

The Lakewood Township Committee held a Meeting on Thursday, February 7, 2013 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..... Albert D. Akerman
Deputy Mayor.....Steven Langert
Committee Members.....Raymond Coles
Meir Lichtenstein
Menashe Miller
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 6, 2013.

ROLL CALL

CLOSED SESSION

Resolution No. 2013-82 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

Motion by Committeeman Miller, second by Deputy Mayor Langert, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 01/17/13

Motion by Committeeman Miller, second by Deputy Mayor Langert, and carried, to approve the above Minutes.
Committeeman Coles did not vote.

MOTION TO APPROVE CLOSED SESSION MINUTES: 01/17/13

Motion by Committeeman Miller, second by Deputy Mayor Langert, and carried, to approve the above Closed Session Minutes.
Committeeman Coles did not vote.

PRESENTATIONS

Kidney Donor Recognition

Deputy Mayor Langert spoke on the matter of kidney donations in Lakewood, and raising awareness on the topic of kidney recipients and kidney donation. He wanted to do something in Lakewood to help raise awareness of what it means to need a kidney, and what it means to give a kidney. A short presentation was given, by four speakers, two recipients and two donors, who shared their experiences, and what it meant to them. The many kidney donors were recognized individually, and came forward with some speaking on their experiences, and they were presented with Proclamations.

Good Samaritan Proclamation

Mayor Akerman spoke on a recent incident involving a car accident which pinned two children under a car. The individuals who assisted in the rescue of these two children were recognized and presented with Proclamations in appreciation of their life-saving efforts and brave acts.

ORDINANCES FOR DISCUSSION - None

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.

Yehuda Shain, 1140 Forest Avenue – Spoke on the issue of Site Plan #1981 approved by the Planning Board under the Lakewood dormitory Ordinance. He claims that this site plan approval was obtained on false pretenses, parking, and is an illegal approval that must be rescinded. Also commented on the Cedarbridge Development Option Agreement.

Bill Hobday, 30 Schoolhouse Lane – Commented on this evening's presentations.

Rena Amata, Manchester – Read from an Asbury Park Press article from 2004 regarding housing.

Noreen Gill, 192 Coventry Drive – Commented on a recent Homeowner's Association Meeting in her development, and the requirement of Certificates of Occupancy.

Larry Simons, 7 Schoolhouse Court – Commented on a summons that was received by Noreen Gill.

Alice Kelsey, 295B Malvern Court – Commented on Tent City and the homeless issue.

Gerry Ballwanz, Governors Road – Commented on the procedure for the sale or exchange of Township owned lands. Further commented on a Planning Board application for the development of Township owned land.

Ernest Ordanana, New Jersey Classic – Commented on his requests for permits to utilize Township facilities for his events.

Mayor Akerman suggested that he meet with Mr. Muscillo regarding this matter.

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

Mayor Akerman commented on the homeless issue, and the Township's lawsuit, and the Township's efforts to place the residents of Tent City in suitable housing.

Mayor Akerman also advised they are working with the Inspection Department on housing issues.

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 releasing Performance Guarantee posted by Israel Drillick, in connection with Application SD# 1690, Chaim Abadi Subdivision (Hollywood Ave., at Central), Block 284.18, Lot 3. Resolution No. 2013-83**

- 2. Resolution releasing Performance Guarantee posted by Regency Development, in connection with Application SP# 1960 Bais Medrash of Asbury Park Inc., Block 1081, Lots 8, 14.01 and 14.02. Resolution No. 2013-84**

- 3. Resolution authorizing the execution of a Shared Services Agreement between the Township of Lakewood and the County of Ocean for the "Prosecutor's Program 2013" Resolution No. 2013-85**

