

The Lakewood Township Committee held a meeting on Thursday, December 10, 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..... Robert Singer
Deputy Mayor..... Steven Langert
Committee Members..... Menashe Miller
Raymond Coles
Meir Lichtenstein
Municipal Manager..... Frank Edwards
Municipal Attorney..... Lawrence E. Bathgate, II, Esq.
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. 2009-382 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

Motion by Mr. Coles, second by Deputy Mayor Langert, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 11/19/09

Motion by Mr. Coles, second by Mr. Miller, and carried, to approve the above Minutes.

MOTION TO APPROVE CLOSED SESSION MINUTES: 12/03/09

Motion by Mr. Coles, second by Mr. Miller, and carried, to approve the above Closed Session Minutes.

Mayor Singer abstained.

PRESENTATIONS - None

ORDINANCES FOR DISCUSSION: None

QUALITY OF LIFE

Mayor Singer reviewed quality of life items from the previous meetings.

As to the issue of crash data to the County with regard to the Township's request for a left turn signal at the intersection of County Line Road and Laurelwood Avenue, Mr. Day advised that he sent an e-mail to the County this week. The Traffic Engineer responded that they misplaced the information that was sent to them. Mr. Day is in the process of getting the information from the Police Department again, in order to resend the information to the County. The County has promised to look at that information and do the traffic counts in January.

As to the update on the meeting with the downtown merchants, Mr. Day advised that they reviewed certain items, and the merchants had some concerns about changing First Street to a one-way street. They requested that the Township put a hold on the items for a while. He is not sure if they came before the Township Committee at the last meeting.

Deputy Mayor Langert explained that the Township has already taken care of some of the concerns with regard to Third Street. As far as First Street is concerned, he does not believe that was to be put on hold. He thinks they are waiting for NJ Transit's input on that as to the left hand turns on Lexington Avenue.

Mr. Day advised that he received NJ Transit's concerns and they have taken care of those concerns. They just need to revise the Ordinance, or do a new Ordinance to add a few items.

Mayor Singer suggested that they have an update on this matter at the next meeting so that they understand what they are doing with the project.

Mr. Day added that they need to review the matter of switching Lexington Avenue into a one-way street between First Street and Main Street, so that the buses can make that turn; they need to revise the Ordinance.

Deputy Mayor Langert advised that Chief Lawson has been invited to attend the next Downtown Merchants Meeting, which will be held on Tuesday.

As to the issue of Brick Police dropping off people at the homeless site on Cedarbridge Avenue, Chief Lawson advised that Chief Osborn indicate that he researched the matter and he could not find the incident that occurred. However, at Chief Lawson's request, he would send out a memo to his department advising his employees not to do that.

Chief Lawson also had a similar conversation with the Brick Police Chief, who advised that at the request of an individual, they were dropped off in Lakewood, but that practice will cease.

As to the issue of trash on Massachusetts Avenue and Cross Street, Mr. Franklin advised he contacted the County and they will take care of it.

Comments from Committee Members on Quality of Life Items:

Mr. Lichtenstein advised he has received calls with regard to the intersection of Carey Street and Squankum Road. He asked Mr. Day and Traffic & Safety to look at this intersection, as it is difficult to make turns. Perhaps they need to revisit the traffic pattern there to see if there is a way to make it safer.

Mr. Lichtenstein also asked about the public safety issue on Kent Road, near Howell, as far as installing sidewalk. It doesn't seem that they have been communicating with the homeowner. He asked that the Attorneys look into the action they have discussed in the past.

Mr. Day advised that he attempted many times to contact the homeowner; he has left many messages, and has not received any return phone calls. The last time he spoke with him was in July.

Mr. Lichtenstein asked that the Attorney to look into that issue, in terms of a condemnation process or to see if there is a way to work out a deal with the homeowner. A Motion was offered by Mr. Lichtenstein, second by Deputy Mayor Langert.

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

Deputy Mayor Langert advised that at the last meeting, someone from the audience asked about the overgrowth into County Line Road East, west of the Calvary Lighthouse Church. He asked if that has been resolved. Mr. Burdge was at the last meeting and had stated that he would take care of it.

Mr. Day answered that he contacted the County, and they went out there and cleared as much of the overgrowth as possible. He believes that it has been taken care of.

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 Singer opened the meeting to the public.

Scott Carter, Supervisor for Lakewood EMS – Advised this afternoon at about 3:30 PM, his department was notified that the Township on December 3rd was looking to possibly privatize the EMS Department. As he stands before the men and women behind him, he understands where the Township is coming from, the frustrations that the Township has in trying to balance the taxes, as well as monies not coming from the State. He asked for the opportunity, before they make a decision, to understand the Township's concerns on the Budget. Let him try to make the changes to become effective. Over the last two years, they have made significant changes. They have done their homework. They have improved their ability to answer the calls and to reduce the Budget. If you look at the

Budgets from 2007 and 2008, their Budget has dramatically decreased. He asked for the opportunity, to allow him to understand....assign a member from the Township Committee that he can go, one on one, that he can sit with regarding the Township's concerns. Allow him, through Mr. Edwards and the other members of Finance, to get the information that he needs to successfully propose to the Committee, how they intend to maintain a successful department, as they have over the past thirty years in Lakewood Township. Privatization may not be the right answer. And he is asking the Township Committee to give him that opportunity.

