

The Lakewood Township Committee held a Meeting on Thursday, May 23, 2013, in the Lakewood Municipal Building, at 5:30 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 P. 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 May 23, 2013.

ROLL CALL

CLOSED SESSION

Resolution No. 2013-182 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 05/02/13

Motion by Committeeman Lichtenstein, second by Deputy Mayor Langert, and carried, to approve the above Minutes.
Committeeman Coles abstained.

MOTION TO APPROVE CLOSED SESSION MINUTES: 05/02/13

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

PRESENTATIONS

Lakewood Civilian Safety Watch

A Proclamation was presented to members of the LCSW in recognition of their contributions and hard work for the community.

NJ Skills USA Championships – OC Vocational School

Awards were presented to the winners of the NJ Skills USA Competition.

Lakewood EMS & First Responders – EMS Week Police Officer(s) Recognition

As it is EMS Week, Mayor Akerman advised they would be honoring EMS Members and First Responders.

Committeeman Lichtenstein thanked everyone for joining him in recognizing the Township's volunteers. Plaques were presented to EMS members and Police Officers who during the past year performed some very heroic efforts and saved lives with CPR.

Committeeman Miller advised that Lakewood First Aid has an application for a park permit. He offered a Motion to approve their request at this time. A second to the Motion was offered by Committeeman Lichtenstein. All voted in favor.

ORDINANCES FOR DISCUSSION - None

QUALITY OF LIFE

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

With regard to the request by Committeeman Lichtenstein to contact the State to look into the timing of the traffic light at the corner of New Hampshire Avenue and Route 88, Mr. Staiger responded that he did receive correspondence back from the DOT and according to them, the light is operating in accordance with how it was designed.

With regard to the traffic light cycle not operating properly in the evening at the intersection of Kennedy Boulevard and Clifton Avenue, as well as the light at Somerset and County Line Road not being timed correctly, Mr. Staiger responded that he contacted the County, and they indicated they will review these items.

With regard to the request for the installation of four-way stop signs and crossing guards at intersections of Fourth, Fifth and Sixth Streets, at Princeton Avenue, Chief Lawson advised that Sgt. Work looked at the intersections and his recommendation will be to install a four-way stop sign at Princeton Avenue and Seventh Street, as well as Monmouth Avenue and Seventh Street.

Committeeman Lichtenstein asked that Mr. Wouters be in touch with the Police Department so that they can have that Ordinance prepared for first reading at the next meeting.

With regard to the complaint about drug deals and illegal businesses in the area of Seminole Drive, Chief Lawson advised that their street crime unit as well as the patrol unit have paid extra attention to that area, and the community resource officers have been in that area and have not seen any evidence of any businesses being conducted, and they will continue to keep an eye on the area.

Comments from Committee Members on Quality of Life Items:

Committeeman Lichtenstein asked that Public Works keep up with the clean up of graffiti around the lake and boardwalk area, and he has noticed that a lot of trees around the lake have been marked. He asked that the gang marking be removed from the trees.

Committeeman Miller advised that he spoke to the Police Department regarding the intersection of James Street and Route 9, and Pine Street and Route 9. Traffic & Safety went out there and did a rendering of where they should recommend to the State that dedicated turning lanes should be installed. Going east on James Street when you come to Route 9, there should be a dedicated left turn lane. He will pass this rendering on to the Engineering Department, to be forwarded to the State, to see if the appropriate striping can be done in order to alleviate traffic.

Mayor Akerman added that if the turning lane could be pulled back it would be very helpful as well.

Deputy Mayor Langert asked Mr. Burdge for an update on the Retention Basin they spoke about.

Mr. Burdge responded they are taking care of it.

Deputy Mayor Langert continued and explained that he had received a call from a resident who complained about the lack of attention to a retention basin in Brook Hill on Arosa Drive. There are two basins in the area; one being taken care of by the Public Works Department. No one knew of the other basin's existence. He requested that the

Committee consider the matter that when developers come before Township boards, that the Township not take ownership of retention/detention basins. It should be the developers or Home Owners Association responsibility to maintain the basins, and that would be his recommendation.

Committeeman Miller commented with regard to the issue of the lights that are out all along the Avenue of the States. He believes that when the traffic light was being installed on Pine Street, there may have been some damage, and the fuse is tripping. There is an upcoming event on June 5th, and it is important that the lights are repaired.

Mr. Staiger responded it had been brought to his attention by Tony Arecchi, and they contacted the contractor, and they are following up with Mr. Arecchi as to who maintains the lights, and determining the exact problem.

Mayor Akerman advised that the light on New Hampshire Avenue and Pine Street, traveling on Pine to New Hampshire, the light is green for a very short time, and traffic backs up, as there a lot of schools on the other side of New Hampshire Avenue.

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 – Complained about traffic on Clifton Avenue and Fourth Street, caused by double-parking and delivery trucks. Submitted drawing to the Committee.

Mayor Akerman advised that Mr. Staiger will look into it.

Bill Hobday, 30 Schoolhouse Lane – Thanked the Committee for this evening’s presentations.

Jean Murray, Librarian from the Ocean County Library, Lakewood Branch – Wanted to remind all of the parents and families to visit the library this summer. They have a full roster of children’s programs, including reading, crafts, programs on nature and gardens, games and movies.

_____ Barkin, Buttell Avenue – Asked about the Ordinance concerning the Hospital Support Zone.

Committeeman Lichtenstein advised that the second reading and public hearing on this Ordinance will be carried to the meeting of June 20th.

