

The Lakewood Township Committee held a Meeting on Thursday, February 16, 2012 in the Lakewood Municipal Building, at 5:30 PM for the Executive Session, and 7:30 PM for the Public Meeting, with the following present:

Mayor..... Menashe P. Miller
Deputy Mayor..... Albert D. Akerman
Committee Members..... Raymond Coles
Meir Lichtenstein
Absent..... Steven Langert
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 February 3, 2012.

ROLL CALL

CLOSED SESSION

Resolution No. 2012-90

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 02/02/12

Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to approve the above Minutes.

MOTION TO APPROVE CLOSED SESSION MINUTES: 02/02/12

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

PRESENTATIONS

Frances DeCausey – Military Service

Mayor Miller recognized Frances DeCausey for his service in the military during the Vietnam War from 1969 through 1971.

Margaret Stazko - Employee of the Month

Mayor Miller and Committeeman Lichtenstein presented Margaret Stazko with the Employee of the Month Award for March, 2012.

ORDINANCES FOR DISCUSSION – None

Mayor Miller announced that the verdict came in on the Christopher Matlosz trial. He asked that everyone stand for a moment of silence in his memory.

QUALITY OF LIFE

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

With regard to the matter of the Ordinance being enforced prohibiting the chaining of bicycles to various lamp-posts and decorative structures in the downtown area, Mr. Wouters responded that the Ordinance is presently on the books and they are dealing with that.

With regard to Deputy Mayor Akerman's request concerning the issue of sandwich board signs that are being drilled into the sidewalks on Clifton Avenue, Mayor Miller advised that the signs will have to be removed and they will be following up on that.

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 Miller opened the meeting to the public.

The Chairman of the Lakewood Utilities Advisory Committee advised that they have been able to establish a respectful working relationship with NJ American Water Company. They have agreed to become more aware of some of the unique nuances of Lakewood Township have started to incorporate them into some of their procedures. They have altered some of their operating procedures, especially with regard to shut-offs. They are an active participant in the workshops and public meetings. While there are still

many areas to be discussed, the committee is pleased with the progress to date. They have set up a sensitivity training project with the utilities and field service representatives to cover some of those aspects that are unique to Lakewood. It has been an interesting dialogue and a sharing experience, and it is going well. They are definitely having a problem with one of the other service providers. Where the committee feels that they have been somewhat successful, they still can not seem to get the dialogue established with JCP&L. They are rude and ignore phone calls and e-mails, and do not have a cooperative spirit. They have the luxury of having the franchise in this town. New Jersey happens to be their most profitable portion of their operating areas. Whether Lakewood is suing them or not, it should not make any difference when they have extended a hand to them to have dialogue to discuss these things, so they do not get to the point of a lawsuit. He hopes to show them the light. He asked the Township Committee to send a letter to the CEO of First Energy, with a copy to the President of the Board of Public Utilities. In that letter, he requested that a representative, or representatives, be appointed to be responsible to this Advisory Committee, and put forth their contact information, and make it understood that they need to be here to discuss things with the committee. They are open to suggestions; this is a unique town, and the largest, fastest growing town in New Jersey.

Mayor Miller advised they will work on the preparation of the requested letter.

Baruch Blaustein, 109 Seventh Street – Commented regarding the State Legislators Bill on the redefinition of marriage.

Fred Rush, 2021 Madison Avenue, President of the NAACP – Commented regarding the recent Board of Education meeting, and his opposition of the Board’s proposal to make all schools K through 8.

Noreen Gill, 192 Coventry Drive – Commented regarding the recent Board of Education meeting.

Bill Hobday, 30 Schoolhouse Lane – Commented regarding a recent meeting in Trenton with the DOT. Also commented on the recent Board of Education meeting.

Annette Kearney, 15 St. Andrews Court – Commented on the recent Board of Education meeting.

Gerry Ballwanz, Governors Road – Commented on the Board of Educations’ vote not to move the School Board election date to the November election date. Also commented on the Resolution concerning the Hazardous Remediation Site. Also complained about the lack of Planning Board meeting notices on the Township website.