- 4. Resolution authorizing the execution of a Shared Services Agreement between the Township of Lakewood and the County of Ocean for the "Driving While Intoxicated Enforcement Program 2013".
Resolution No. 2013-86**
- 5. Resolution releasing Performance Guarantee posted by Aaron Bauman (c/o S&H Builders), in connection with Application SD# 1632, Minor Subdivision (Pawnee Road), Block 2, Lot 55.
Resolution No. 2013-87**
- 6. Resolution Policies and Procedures regarding post-issuance Compliance of Federal Tax Requirements regarding Tax-Exempt Debt issues.
Resolution No. 2013-88**
- 7. Resolution authorizing the execution of a Shared Services Agreement between the Township of Lakewood and the County of Ocean for the Police Services - Child Restraint Program.
Resolution No. 2013-89**
- 8. Resolution authorizing Appropriation Reserve Transfers in the 2012 Municipal Budget.
Resolution No. 2013-90**
- 9. Resolution authorizing the execution of a Memorandum of Understanding Relative to the County of Ocean FY 12 Homeland Security Grant.
Resolution No. 2013-91**
- 10. Resolution appointing Steven Reinman to the position of Director of Economic Development.
Resolution No. 2013-92**
- 11. Resolution authorizing the issuance of One (1) Plenary Retail Distribution Liquor License to the Highest Qualified Bidder at a Public Sale to be conducted by the Township of Lakewood.
Resolution No. 2013-93**
- 12. Resolution authorizing the Tax Collector to Refund erroneous payment.
Resolution No. 2013-94**
- 13. Resolution authorizing a Refund based on a Tax Court Judgment, in the amount of \$972.48.
Resolution No. 2013-95**

- 14. Resolution authorizing a Refund based on a Tax Court Judgment, in the amount of \$39,746.40.
Resolution No. 2013-96**
- 15. Resolution authorizing a Refund based on a Tax Court Judgment, for a total amount of \$179,443.31.
Resolution No. 2013-97**
- 16. Resolution authorizing a Refund based on a Tax Court Judgment for a total amount of \$82,206.91.
Resolution No. 2013-98**
- 17. Resolution authorizing the Tax Collector to Refund a Double Payment, in the amount of \$2,091.55.
Resolution No. 2013-99**
- 18. Resolution authorizing the Tax Collector to Refund an Over Payment, in the amount of \$13,387.96.
Resolution No. 2013-100**
- 19. Resolution authorizing the Tax Collector to Refund an Over Payment, in the amount of \$4,984.91.
Resolution No. 2013-101**
- 20. Resolution approving the First Amendment to the Solar concession and Power Purchase Agreement between Hudson Energy Solar Corp. and the Township, dated February 29, 2012.
Resolution No. 2013-102**
- 21. Resolution awarding a Contract to Glasgow Equipment Service, Inc., for the purchase of a Self-Serve Fuel System for Lakewood Airport, pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq.
Resolution No. 2013-103**
- 22. Resolution authorizing the purchase of Energy Generation Services for public use on an Online Auction Website.
Resolution No. 2013-104**

Motion by Committeeman Coles, second by Deputy Mayor Langert, to approve Resolution Nos. 1 through 11 on the Consent Agenda.

Deputy Mayor Langert advised the Committee of the addition of Resolution No. 22.

Mr. Wouters advised that Resolution No. 11 is being amended to read \$150,000 as the sale price.

Committeeman Lichtenstein advised that Resolution Nos. 3, 4 and 7 on the Agenda refer to Shared Services for the law enforcement community regarding DUI and Child Restraint Programs. In the past, these funds have not only been used to support the officers that are doing the enforcement, but also for education. He would like this information to be passed on to the Chief of Police, that while the Committee is voting to accept these grants, they are not meant simply to fund the officers who are doing the enforcement at the checkpoints, but they want them to some education on these matters.

Committeeman Miller also requested that when any road stops are being done, that the Committee is advised prior to it happening.

Committeeman Coles accepted the amendments to the Motion.

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

Resolution Nos. 2013-83 through 2013-104 – Adopted.

ORDINANCE SECOND READING

An Ordinance Amending and Supplementing Chapter IX (Taxicabs) of the Revised General Ordinances of the Township of Lakewood, 1999, more Specifically Section 9-5.2 (Fees). (Chap. IX, Sec. 9-5.2)

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. 2013-1 died on second reading 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) by Repealing a Portion of Section 11-22 (Yield Intersections) and Amending Section 11-21 (Four-Way Stops) of the Revised General Ordinances of the Township of Lakewood, 1999. (Chap. XI, Section 11-21 7 11-22)

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. 2013-2 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 02/20/13)

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter II, (Administration), by Repealing Section 2-18, (Department of the Lakewood Community Center), and Amending Section 2-15.4, (Duties of the Department of Public Works), of the Revised General Ordinances of the Township of Lakewood, 1999. (Chapter II, Sec. 2-18 & Sec. 2-15.4)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Committeeman Miller.

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

Ordinance No. 2013-3 adopted on first reading. Second reading and public hearing to be held on February 20, 2013.

