

The Lakewood Township Committee held a Meeting on Thursday, September 18, 2014, in the Lakewood Municipal Building, at 6:30 PM for the Workshop/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
Absent..... Steven Langert
Meir Lichtenstein
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, by Resolution of the Township Committee adopted January 1, 2014 and published in the Asbury Park Press on January 6, 2014.

ROLL CALL

CLOSED SESSION

Resolution No. 2014-310 – Adopted.

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: 09/04/14

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 09/04/14

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

PRESENTATIONS - None

ORDINANCES FOR DISCUSSION - None

QUALITY OF LIFE

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

With regard to the date that the County will commence construction on the traffic light installation at Williams Street and Prospect Street, Mr. Staiger responded that according to the County, bids are to be received on September 30th, and they anticipate award at the October 15th meeting, and they will proceed from there.

With regard to the issue of Title 39 regulations in Whispering Woods, Mr. Staiger responded that Title 39 regulations have not been applied.

Committeeman Lichtenstein advised that he received information from Ally Morris and Jeff Staiger, and he forwarded the information to the Condo Management at Whispering Woods, and he will wait to hear back from them. It is possible that the town will reimburse them for trash collection, and road services, if applicable.

Mr. Wouters responded that the town will reimburse for road services if it is a qualified community, as to the roads, and as to leaf removal, the town can elect, depending on whether it meets RSIS standards, to either perform the work, or reimburse.

With regard to the issue of road repairs at Eighth Street, between Clifton Avenue and Monmouth Avenue, Mr. Burdge responded that Public Works has been working on the street applying cold patch.

Mayor Miller requested that the Manager look into more funding for road repairs.

Mr. Reinman responded that they have more funding coming available soon.

Mayor Miller advised that one of the first streets that is in need of hot patch repairs is Williams Street, between Prospect Street and James Street, where there are a lot of potholes.

Comments from Committee Members on Quality of Life Items:

Committeeman Lichtenstein advised that he spoke with Traffic and Safety about the corner of Seventh Street and Princeton Avenue regarding his request to station a crossing guard at that location. He requested that Traffic & Safety look into it as more crossing guards become available.

Committeeman Lichtenstein advised they discussed the installation of a flashing stop sign at Monmouth Avenue and Ninth Street. He believes it was installed at another intersection. He asked that if the funding is available, that Public Works install a flashing stop sign at that location, since there was a very serious accident recently.

Mr. Burdge responded that he believes they have one in inventory, and they will install it at this intersection.

Committeeman Lichtenstein asked for a left turning arrow on Route 9 and Kennedy Boulevard. It is a horrible intersection; you can not make a left turn going north onto Route 9. He knows they have passed a Resolution, and have had the DOT Commissioner come down to view the problems.

Mr. Staiger advised that he did receive a letter from the DOT today, from the Acting Commissioner, with regard to several of the items that were pending with the DOT, one of them being this left turning signal. One of the items that the DOT requires is that the Committee pass a Resolution that the town will be willing to pay twenty-five percent (25%) of the electrical costs (which includes the bulb, additional wiring or signal heads, etc.) for that improvement before they would even begin to do a study.

Committeeman Lichtenstein requested that the Committee pass a Resolution. If it is going to entail taking down everything, it would be a quarter of a million dollar job. They know this from the past. That would have to come back to the Committee. But if it just adding the turn signal, and it is a minimal amount, ten or twenty thousand dollars, not a quarter of a million dollars, he would like to offer a Resolution from the floor asking that the town support that.

Mayor Miller stated they have a Motion from the floor requesting that the Township Committee support the DOT, if it is a minimal amount, up to twenty thousand dollars for the Township portion, for the town to authorize the DOT to do the work, to install a left turn signal at Route 9 and Kennedy Boulevard. Deputy Mayor Akerman offered a second to Motion. All voted in favor.