Seeing no one else wishing to be heard, Mayor Miller 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 granting approval for Fireworks Displays to be held at First Energy Park.
Resolution No. 2012-91**
- 2. Resolution releasing Performance Guarantee, and waive Maintenance Bond in connection with Ben Orshitzer (Proposed Synagogue and Residence), SP #1840 (East End Ave./Leonard St.), Block 208, Lot 180.
Resolution No. 2012-92**
- 3. Resolution releasing Performance Guarantee, in connection with Levy Isaacson, SD #1525 AE – New York Ave., Block 95, Lot 223.
Resolution No. 2012-93**
- 4. Resolution releasing Performance Guarantee, in connection with Land Technology at Manalapan, LLC, SD #1424 – Miller Road Minor Subdivision (Feinroth), Block 11.04, Lot 3.
Resolution No. 2012-94**
- 5. Resolution authorizing the amendment to the "Downtown Parking Development Phase II" project, in the amount of \$37,123.00. (LDC – Downtown Parking Phase II)
Resolution No. 2012-95**
- 6. Resolution approving the use of Zone Assistance Funds for the "Transit Connect 2" project, in the amount of \$50,000.00. (LDC – Transit Connect 2)
Resolution No. 2012-96**
- 7. Resolution authorizing the amendment to the "Financial Assistance Program V" project, in the amount of \$135,000.00. (LDC – Financial Assistance V)
Resolution No. 2012-97**

- 8. Resolution authorizing the execution of a Schedule "C" Agreement with the County of Ocean for 2012.
Resolution No. 2012-98**
- 9. Resolution authorizing the execution of a Memorandum of Understanding relative to the County of Ocean FY 10 Homeland Security Grant
Resolution No. 2012-99**
- 10. Resolution authorizing Appropriation Reserve Transfers in the 2011 Municipal Budget, in the amount of \$11,200.00.
Resolution No. 2012-100**
- 11. Resolution authorizing the Award of a Professional Services Contract to Remington & Vernick Engineers for 2012 Tax Map, Street Map and Zoning Map Maintenance Services, in the amount of \$54,500.00.
Resolution No. 2012-101**
- 12. Amended Resolution releasing Performance Guarantee, in connection with M & S Enterprises, SD #1387 (Portions of Pine Circle Dr., Lafayette Dr. & Thorndike Dr.), Block 267, Lot 7.
Resolution No. 2012-102**
- 13. Resolution authorizing the execution of a Change Order in connection with a project known as Replacement of Communications Tower at OEM Building
Resolution No. 2012-103**
- 14. Resolution authorizing the Refund of Interest Payments made on Delinquent Property Taxes Previously Collected.
Resolution No. 2012-104**
- 15. Resolution releasing the Performance Guarantee posted by Silver Polish, LLC, ZB #3304AA, Sterling Properties, Yomah, Inc., Block 423, Lots 10, 16, 70-74.
Resolution No. 2012-105**
- 16. Resolution authorizing the execution of Stipulation of Settlement between Lakewood Township and Silver Polish, LLC
Resolution No. 2012-106**

- 17. Resolution authorizing the Rejection of all Truck Bids and authorizing the Re-Advertisement for New Bids
Resolution No. 2012-107**
- 18. Resolution authorizing the Execution of an Amendment to the Affordable Housing Agreement with Homes for All and Steps.
Resolution No. 2012-108**

Motion by Committeeman Coles, second by Committeeman Lichtenstein, to approve Resolution Nos. 1 through 18 on the Consent Agenda.

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

Resolution Nos. 2012-91 through 2012-108 – Adopted.

ORDINANCE SECOND READING

Committeeman Coles requested that the following Ordinance be tabled for a few weeks. He advised he was contacted by the taxi cab owners, who said they were unaware of this Ordinance, and they have many questions regarding the terminology, and the rates. He suggested that a sub-committee be set up consisting of two Committee Members to meet with the taxi cab owners.

Mayor Miller accepted Committeeman Coles suggestion in the form of a Motion to carry this Ordinance for two meetings. He appointed Committeeman Coles and Deputy Mayor Akerman to meet with the taxi cab owners.

A second to the Motion was offered by Deputy Mayor Akerman.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter IX (Taxicabs) of the Revised General Ordinances of the Township of Lakewood, specifically, Section 9-2 (Definitions), Section 9-5 (Medallions), Section 9-8 (Meters and Rates). (Chapter IX – Sec. 9-2 Definitions; 9-5 Medallions; and 9-8 Meters & Rates)

Motion by Committeeman Coles, second by Deputy Mayor Akerman, to carry the above Ordinance to the meeting of April 16, 2012.

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

Second reading and public hearing on Ordinance No. 2012-6 carried to the meeting of April 16, 2012. (*See change of date to March 29th under Comments from Committee Members)

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing the Revised General Ordinances of the Township of Lakewood 1999, specifically Chapter XI (Traffic), Section 11-35 (Handicapped Parking on Streets) of the Code of the Township of Lakewood. (Chapter XI, Sec. 11-35 Handicap Parking – Forest Pk. Circle)

Read by title only for second reading.

Mayor Miller 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 Akerman.

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

Ordinance No. 2012-7 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI (Traffic) of the Revised General Ordinances of the Township of Lakewood 1999 by the addition of new Section 11-33 (Student Discharge and Pickup). (Chapter XI, Sec. 11-33 Student Discharge & Pickup - Thirteenth St. North)

Read by title only for second reading.

