

The Lakewood Township Committee held a meeting on Thursday, December 3, 2009 in the Lakewood Municipal Building, at 6:30 PM for the Executive Session and 7:30 PM for the Public Meeting, with the following present:

Mayor.....Absent..... Robert Singer
Deputy Mayor..... Steven Langert
Committee Members..... Menashe Miller
Raymond Coles
Meir Lichtenstein
Municipal Manager..... Frank Edwards
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, by Resolution of the Township Committee adopted January 1, 2009 and published in the Asbury Park Press on January 8, 2009.

ROLL CALL

CLOSED SESSION
Resolution No. 2009-368

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

MOTION TO APPROVE MINUTES OF: 11/05/09
Motion by Mr. Coles, second by Mr. Miller, and carried, to approve the above Minutes.

MOTION TO APPROVE CLOSED SESSION MINUTES: 11/19/09
Motion by Mr. Coles, second by Mr. Miller, and carried, to approve the above Closed Session Minutes.

PRESENTATIONS - Chief Lawson – Police Recognition

Chief Lawson honored Police Officers and civilians in the community. Some of the awards go back to three years ago, before he became Chief. These officers put their lives on the line everyday when they come to work, and it is an honor and a privilege to recognize them for everything that they do for Lakewood Township, and he is very proud of them.

Chief Lawson called up the Officers individually, recognized them, gave a synopsis of what they are receiving their award for, and the Officers were presented with a medal or

ribbon to wear on their uniform symbolizing their achievement and service to the Township of Lakewood.

A list of the Officers, civilians and Awards are attached hereto, and made a part hereof.

ORDINANCES FOR DISCUSSION: None

Deputy Mayor Langert introduced the new Tax Assessor, Edward Seeger, who is being appointed by Resolution this evening.

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.

Deputy Mayor Langert opened the meeting to the public.

James Waters, 1275 County Line Road East – Wished everyone Happy Holidays. Asked the Township Committee for their consideration for the reappointment of Audrey Wise to the Housing Authority.

Bill Hobday, 30 Schoolhouse Lane – Commended the Police Department on the presentations this evening. He thanked Chief Lawson and the Township Committee.

Mr. Hobday further complained about the trash on Massachusetts Avenue and Cross Street, specifically plastic bags.

Mr. Hobday also spoke in support of the No Stopping, No Standing Ordinance on the Agenda this evening.

Alice Kelsey, 295B Malvern Court East – Thanked Chief Lawson and the Township Committee for the presentations this evening.

Ms. Kelsey further commented on the Resolution regarding the Homeless Trust Fund.

Bill Hobday also complained about street light outages not being taken care of.

Mr. Lichtenstein advised that he had two scheduled meetings with GPU to discuss this issue, the latest meeting was to be this morning, which was cancelled due to the storms last night. He has not signed off on JCPL's bills for the past couple of months, and the Township will not continue to pay bills for lights that are not in working order. Until GPU comes in and gives the Township some sort of a plan, he intends to keep holding those bills.

Seeing no one else wishing to be heard, Deputy Mayor Langert 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 accepting a bid on the following parcel, Block 170, Lot 14, as a result of the Private land Sale an undersized parcel in the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:12-1 et seq., in the amount of \$36,000.00.
Resolution No. 2009-369**
- 2. Resolution appointing Edward R. Seeger, Jr., as Tax Assessor for an unexpired term, from December 7, 2009 to June 30, 2010.
Resolution No. 2009-370**
- 3. Resolution appointing Edward R. Seeger, Jr., as Tax Assessor for a four year term, from July 1, 2010 and ending June 30, 2014.
Resolution No. 2009-371**
- 4. Resolution approving extension a Leave of Absence, without pay, for Leighann Newman, from November 1, 2009 to December 14, 2009.
Resolution No. 2009-372**
- 5. Resolution supporting the Over the Limit Under Arrest 2009 year end Statewide crackdown.
Resolution No. 2009-373**
- 6. Resolution authorizing the advertisement for and solicitation of proposals for Township Attorney, Township Planner, Township Engineer, Township auditor, Real Estate Appraisal Services, Municipal Prosecutor, Special Counsel Tax Appeals/Exemptions, Bond Counsel, Special Counsel and Labor Counsel.
Resolution No. 2009-374**

- 7. Resolution authorizing submission of an amendment application to New Jersey Urban Enterprise Zone Authority for Enterprise Zone Assistance Funds for the year 2009, in the amount of \$69,960.00, from \$426,220.00 to \$496,180.00. (UEZ – Job Link)**