Mayor Singer advised he was not at the last meeting. He understands that the Committee asked the Attorney to go out for proposals. Nothing is being done tonight. This is the last meeting of the year. They will speak with Mr. Edwards as to his request, and see what they can do.

Mr. Edwards advised that he met with Mr. Carter and Mr. Secare, and the local president, and he had indicated that the Township Committee was just exploring the possibility of privatizing by preparing an RFP and going out to bid, and that the Township would have to prepare a plan to send to the Civil Service, and in the mean time, Lakewood EMS could propose, or come to the Committee to provide whatever information that they could, but he believes the process should go forward if they are ultimately going to do what they think they may do, because if too much time goes by, then you don't realize the savings. There is no decision to be made until the Township Committee actually receives proposals. They have to vote in public, and the Committee could decide to do nothing, or to do it; perhaps Mr. Carter and the EMT's could make a counter proposal. But he thinks that the process should go forward, and when they get to the RFP stage, that is where the decisions are made.

Mayor Singer advised of a recent e-mail that Mr. Edwards received this week, to the CFO. "Due to the projected eight million dollar shortfall in the FY 2010 Budget, the twenty million dollar December 1st, 2009 CMPTR payment is being withheld at this time, as the Governor, Treasurer and the Executive Branch agencies develop a plan for maintaining the constitutional required balance in the State of New Jersey. The December 1st, 2009 payment that totals almost fifty million dollars will be paid as required. The twenty million dollars that is being withheld represents 1.3 percent of the total CMPTR aid. _____ received guidance from the Division of Local Government Services once a financial decision has been made on the CMPTR withholding." This effect means, that right now in the current Budget, the Township has a direct effect....of this year's Budget, that was passed and balanced, of \$91,466.00 that they are not getting from the State. Right now, this year, he has got to find \$91,466.00 from the current Budget just to get through this year. The State, over the last two years, has cut the Township 1.5 million dollars. And they are expecting a greater cut in the coming year. The Township is absolutely being strapped by the economy.

Alice Kelsey, 295B Malvern Court East – Thanked the Committee for their consideration of the Resolution with regard to the establishment of a Homeless Trust Fund by the County of Ocean.

Ms. Kelsey further spoke in support of the Lakewood EMT's.

Sheldon Wolpin, 245 Martine Way – As Chairman of the Heritage Commission, he thanked the Township Committee for their support over the past year to the Heritage Commission. He also thanked the Township Clerk and staff, Township Manager and staff, and the Public Works Director and staff. He thanked Accu-Image for designing the graphics for the new calendar and the newsletter. Mr. Wolpin offered a brief overview of events and activities being offered by the Heritage Commission and Historical Society.

Bernard Williams – Advised he is a Commissioner of the Lakewood Housing Authority. Spoke in support of the reappointment of Audrey Wise to the Housing Authority.

Mariano DelValle, 736 Albert Avenue – Spoke in support of the Lakewood EMT's.

Shannon Ortiz _____ - President of the FNBA Local 380, the Union that provides EMS services for the Township of Lakewood – Spoke in support of the Lakewood EMT's.

Catherine Hawkins, Lulu Duffy Cottages – Spoke in support of the reappointment of Audrey Wise to the Lakewood Housing Authority.

Denise _____, President of the Lakewood First Aid Volunteer Rescue Squad – Spoke in support of the Lakewood EMT's.

Mary Ann Rusitello, Forked River – Spoke in support of the reappointment of Audrey Wise to the Lakewood Housing Authority.

Tammy Mears – Spoke in support of the reappointment of Audrey Wise to the Lakewood Housing Authority.

_____Clark – Spoke in support of STEPS.

Christopher Cohen – Spoke in support of STEPS.

Sherry Alexander, Toms River – Spoke in support of the reappointment of Audrey Wise to the Lakewood Housing Authority.

Colin Lewis – Commended the Township Committee on a great year. Spoke in support of the reappointment of Audrey Wise to the Lakewood Housing Authority.

Silvia Hagenfeld, 1503 Berkowitz Avenue – Complained about trash in front of her home. Also complained about trees that were cut down to make space for a parking lot at the corner of Princeton Avenue and Kennedy Boulevard. Asked if the trees were going to be replaced.

Deputy Mayor Langert asked Mr. Saccamanno and the Engineering Department to look into it.

Harry Hagenfeld, 1351 Monmouth Avenue – Spoke in support of the Lakewood EMT's. Also commented with regard to the tent/store next to the Post Office.

Tony _____, 23 Fountain Drive, Captain on the Lakewood First Aid Squad – Spoke in support of the Lakewood EMT's.

