation). (Chap. XVIII, Sec. 18-901B – Rezoning)

Read by title only for second reading.

Mr. Wouters advised that since the notifications for the Ordinance went out, the Township has received a number of inquiries from property owners indicating their interest in being included in the rezoning. That is not possible to do by way of amendment because you can not amend this after first reading. After discussing this with the Planner and considering the number of requests to have the rezoning area modified and increased, it is the recommendation of the Planner that the Committee not proceed this evening with the hearing on this Ordinance, but rather let it die and then have everyone who wants to be included, that information can be provided to the Planner, and the Planner will do a reanalysis and report back after the first of the year. Mayor Akerman advised there is another group of people in opposition to this Ordinance. He asked if they will be notified as well.

Mr. Wouters responded yes. The point is that anyone that either has an interest in becoming part of the zone, or alternatively is opposed to being included in the zone, he asked that they communicate that information to him, and he will forward that information to the Planner for the Planner to consider when they re-evaluate how they proceed with this rezoning request after the first of the year.

Ordinance No. 2013-80 died due to lack of Motion.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI, (Traffic), Section 11-11 (Parking Time Limited on Certain Streets), of the Revised General Ordinances of the Township of Lakewood 1999. (Chap. XI, Sec. 11-11 – Park Place)

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. 2013-81 adopted on second reading.

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 Rose Place, in the Township of Lakewood. (St. Vacation – Rose Place)

Read by title only for second reading.

Mayor Akerman opened the meeting to the public.

Yosef Oppen, 2 Rose Place – Spoke in opposition to this vacation. He has letters from neighbors who were made aware of this moments ago, and are also in opposition to this vacation.

_____, Buttell Avenue – Spoke in opposition to this vacation.

Mayor Akerman explained that is it hard to deny a vacation like this when someone owns both sides of the street.

Mr. Wouters explained the details of this street vacation. Township only has a right-of-way. The actual property really belongs to the adjoining property owners, and what happens when you vacate a street, you delete your right-of-way, and it reverts back to the rightful owners.

Mayor Akerman asked if it is a requirement that the Township has to do that.

Mr. Wouters responded that there is always a finding that the Township no longer needs the right-of-way for public purposes. So if the Township makes the determination that this is a right-of-way that is never going to be improved and it serves no public purpose, which is in fact what was done. This was reviewed by the Planning Department, who recommended it. It was reviewed by the Engineer, who recommended it. It was requested by the adjoining property owners. All of the statutory requirements for making a determination to vacate a street have been met.

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

Ordinance No. 2013-82 died due to lack of Motion.

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 Jonas Avenue, in the Township of Lakewood. (St. Vacation – Jonas Avenue)

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. 2013-83 adopted on second reading.

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 Coleman Avenue, in the Township of Lakewood. (St. Vacation – Coleman Avenue)

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, Deputy Mayor Langert and Mayor Akerman.

Abstain: Committeeman Miller

Ordinance No. 2013-84 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing, Extinguishing and Vacating the rights of the Public of Portions of Paper Streets known as Towers Street, Read Place, and South Pershing Avenue, in the Township of Lakewood. (St. Vacation – Towers St., Read Pl., and So. Pershing Ave.)

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. 2013-85 died due to lack of Motion.

ORDINANCE FIRST READING - None

CORRESPONDENCE

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

PARKS/EVENTS CORRESPONDENCE

Per schedule of one (1) picnic/event request, attached hereto and made a part hereof.

Motion by Deputy Mayor Langert, second by Committeeman Miller, to approve the above correspondence items.

MOTION TO APPROVE BILL LIST OF: 12/17/13

Motion by Committeeman Lichtenstein, second by Committeeman Miller, 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

Committeeman Lichtenstein stated it was a pleasure working with Mayor Akerman and having him guide them through the process of running the Township Committee. It remains to be seen who will lead the Township next year.

Committeeman Miller echoed Committeeman Lichtenstein's words and thanked Mayor Akerman for a fabulous year.

Committeeman Coles congratulated everyone on a good year.

Deputy Mayor Langert wished Mayor Akerman good luck, and wished everyone a happy holiday. He congratulated Mayor Akerman on the way he handled Tent City this year; he thought he did an admirable job under tough circumstances.

Mayor Akerman thanked the Committee members for giving him one of the best years of his life.

ADJOURNMENT

Motion by Deputy Mayor Langert, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 8:52 PM.