Resolution No. 2009-375

- 8. Resolution approving an appropriation request and authorizing the submission of an amendment application to the 2010 Lakewood Development Corporation/Urban Enterprise Zone Administration Budget, in the amount of \$48,010.00, from \$942,273.00 to \$990,283.00. (UEZ – Budget amendment)
Resolution No. 2009-376**
- 9. Resolution authorizing submission of application to New Jersey Urban Enterprise Zone Authority for Second Generation Urban enterprise Zone Assistance Funds for the year 2010, in the amount of \$2,225,000.00. (UEZ – Financial Assistance Program IV)
Resolution No. 2009-377**
- 10. Resolution authorizing the Lakewood Tax Collector to cancel any and all property taxes on exempt properties.
Resolution No. 2009-378**
- 11. Resolution reducing the Performance Guarantee (First Reduction) posted by CS Management Co., LLC, in connection with ZB#3376A, Block 73, Lot 8, from \$268,550.00 to \$190,670.50.
Resolution No. 2009-379**
- 12. Resolution reducing the Performance Guarantee (Second Reduction) posted by Silver Polish, LLC, in connection with ZB# 3304AA, Block 423, Lots 10, 16, and 70-74, from \$542,927.00 to \$325,755.90.
Resolution No. 2009-380**
- 13. Resolution authorizing submission of application to New Jersey Urban Enterprise Zone Authority for Enterprise Zone Assistance funds for the fiscal year 2010, in the amount of \$135,000.00. (UEZ – Lakewood Job Stimulus Grant – Pilot Project)
Resolution No. 2009-381**

Motion by Mr. Coles, second by Mr. Miller, to approve Resolution Nos. 1 through 13 on the Consent Agenda.

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

Resolution Nos. 2009-369 through 2009-381 – Adopted.

The Township Committee congratulated Mr. Seeger on his appointment.

ORDINANCE SECOND READING

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter IX (Taxicabs), Section 9-6.2 (Fee) of the revised General Ordinances of the Township of Lakewood. (Section 9-6.2 – Taxicabs/Licenses)

Read by title only for second reading.

Deputy Mayor Langert opened the meeting to the public.

Joyce Blay, NJ News and Views, 1794 Crimson Road, Toms River – Asked if the Township Committee is planning to carry this Ordinance until after the upcoming Transportation Board Meeting with the Taxi Company owners, to resolve the issue of fees.

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

Deputy Mayor Langert advised he is the Liaison to the Transportation Board. At the last meeting that he attended along with Mr. Wouters, they had a discussion with some of the Taxicab owners. They asked them to form a committee to do some research.

Unfortunately, one of the cab owners had personal issues, and at the time she advised that she may not be able to get back to him on time. In light of that, and because she did have a personal issue at the time, he asked that the Committee continue this Ordinance for a week to see what they can do in that time frame.

Motion by Mr. Coles, second by Mr. Miller, to carry the above Ordinance to the meeting of December 10, 2009.

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

Second reading and public hearing on Ordinance No. 2009-34 carried to the meeting of December 10, 2009.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI (Traffic), Section 11-12A (No Stopping, No Standing) and Schedule XI-A (No Stopping, No Standing) of the Code of the Township of Lakewood. (No Stopping, No Standing – Cross St. & Mass Ave. Southerly – both sides)

Read by title only for second reading.

Chief Lawson advised that Sgt. Work contacted him earlier this week; he has been in communication with the County. The County would like to have an additional meeting and input with regard to this Ordinance before the Township proceeds. They may have some ideas and suggestions pertaining to this Ordinance. He would ask, at this time, that the Township meet with the County before this Ordinance is enacted.

Deputy Mayor Langert asked Chief Lawson if the County gave a time frame.

Chief Lawson answered they did not; the meeting has not as yet been scheduled. This has only happened in the last couple of days.

Mr. Wouters advised that in light of fact that this apparently is going to take longer than a week, and most likely will result in a change or amendment to the Ordinance as it is

currently written, which would of course require republication, it would probably be better to let it die, and they can reintroduce it when they get the input from the County, and change it accordingly.

Chief Lawson added that it was his impression that without their input, the County may not in fact pass a Resolution adopting the Township's Ordinance. His recommendation is to have that meeting with the County to get their input.

Deputy Mayor Langert confirmed that his recommendation would be for the Committee to let this go until they can meet with the County.

Chief Lawson answered yes. They will try to schedule it as soon as possible. It is the holiday season, and people are away on vacation, but they are pushing to have the meeting as soon as they can schedule it.

Deputy Mayor Langert opened the meeting to the public.

Bill Hobday, Schoolhouse Lane – Advised it is a safety issue. He hopes that the meeting is scheduled soon, and without too much delay, he hopes this Ordinance is passed.

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

The above Ordinance died due to lack of Motion.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, vacating a six foot Shade Tree and Utility Easements located in Block 237, Lots 2.01 and 2.02. (Vacation along Ridge Ave.)

Read by title only for second reading.

Deputy Mayor Langert 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 Mr. Coles, second by Mr. Lichtenstein.

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

Ordinance No. 2009-68 adopted on second reading.