Committeeman Lichtenstein advised that sidewalks were installed on County Line Road, between Hope Chapel Road down to Route 9. Since it is a County road, he asked that the County be requested to complete the sidewalk installation for the rest of the way along the south side of County Line Road.

Mayor Miller advised there is a Motion on the floor that they request the County to install sidewalks on the south side of County Line Road. A second to the Motion was offered by Committeeman Coles. All voted in favor.

Deputy Mayor Akerman commented on the additional items that were pending with the DOT.

Mayor Miller requested that Mr. Staiger forward the Committee a list of the pending items.

Mayor Miller asked that Traffic and Safety look at the intersection of Arlington Avenue and Lincoln Street, to see if it warrants a four-way stop.

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.

Sylvia Hagenfeld, 1351 Monmouth Avenue – Spoke in opposition to animal cruelty. Read a statement pertaining to that subject, which is attached hereto and made a part hereof.

Mary Star, 695B Plymouth Drive – Thanked the Police Department for their kindness with regard to the medical crisis involving her husband. She advised she is a resident of Leisure Village. She stated that the town owes the development money for snow removal, and asked when they were going to get the money.

Mr. Reinman advised that reimbursements happen in January because they have to look at the annual costs.

Alice Kelsey, 295B Malvern Court East – Commented on the matter of reimbursement to Leisure Village for snow removal costs. Their attorney is negotiating with the Township Attorney to come up with the exact amount that will be paid to Leisure Village. They desperately need their money, because they are the oldest Village in New Jersey. They are due to be paid a lot of money and they need new streets, new roofs, and painting of the buildings.

Mrs. Kelsey further complained about the clear cutting in the area of the construction of a development on Cedarbridge Avenue. She said they have to think of the future and the beauty of the town, and clear cutting is not in their best interest.

Mrs. Kelsey further commented on the closed circuit television in Leisure Village, and requested that the Township Committee meetings be taped and put on their channel.

Bill _____, 188 Flintlock Drive – Commented in opposition to cruelty to animals.

Gregg Stafford-Smith, 1200 Cross Street – Commented on the proposed rezoning of the Cross Street area which was requested by many of the residents. One resident has exercised his right to file a lawsuit objecting to the rezoning. Mr. Stafford-Smith requested that the Township Committee commit the full financial support of the Township to expedite the processing of this issue. There has been much time spent on this matter to get the rezoning implemented.

Jean Murray, 47 Fogarty, Mercerville – Advised she is the Outreach Librarian at the Lakewood Branch of the Ocean County Library. Announced that September is National Library Card sign-up month. She encouraged all children and teens who do not have a library card to come out and get one. She also invited all adults who do not have a card to also come in for a card. She advised of the library hours and commented on the various programs available.

_____, 399 Albert Avenue – Voiced her concerns about the clearing of trees in Lakewood due to the massive amount of construction.

Seeing no one else wishing to be heard, Mayor Miller 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 Releasing a Maintenance Guarantee posted by Albion Homes LLC, in connection with, SD# 1594 (Albion Street), Blocks 284.03 and 284.04, Lots 49-51 and 48.
Resolution No. 2014-311**
- 2. Resolution Authorizing the Tax Collector to Refund and Over Payment, for Block 2.01, Lot 17, in the amount of \$5,008.38.
Resolution No. 2014-312**
- 3. Resolution Amending the 2014 Capital Budget.
Resolution No. 2014-313**
- 4. Resolution Accepting a Bid on Block 11, Lot 12 as a Result of the Public Land Sale in the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:12-1 et seq.
Resolution No. 2014-314**