Mayor Miller 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 Akerman.

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

Ordinance No. 2012-8 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI (Traffic) of the Revised General Ordinances of the Township of Lakewood 1999, specifically Section 11-23 (Turn Prohibitions). (Chapter XI, Sec. 11-23 No Left Turn – 1536 Mass. Ave.)

Read by title only for second reading.

Mayor Miller 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 Akerman and Mayor Miller.

Ordinance No. 2012-9 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI (Traffic) of the Revised General Ordinances of the Township of Lakewood 1999, specifically Section 11-13 (Parking Prohibited at all Times on Certain Streets) of the Code of the Township of Lakewood. (Chapter XI, Sec. 11-13 – No Parking – Chestnut St. South)

Read by title only for second reading.

Mayor Miller 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 Akerman and Mayor Miller.

Ordinance No. 2012-10 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI (Traffic) of the Revised General Ordinances of the Township of Lakewood 1999, specifically Section 11-10.1 (Stopping or Standing Prohibited). (Chapter XI, Sec. 11-10.1 – Syracuse Court)

Read by title only for second reading.

Mayor Miller 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 Akerman.

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

Ordinance No. 2012-11 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 03/01/12)

An Ordinance of the Township of Lakewood, in the County of Ocean, New Jersey, amending and supplementing Chapter XII (Building and Construction) of the Revised General Ordinances of the Township of Lakewood, 1999, specifically amending Section 12-2 (Base Fees)

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, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-12 adopted on first reading. Second reading and public hearing to be held on March 1, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XV (Rental Housing) of the Revised General Ordinances of the Township of Lakewood, 1999, specifically amending Section 15-3.5 (Certificate of Compliance; Smoke Sensitive Alarm Devices and Carbon Monoxide Detector) and Section 15-3.6 (Vacation of Apartments; Inspection Fee; Exemptions).

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, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-13 adopted on first reading. Second reading and public hearing to be held on March 1, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVI (Property Maintenance) of the Revised General Ordinances of the Township of Lakewood, 1999, specifically amending Section 16-3.11 (Application Procedure; Fee)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Deputy Mayor Akerman.

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

Ordinance No. 2012-14 adopted on first reading. Second reading and public hearing to be held on March 1, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII of the Revised General Ordinances of the Township of Lakewood, entitled "The Lakewood Township Unified Development Ordinance of 2005", Article XI entitled "Administration", specifically amending Section 18-1102 (Requirement of Permits)

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, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-15 adopted on first reading. Second reading and public hearing to be held on March 1, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII of the Revised General Ordinances of the Township of Lakewood, entitled "The Lakewood Township Unified Development Ordinance of 2005" specifically, Article II (Definitions), Section 18-200 (Definitions of Terms) to Add the Definition of "Shed"

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, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-16 adopted on first reading. Second reading and public hearing to be held on March 1, 2012.

CORRESPONDENCE

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

PARKS AND EVENTS CORRESPONDENCE

Per schedule of eleven (11) items, attached hereto and made a part hereof.

Motion by Committeeman Lichtenstein, second by Committeeman Coles, and carried, regarding the above correspondence items, with the understanding that as the Chief of Police and Department of Public Works have concerns with Item No. 3, if he is able to work it out with the Chief of Police and Department of Public Works, and they feel comfortable with it, that they go ahead and recommend approval. If not, the request will be denied, and ask them to find another location. He previously advised that this is a very well-attended, non-profit event.

MOTION TO APPROVE BILL LIST OF: 02/14/12

Motion by Committeeman Coles, second by Committeeman Lichtenstein.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

*Committeeman Coles requested to change his previous recommendation regarding carrying the Ordinance amending Chapter IX entitled Taxicabs", from the meeting of April 16th, to the meeting on March 29th.

Motion by Committeeman Coles, second by Committeeman Lichtenstein.

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

Second reading and public hearing on Ordinance No. 2012-6 carried to the meeting of March 29, 2012.*

Committeeman Lichtenstein advised he will be missing the next two meetings, March 1st and March 16th, as he will be away on family business.

Mayor Miller appointed members to the Cable Advisory Committee, as follows: Colin Lewis, Noreen Gill, Laura Winters, Jim Trischitta, Arlene Gietter, Ed Decker, Myrna Geller, Bob MacGregor, Naz Holland, and Phil Kuznitz. The Liaison to this Advisory Committee will be Committeeman Langert.

Mayor Miller advised the Memorial Day Parade is coming up in May. Anyone wishing to be in the parade, he asked that they contact town hall. Those who have previously participated will receive a letter, asking them to participate once again. He would also like to have a memorial ceremony in town hall, aside from the parade. More information will be forthcoming.

ADJOURNMENT

Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 8:42 PM.