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

At this time, the professionals left the meeting.

Deputy Mayor Langert thanked Alice Kelsey for bringing the Homeless Trust Fund matter to the attention of the Township Committee.

Deputy Mayor Langert also commented with regard to the Lakewood EMT issue. No amount of money can replace the value of someone's life. These are not easy times that Lakewood is facing. The town is facing a severe fiscal crisis. It is unfortunate that they have to look to save money wherever they can. While they have not committed to anything, they did go out to RFP to look at alternatives. If RFP's do come in, and if they feel that any level of service would be compromised, they would not want to go that route at all.

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 appropriation transfers in the 2009 Municipal Budget in the amount of \$96,000.00.
Resolution No. 2009-383**
- 2. Resolution canceling unexpended Budget Appropriation Balances, in the amount of \$398,000.00.
Resolution No. 2009-384**
- 3. Resolution canceling an unexpended Balance of a certain General Capital Improvement Appropriation, in the amount of \$682,307.14
Resolution No. 2009-385**
- 4. Resolution certifying the Governing Body of the Township of Lakewood has reviewed the annual audit and complied with the promulgation of the Local Finance Board.**

Resolution No. 2009-386

- 5. Resolution authorizing the insertion of a Special Item of Revenue into the 2009 Municipal Budget, for Economic Development Initiative Funds, in the amount of \$142,500.00. (Chapter 159 – Economic Development Initiative Funds)
Resolution No. 2009-387**
- 6. Resolution awarding a contract to Fords National Automart Inc./Motors Fleet for the purchase of an Animal Control Van, pursuant to and in accordance with N.J.S.A. 40A:11-1 Et Seq., in the amount of \$32,211.00.
Resolution No. 2009-388**
- 7. Resolution reappointing Steven Reinman to the position of Director of Economic Development.
Resolution No. 2009-389**
- 8. Resolution authorizing the Lakewood Township Tax Collector to cancel Tax Overpayments.
Resolution No. 2009-390**
- 9. Resolution authorizing the Lakewood Township Tax Collector to refund Tax Sale Redemptions.
Resolution No. 2009-391**
- 10. Resolution authorizing the Lakewood Township Tax Collector to process property Tax Refunds and to authorize the Lakewood Township Tax collector to apply Tax Overpayments.
Resolution No. 2009-392**
- 11. Resolution authorizing the Lakewood Tax Collector to cancel any and all Property Taxes on Exempt Properties.
Resolution No. 2009-393**
- 12. Resolution supporting the establishment of a Homeless Trust Fund by the County of Ocean.
Resolution No. 2009-394**

13. Resolution authorizing the award of a contract for Proprietary Computer Hardware and/or Software and Programming Services, to SRI International, in the amount of \$115,000.00. Resolution No. 2009-395

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, Deputy Mayor Langert and Mayor Singer.

Resolution Nos. 2009-383 through 2009-395 – Adopted.

ORDINANCE SECOND READING

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending & 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 advised that the Transportation Board had a meeting last night, and they gave a recommendation to the Clerk.

The Township Clerk read the recommendation, as follows: The Transportation Board has recommended that this Ordinance be tabled this evening and save it for a later date after they have done their restructuring of taxi fees.

Mayor Singer 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 died due to lack of Motion.

ORDINANCE FIRST READING - None

CORRESPONDENCE - None

MOTION TO APPROVE BILL LIST OF: 12/08/09

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

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Mr. Coles thanked everyone for a good year.

Mr. Miller advised he received a letter from the Westgate Homeowners Association; they have an issue with the retention basin which is not fenced properly. The issue has recently gotten more severe in that the Lakewood Board of Education will not permit a bus stop near the basin for the safety of the children. The town had established funding in the Budget for the safety fence. He offered a Motion to permit them to draw down on

the earmarked money for the fence. Mr. Lichtenstein offered a second to the Motion. All voted in favor.

Mayor Singer asked Mr. Edwards to take of this matter.

Mr. Edwards also advised that the County prepared an agreement that provides funds to the Township for the 2010 Census and for promoting the Census, and to assist in reaching everyone. They drafted the agreement for his signature, as opposed to the Mayor. He asked for a Motion to authorize him to sign the Agreement.

Mayor Singer thanked the County for giving the town \$50,000 toward the Census.

Motion by Mr. Coles, second by Mr. Miller, and carried, authorizing Mr. Edwards to sign the Agreement.

Mayor Singer advised he will reserve his comments on this year until the January 1st meeting. He wished everyone a happy and safe holiday. He thanked the staff and the Attorneys for a good year, and thanked the Committee for their support. The Reorganization Meeting will be held Friday, January 1st at 10:00 AM.

On the matter of the reappointment of Audrey Wise, Mayor Singer advised that her term expires on December 31, 2009; that is usually discussed by the incoming Mayor; nothing has been decided.

ADJOURNMENT

Motion by Mr. Coles, second by Mr. Miller, and carried, to adjourn the meeting. Meeting adjourned at 8:40 PM.