

The Lakewood Township Committee held a Meeting on Thursday, September 12, 2013 in the Lakewood Municipal Building, at 5:30 PM for the Executive/Workshop 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
Acting 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 September 11, 2013.

ROLL CALL

CLOSED SESSION

Resolution No. 2013-300 - Adopted

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 08/22/13

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: 08/22/13

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

Committeeman Coles did not vote.

PRESENTATIONS - None

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.

Noreen Gill, 192 Coventry Drive – Commented with regard to the illegal landfill site on Vermont Avenue. She claims that it now has become a dumping site for contractors, together with the many bags of religious items.

Janice Urbsitis, 68 Seminole Drive – Commented with regard to the illegal landfill site on Vermont Avenue. Presented photos to the Committee.

Mayor Akerman suggested Mr. Wouters speak with Code Enforcement and have them contact the property owner to have the site cleaned up.

Gladys _____ (with interpreter) - Commented regarding the issues domestic workers face on the job, as a follow up to a previous meeting.

Mayor Akerman advised this is the first Committee meeting since their meeting, and he did not have the opportunity to get to this topic in this evening's Executive Session. He suggested that they schedule a meeting at the Mayor's Office when convenient for all parties involved.

Walt Loehren – Commented regarding the turning lanes at Kennedy Boulevard and County Line Road.

Mayor Akerman responded that the DOT Commissioner was in Lakewood and took a bus tour up and down Route 9 with the Committee Members, and they pointed out the problems. They were advised that the DOT will be working on it.

Rene Cora, 1038 Hearthstone Drive – Advised he is an employee of Public Works; he recently had an issue with the Deputy Director of Public Works that he brought to the attention of the Municipal Manager.

Mayor Akerman suggested that they meet, together with the Manager, to discuss the issues.

Mr. Reinman added that they will be setting up a meeting with the Labor Attorney and Department Head.

Moshe Newhouse, 30 Giddy Road – Commented with regard to Chesterfield Commons, the development in which he lives, which has been left incomplete by the Developer.

Committeeman Lichtenstein advised he has been working on this matter with Committeeman Miller and Mr. Wouters. He asked Mr. Wouters what is the status of the incomplete items.

Mr. Wouters responded that after a substantial amount of work between the Engineer and the Bonding Company in reviewing the list of items that need to be repaired, last week the Bonding Company did provide to the Township a takeover letter, where the Bonding Company agrees to take over the project and correct the incomplete items. He reviewed it with the Engineer, and he responded today to the Bonding Company with their comments on the takeover letter; the form submitted was not acceptable and did not include all the items that need to be repaired. He will follow up with the Bonding Company tomorrow. From a timing point of view, both he and the Engineer know that they want to get this done, and they are close. He hopes to get an approved takeover letter in place by the end of next week, if possible.

Committeeman Lichtenstein suggested that if they do not have an agreement by next week, that the Developer be told that the Township will take this matter to Court. The Committee Members were all in agreement.

Yaakov Wenger, 224 Lincoln Street – Commented with regard to the site on Vermont Avenue.

Seeing no one else wishing to be heard, Mayor Akerman 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 Authorizing the Award of a Professional Services Contract to Remington, Vernick & Vena Engineers to submit an Application or Applications for State Aid under the FY2014 New Jersey Department of Transportation Trust Fund Program.
Resolution No. 2013-301**

- 2. Resolution Appointing a member to the Shade Tree Commission, to fill an unexpired term. (Bill Hobday)
Resolution No. 2013-302**

- 3. Resolution Authorizing a Grant Agreement between Lakewood Township and the State of New Jersey by and for the Department of Environmental Protection.
Resolution No. 2013-303**
- 4. Resolution Releasing a Performance Guarantee Posted by Parkway Seventy Associates, in Connection with, Application SP #1630, (Amended Preliminary and Final Site Plan Route 70), Block 1160.01, Lot 253
Resolution No. 2013-304**
- 5. Resolution Authorizing the Tax Collector to Refund a Double Payment, for Block 538, Lot 11, in the amount of \$1,565.45.
Resolution No. 2013-305**
- 6. Resolution Authorizing the Execution of an Agreement between the New Jersey Department of Transportation and the Township of Lakewood for a Grant, in the amount of \$39,100.00.
Resolution No. 2013-306**
- 7. Resolution Authorizing the Award of a Professional Services Contract to Remington, Vernick & Vena Engineers for Engineering Services – Sidewalk Improvements Phase I, in the amount of \$138,925.00.
Resolution No. 2013-307**
- 8. Resolution Accepting the Resignation of Michael Muscillo, Municipal Manager.
Resolution No. 2013-308**
- 9. Resolution Creating a Search Committee for a New Municipal Manager and Directing the Deputy Municipal Manager to assume Interim Duties.
Resolution No. 2013-309**
- 10. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2013 Municipal Budget, for funding under the New Jersey Department of Transportation's Highway Safety Fund Grand Program, in the amount of \$116,784.63.
Resolution No. 2013-310**
- 11. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2013 Municipal Budget, for funding under the New Jersey Department of Transportation's Fiscal Year 2013 Municipal Aid Program, in the amount of \$276,260.00.
Resolution No. 2013-311**