An 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 1044, Lots 5 and 8 and Block 1045, Lots 5 and 8 and to convey Block 1036, Lot 5 and Block 1038, Lot 3 as part of an exchange of lands pursuant to N.J.S.A. 40A:12-16.

Read by title only for second reading.

Deputy Mayor Langert 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 Mr. Coles, second by Mr. Miller.

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

Ordinance No. 2009-69 adopted on second reading.

An 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 Orangemen Investments II, LLC, for facilities located at Block 1606, lot 3.03, and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a Tax Abatement Agreement. (Tax Abatement – Orangemen Investments II, LLC)

Read by title only for second reading.

Deputy Mayor Langert recused himself from this Ordinance, and passed the gavel to Mr. Coles.

Mr. Coles opened the meeting to the public.

Abraham Penzer, Esq., representing the applicant, Orangemen Investments, together with an officer of the company. He advised that this company has built a number of buildings in the Industrial Park. This tax abatement is important because the tenant has been here for twenty years. This is a 130,000 square foot building; it is a nine million dollar ratable. They are requesting the consideration of the Township Committee for the abatement.

Mr. Lichtenstein asked what they are building.

Mr. Penzer answered that this is American Vans. It makes custom vans throughout the United States. The national headquarters has been in Lakewood for over twenty years. In order to increase and do more work, a building was built especially for them by his client. In order to keep them here, the abatement is needed. It will eventually provide, within the next two years, a hundred and ten jobs. It is located at 149 Lee Avenue.

Bill Hobday – Stated he would think that they would want to give the abatement because they have to be business friendly, and they need jobs. This is the way they can attract both elements.

Joyce Blay, NJ News and Views, 1594 Crimson Road, Toms River – Stated she reviewed the tax abatement file, and the number of jobs listed by the applicant was half the number that Mr. Penzer has stated. She asked if that number is inclusive of the current staff, current labor force, employed by American Van Lines, or whether this is a projected amount of jobs that are going to be provided by the applicant over the next several years.

Mr. Penzer advised that the second page of the application says “within two years of the completion of the project, we estimate we will employ approximately 110 employees; management sales personnel 19, sales 10, manufacturing 54, warehouse 27, for a total of 110”. That is a projection that it should be done within two years. But it is clearly in the application. It is paragraph D.

Mr. Blay asked Mr. Penzer how many of those jobs will be filled by Lakewood residents, when there is no way to compel the applicant to hire residents of the Township if they don't have the requirements for the positions that will be open.

Mr. Penzer answered, as many as they are able, they will do. They have been around for a while; they are a good company.

Ms. Blay asked what is the size of the current work force.

Mr. Penzer answered he can not answer that; it is outside the application.

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

Mr. Miller stated they welcome businesses; they want to be business friendly. They encourage businesses in the Industrial Park.

The above Ordinance was offered by Mr. Miller, second by Mr. Lichtenstein.

On Roll Call – Affirmative: Mr. Lichtenstein, Mr. Coles and Mr. Miller.

Ordinance No. 2009-70 adopted on second reading.

Deputy Mayor Langert returned to the dais.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI (Traffic) of the Code of the Township of Lakewood. (Amending Parking Prohibited on Ninth St.)

Read by title only for second reading.

Deputy Mayor Langert 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 Mr. Coles, second by Mr. Lichtenstein.

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

Ordinance No. 2009-71 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 Code of the Township of Lakewood. (Rescind – Third St. – Right turn only weekdays 9AM to 6PM)

Read by title only for second reading.

Deputy Mayor Langert 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 Mr. Lichtenstein, second by Mr. Miller.

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

Ordinance No. 2009-72 adopted on second reading.

ORDINANCE FIRST READING - None

CORRESPONDENCE

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

Motion by Mr. Coles, second by Mr. Lichtenstein, and carried, to approve the above correspondence.

MOTION TO APPROVE BILL LIST OF: 12/01/09

Motion by Mr. Coles, second by Mr. Miller, to approve the above Bill List.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Deputy Mayor Langert announced the Hanukah lighting will be held on Sunday, December 13th. He invited everyone to attend and participate. He further advised that the Santa Drop will be held this Sunday at 2:00.

Deputy Mayor Langert further commented on the fiscal conditions of the Township, and tough budget times coming next year, and the loss of \$91,000.00 this year. Mr. Seeger is aware of what they are facing with tax appeals. It is prudent for them to look to see where they can cut and privatize services, and save money for the town at the same time. He would like to entertain a Motion to authorize the Attorney to put out an RFP for EMS Services. Mr. Coles offered a second to the Motion.

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

Deputy Mayor Langert commended the Police Officers on their awards this evening.

ADJOURNMENT

Motion by Mr. Coles, second by Mr. Miller, and carried, to adjourn the meeting. Meeting adjourned at 9:05 PM.