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, authorizing the Township of Lakewood to acquire Block 524.28, Lot 73.01, plus additional consideration, and authorizing the Township of Lakewood to convey Block 824, Lot 1, Block 824.01, lot 1, Block 825, Lot 1, Block 828, Lot 1, Block 829, Lot 1, Block 830, Lot 1.05 and Block 853, Lot 1, as part of an Exchange of Lands pursuant to N.J.S.A. 40A:12-16 et seq. (Land Exchange)

Read by title only for first reading.

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

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

Ordinance No. 2 013-4 adopted on first reading. Second reading and public hearing to be held on February 20, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey Amending and Supplementing Chapter II, (Administration), by repealing a portion of Section 2-76.1 (Fees for Miscellaneous Services of the Revised General Ordinances of the Township of Lakewood, 1999. (Chapter II, Sec. 2-76.1)

Read by title only for first reading.

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. 2013-5 adopted on first reading. Second reading and public hearing to be held on February 20, 2013.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Public Sale of Block 1146, Lot 1; Block 1147, Lot 1; Block 1156, Lot 1; Block 1154, Lot 1; Block 1155, Lot 1 in the Township of Lakewood, County of Ocean, State of New Jersey, at Open Public Sale pursuant to N.J.S.A. 40A:12-1 et seq. (Public Land Sale)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Lichtenstein, second by Deputy Mayor Langert.

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

Ordinance No. 2013-6 adopted on first reading. Second reading and public hearing to be held on February 20, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII, (Unified Development Ordinance), Article IX, (Zoning Districts and Regulations), Section 18-903 R, (Corporate Campus/Stadium Support Zone B-6), of the Revised General Ordinances of the Township of Lakewood, 1999. (Chapter XVIII, Sec. 18-903)

Read by title only for first reading.

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. 2013-7 adopted on first reading. Second reading and public hearing to be held on February 20, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI, (Traffic), by repealing a portion of Section 11-10.2, (Stopping or Standing Prohibited during Certain Hours or Certain days on Certain Streets) and Amending Section 11-26 B, (School Bus Loading and Unloading zone), of the Revised General Ordinances of the Township of Lakewood, 1999. (Chapter XI, Sec. 11-10.2 & 11-26 B)

Read by title only for first reading.

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. 2013-8 adopted on first reading. Second reading and public hearing to be held on February 20, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Vacating and Releasing a Deed Restriction contained in Deed Dated October 27, 2004, between the Township of Lakewood and Yeshiva Keter Torah, Inc.

Read by title only for first reading.

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. 2013-9 adopted on first reading. Second reading and public hearing to be held on February 20, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Conveyance and Execution of a Deed of Utility Easement with respect to a Portion of Lot 1, Block 549.01.

Read by title only for first reading.

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. 2013-10 adopted on first reading. Second reading and public hearing to be held on February 20, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII of the Code of the Township of Lakewood, entitled The Lakewood Township Unified Development Ordinance of 2007; Specifically Section 200, entitled Definitions of Terms, to Add the Definition of Mixed Use Developments, and Section 903 entitled Non-Residential Zoning Districts; Subsection entitled Highway Development Zone (B-5), to Add a Conditional use entitled Mixed Use Development and to add under Conditional Use Requirement, Section 1012 entitled Mixed Use Townhouse Development. (Chapter XVIII – Definitions of Terms)

Read by title only for first reading.

The above Ordinance was offered by Deputy Mayor Langert, second by Committeeman Lichtenstein.

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

Ordinance No. 2013-11 adopted on first reading. Second reading and public hearing to be held on February 20, 2013.

CORRESPONDENCE – PARKS AND EVENTS

Motion by Committeeman Lichtenstein, second by Committeeman Miller, and carried, to approve the above parks/events requests.

MOTION TO APPROVE BILL LIST OF: 02/05/13

Motion by Committeeman Miller, second by Committeeman Lichtenstein, 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 advised that as they expecting a storm, he asked that notice be put out requesting people not to park on the streets, but they should park in their driveways, so that the snow plows can get through the town.

Deputy Mayor Langert thanked the Committee and Mrs. Kay for putting together this evening's wonderful presentation.

Deputy Mayor Langert further commented on the homeless issue. He advised that through actions of the Township Committee, they have shown that they have tried to care for the homeless, by putting together organizations to help facilitate the placement of the residents of Tent City.

Deputy Mayor Langert further advised they are looking into the matter of the summons that was issued to Mrs. Gill.

Deputy Mayor Langert further requested Mr. Wouters to look into the matter of Planning Board applications for the development of Township owned land.

ADJOURNMENT

Motion by Committeeman Miller, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 9:10 PM.