- 12. Resolution Authorizing the Renewal of Membership in the Ocean County Municipal Joint Insurance Fund.
Resolution No. 2013-312**
- 13. Resolution Releasing a Performance Guarantee posted by Devorah Greenes, in connection with Application SD #1833 (Albert Avenue Minor Subdivision), Block 855.02, Lot 25.
Resolution No. 2013-313**
- 14. Resolution Authorizing the Rejection of all Bids for the Design and Building of New Parking Facility and Authorization of re-advertisement for New Bids.
Resolution No. 2013-314**
- 15. Resolution Authorizing Participation in the Safe and Secure Communities Program of the State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice.
Resolution No. 2013-315**
- 16. Resolution Authorizing the Execution of an Agreement with the American Federation of State, County, and Municipal Employees Council AFSCME Local #3790.
Resolution No. 2013-316**
- 17. Resolution Authorizing and Approving the Project: Business Assistance Initiative 3, funded by First Generation Enterprise Zone Assistance funds, in the amount of \$100,000.00.
Resolution No. 2013-317**
- 18. Resolution Approving Family Medical Leave Act, Leave of Absence, Without Pay for Thomas Scutro.
Resolution No. 2013-318**

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

On Roll Call – Affirmative: Committeeman Coles (Voted Negative on Resolution No. 6); Committeeman Lichtenstein (abstained on Resolution No. 4), Committeeman Miller, Deputy Mayor Langert and Mayor Akerman.

Resolution Nos. 2013-301 through 2013-318 – 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", specifically Article IX entitled "Zoning Districts and Regulations" to create the Single Family R-10A Residential Zone District and amend the Lakewood Township Zoning Map. (Chap. XVIII, Article IX – R-10A Zone)

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 Miller, second by Deputy Mayor Langert.

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

Not present for the vote: Committeeman Lichtenstein

Ordinance No. 2013-58 adopted on 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", Specifically Article IX Entitled "Zoning Districts and Regulations" to Create an HS-Hospital Support Zone District and amend the Lakewood Township Zoning Map. (Chap. XVIII, Article IX – Zoning - Hospital Support Zone)

Read by title only for second reading.

Mr. Wouters advised that this particular Ordinance, because of its nature and change of zoning boundaries, needs to be carried until the October 3rd meeting to give them the opportunity to notify property owners. The Public Hearing will be held after Public Notice at the October 3rd meeting.

Motion by Deputy Mayor Langert, second by Committeeman Coles, to carry the above Ordinance to October 3, 2013.

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

Second reading and public hearing on Ordinance No. 2013-59 carried to the meeting of October 3, 2013.

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", Specifically Article IX Entitled "Zoning Districts and Regulations" to Create an Airport Business Commercial Zone District and Amend the Lakewood Township Zoning Map. (Chap. XVIII, Article IX – Zoning – Airport Commercial Zone District)

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 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. 2013-60 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI (Traffic), Section 11-20 (Stop Intersections) of the Revised General Ordinances of the Township of Lakewood 1999. (Chap. XI, Sec. 11-20 – 3-Way Stop Pine St. & MLK Dr.)

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 Miller, second by Deputy Mayor Langert.

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

Ordinance No. 2013-61 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII (Unified Development Ordinance), Article VII (Provisions Applicable to Site Plans and Subdivisions), of the Revised General Ordinances of the Township of Lakewood 1999, adding New Section 18-706 (Impact Fees). (Chap. XVIII, Sec. 18-706 Impact Fees)

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 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. 2013-62 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 10/03/13)

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Public Sale of New Lot 12.01 in Block 119, 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.

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. 2013-63 adopted on first reading. Second reading and public hearing to be held on October 3, 2013.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, for the Installation of the Traffic Signal at Fourteenth Street and Forest Avenue.

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. 2013-64 adopted on first reading. Second reading and public hearing to be held on October 3, 2013.

CORRESPONDENCE – PICNICS/EVENTS

Per schedule of seven (7) correspondence items, attached hereto and made a part hereof.

Committeeman Lichtenstein advised it was brought to their attention that there were some complaints from the neighbors about the previous event held at the Amphitheater. He asked that they approve this request but amend it to switch the location to an agreed upon site.

Motion by Deputy Mayor Langert, second by Committeeman Coles, and carried, to approve the above correspondence items, with the above amendment.

MOTION TO APPROVE BILL LIST OF: 09/10/13

Motion by Deputy Mayor Langert, 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 hoped everyone had a good summer, as they are starting a new school year. Wished all a Happy New Year and a good holiday.

Committeeman Miller announced the birth of his new baby boy, and thanked everyone for their good wishes.

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Deputy Mayor Langert, and carried, to adjourn the meeting. Meeting adjourned.