5. **Resolution Appointing a Member to the Lakewood Municipal Alliance.
Resolution No. 2014-315**
6. **Resolution Authorizing the Approval of the use of First Generation Zone Assistance funds for the "Transit Connect 3" project, in an amount not to exceed \$26,100.00. (UEZ – Zone Assistance Funds – "Transit Connect 3")
Resolution No. 2014-316**
7. **Resolution Providing for the Insertion of a Special Item of Revenue in the 2014 Budget of the Township of Lakewood pursuant to N.J.S.A. 40A:4-87, First Generation Zone Assistance Funds for the Project, "Transit Connect 3", in the amount not to exceed \$26,100.00. (UEZ – Chapter 159)
Resolution No. 2014-317**
8. **Resolution Authorizing the Award of a Professional Services Contract to Remington & Vernick Engineers for Preparation of Application to the FY 2015 NJDOT Trust Fund Municipal Aid Program, in an amount not to exceed \$1,700.00 and \$850.00 for each additional application.
Resolution No. 2014-318**
9. **Resolution Authorizing the Award of a Professional Services Contract to Remington, Vernick & Vena Engineers for Services Topographic Outbound Survey of Block 248.04, Lot 67, in an amount not to exceed \$4,500.00.
Resolution No. 2014-319**
10. **Resolution Accepting Bid on Block 417, Lot 22.02 as a Result of a Private Land Sale
Resolution No. 2014-320**

Motion by Committeeman Coles, second by Committeeman Lichtenstein, to approve Resolution Nos. 1 through 10 on the Consent Agenda.

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

Resolution Nos. 2014-311 through 2014-320 – Adopted.

At this time, the professionals were dismissed from the meeting.

ORDINANCE 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 Repealing Section 11-21, (Four-Way Stops), and Creating New Section 11-21, (Multiple Stop Intersections), Including Section 11-21.1 (Four-Way Stops), and Section 11-21.2 (Three-Way Stops). (Chap. XI, Sec. 11-21 Multiple Stop Intersections)

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. 2014-64 adopted on second reading.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Private Sale and Conveyance of an Easement in Block 190.04, Lot 11 for the Construction of Sidewalks along Ridge Avenue in the Township of Lakewood. (Sidewalk Acquisition)

Read by title only for second reading.

Mayor Miller opened the meeting to the public.

Alice Kelsey, 295B Malvern Court East – Asked what is the source of the funding to pay for the sidewalks and easements; will it be tax money or CDBG money?

Mayor Miller responded it will be a combination of both.

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

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

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

Ordinance No. 2014-65 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Conveyance and Execution of a Deed of Easement for Utility and Traffic Control Equipment to the County of Ocean within a portion of Kennedy Boulevard East Right-of-Way. (Deed of Easement – Utility and Traffic Control - Kennedy Blvd. East)

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. 2014-66 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 11-11 (Parking Time Limited on Certain Streets), of the Revised General Ordinances of the Township of Lakewood, 1999. (Chap. XI, Sec. 11-11.1 Violations)

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. 2014-67 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Conveyance and Execution of a Deed of Drainage Easement to the County of Ocean within a portion of Kennedy Blvd. E. Right-of-Way. (Deed of Drainage Easement – Kennedy Blvd. East)

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. 2014-68 adopted on second reading.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Sale of Block 12.07, Lot 20 in the Township of Lakewood, County of Ocean, State of New Jersey, at a Private Sale pursuant to N.J.S.A. 40A:12-1, et seq. (Private Land Sale)

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 Committeeman Coles, second by Committeeman Lichtenstein.

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

Ordinance No. 2014-69 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 10/02/14)

Bond Ordinance Providing for Various Capital Improvements and the Acquisition of Various Capital Equipment Appropriating \$2,226,036.00 therefor and Authorizing the Issuance of \$2,114,734.00 Bonds and Notes to Finance a Portion of the Costs thereof, Authorized in and by the Township of Lakewood, in the County of Ocean, New Jersey.

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. 2014-70 adopted on first reading. Second reading and public hearing to be held on October 2, 2014.

Refunding Bond Ordinance of the Township of Lakewood, in the County of Ocean, New Jersey, Providing for the Refunding of all or a portion of the Township's General Improvement Bonds, Series 2008, dated November 6, 2008, Appropriating an amount not exceeding \$14,900,000.00 therefor and Authorizing the Issuance of not to exceed \$14,900,000 General Obligation Refunding Bonds of the Township of Lakewood for Financing the cost Thereof.

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. 2014-71 adopted on first reading. Second reading and public hearing to be held on October 2, 2014.

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

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. 2014-72 adopted on first reading. Second reading and public hearing to be held on October 2, 2014.

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 1087, Lots 2, and 22, plus Additional Consideration, and Authorizing the Township of Lakewood to Convey Block 1123, Lots 1, and 8 as part of an Exchange of Lands pursuant to N.J.S.A. 40A:12-16. (Land Exchange)

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. 2014-73 adopted on first reading. Second reading and public hearing to be held on October 2, 2014.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey Accepting the Dedication of Block 430, Lot 16 for Open Space.

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. 2014-74 adopted on first reading. Second reading and public hearing to be held on October 2, 2014.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing and Directing the Sale of the Township Real Property or Interests therein to the New Jersey Turnpike Authority.

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. 2014-75 adopted on first reading. Second reading and public hearing to be held on October 2, 2014.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Public Sale of Block 1006, Lot 1, Block 1006, Lot 3, Block 1007, Lot 1, Block 1007, Lot 3, Block 1009, Lot 1.04, Block 1009, Lot 1.06, Block 1009, Lot 1.07 and Block 1009, Lot 1.09, 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 Coles, second by Committeeman Lichtenstein.

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

Ordinance No. 2014-76 adopted on first reading. Second reading and public hearing to be held on October 2, 2014.

An Ordinance Releasing, Extinguishing and Vacating the Rights of the Public in a Portion of a Paper Street known as East Spruce Street, in the Township of Lakewood. (St. Vacation, East Spruce St.)

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. 2014-77 adopted on first reading. Second reading and public hearing to be held on October 2, 2014.

CORRESPONDENCE

Per attached schedule of six (6) parks/events requests, attached hereto and made a part hereof.

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

MOTION TO APPROVE BILL LIST OF: 09/16/14

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

Deputy Mayor Akerman asked about three-way stops, when it is installed, do they automatically designate on the sign it is a three-way sign?

Mayor Miller responded it should be designated right under the sign.

Deputy Mayor Akerman continued that they have to make sure because on Second Street there is no real way to tell it is a three-way.

Mayor Miller added that under the sign it is written whether it is a four-way or three-way.

Mayor Miller advised it has been brought to his attention, by Ed Seeger, Tax Assessor, that the way it works with Verizon, is that the town is able to tax their items which are in their infrastructure here in Lakewood. So until now, what was happening was Verizon's infrastructure was valued at approximately \$11,000,700.00, which translated into \$315,000.00 in property tax. So every year Verizon has to give the Township a PT-10 form, which is a list of the values of this equipment, and the Township applies the Township ratio and assess it accordingly, which then offsets the taxes because Verizon has to pay the required amount. Again, that amount is \$315,000 in taxes for the year 2014. Most recently, Verizon submitted to the Tax Assessor, a PT-10 form which states they no longer are the sole telephone provider for 51% of members in this community. Therefore, they say they are tax exempt. This is a travesty, because this is an \$11,000,700.00 assessment. He met with the Tax Assessor to see what is going on, and was advised there are other municipalities in the State that Verizon has done this to as well. He asked to see their back-up documentation, and apparently Verizon does not have to show it. We have the PT-10 form but no back-up information. The Manager has been in touch with Mr. Dressel from the NJ League of Municipalities, and the town will do everything possible to "wage war" against Verizon and any other utility company who tries to pull this stunt. The town will join forces with other municipalities, and they will be reaching out to the legislative officials to see what legislation can be enacted to ensure that Verizon is not permitted to continue with what they are doing.

ADJOURNMENT

Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 8:18 PM.