Mr. Wouters added that the second reading of the Ordinance is scheduled on this evenings' Agenda, where they will discuss it, and it will be carried to the meeting of June 20th.

Menachem Lazar, Coventry Square – Advised that if you are traveling on Hope Chapel, making a right onto McKinley, that block is a cul-de-sac. When you make a right into the block, it changes to Garfield. On the other side, there is another street called Garfield. It is a little confusing. He asked if they can name that whole block McKinley.

Committeeman Lichtenstein asked if there are any homes currently on McKinley.

Mr. Lazar advised that there are three standing homes, and another four are to be developed over time.

Committeeman Lichtenstein asked if the three people who currently live there want to change their address.

Mr. Lazar responded that they have all agreed to it.

Committeeman Lichtenstein suggested that the three people who live there submit a letter to the Township, advising they agree to the name change, as well as the new neighbors, and turn it over to Engineering for a recommendation as to whether they can change that street name.

Alex Libman, resident of Tent City – Complained about a gang problem at Tent City.

Minister Stephen Brigham, Tent City – Commented on the Consent Order, and the framework of the agreement between the Township and Tent City.

Terry Hotten, Tent City – Commented on issues affecting Tent City.

Joan Aponte, Brick Resident – Spoke in support of the residents of Tent City.

Gregg Stafford-Smith, 1200 Cross Street – Commented regarding the Cross Street area, where there are three schools that occupy well over 100,000 square feet. Recently three properties have changed hands, for a total of twenty-one acres. There are three additional schools being built. He asked that the Committee consider coordinating a plan, in order to accommodate the three schools, and the three schools that are coming, where they are coming into an area with no fire protection, no water, and no sewer. It is a rural area, where at one time people had horse farms, and homesteads on large parcels of land. It is the last rural section of Lakewood, and it deserves the dignity and respect to the vested shareholders of this Township, to do it right and to do it once. He

is asking the Committee for their support in rezoning area to either a school zone, R-75, cluster zone, however it best fits and meets the needs of a growing face change of the community.

Alice Kelsey, 295-B Malvern Court – Commented on issues affecting Tent City.

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

At this time, the professionals left the meeting.

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 Awarding a Contract to Viviano Construction LLC, for the Installation of Perimeter Fencing at Lakewood Airport, in an amount not to exceed \$29,050.00.
Resolution No. 2013-183**
- 2. Resolution Releasing the Maintenance Guarantee posted by, Somerset Development, LLC, in connection with ZB# 3664A (Somerset Avenue), Block 208.01, Lots 10.01, 10.02, 11 and 72.
Resolution No. 2013-184**
- 3. Resolution Authorizing Emergency Temporary Appropriations for the Period between the Beginning of the Current Fiscal Year and the Date of the Adoption of the 2013 Budget.
Resolution No. 2013-185**
- 4. Resolution authorizing the Liquor License Renewal for 2013-2014, to Adi Spirits, Inc., t/a Pine Cone Liquors, Liquor License No. 1514-44-023-005.
Resolution No. 2013-186**
- 5. Resolution authorizing the Liquor License Renewal for 2013-2014, to Jay Prabhu, Inc., t/a Rite Liquors, Liquor License No. 1514-44-013-004.
Resolution No. 2013-187**

- 6. Resolution authorizing the Liquor License Renewal for 2013-2014, to Matrix/Woodlake LLC, t/a Woodlake Golf and Country Club, Liquor License No. 1514-33-029-006.
Resolution No. 2013-188**
- 7. Resolution authorizing the Liquor License Renewal for 2013-2014, to MGAR, Inc., t/a LOL Bar & Grill, Liquor License No. 1514-32-022-010.
Resolution No. 2013-189**
- 8. Resolution authorizing the Liquor License Renewal for 2013-2014, to Ocean Lanes, Inc., t/a Ocean Lanes, Liquor License No. 1514-33-014-008.
Resolution No. 2013-190**
- 9. Resolution authorizing the Liquor License Renewal for 2013-2014, to Parkway Lodging Realty, LLC, t/a Hilton Garden Inn of Lakewood, Liquor License No. 1514-36-047-002.
Resolution No. 2013-191**
- 10. Resolution authorizing the Liquor License Renewal for 2013-2014, to Shoreline 70 Investments, t/a Best Western Leisure Inn, Liquor License No. 1514-36-045-004.
Resolution No. 2013-192**
- 11. Resolution authorizing the Liquor License Renewal for 2013-2014, to Strand Ventures, Inc., t/a Strand Theater, Liquor License No. 1514-37-046-001.
Resolution No. 2013-193**
- 12. Resolution authorizing the Liquor License Renewal for 2013-2014, to Vadi Wines, Inc., Spirits Unlimited, Liquor License No. 1514-44-006-008.
Resolution No. 2013-194**
- 13. Resolution authorizing the Liquor License Renewal for 2013-2014, to Kimball Diner and Restaurant Inc., t/a Chianti Ristorante, Liquor License No. 1514-33-010-003.
Resolution No. 2013-195**
- 14. Resolution Authorizing a Refund based on a Tax Court Judgment, in the amount of \$32,449.03.
Resolution No. 2013-196**

15. **Resolution Authorizing the Award of a Professional Services Contract to Remington, Vernick & Vena Engineers for 2013 NJ DOT Municipal Aid Program Grant for a Section of 13th. Street, (from Madison to Forrest), and Courtney Street.
Resolution No. 2013-197**
16. **Resolution Authorizing the Disposal of Public Works Units #306 and #307 for their Value as Scrap to Blewett's Recycling in Howell, New Jersey.
Resolution No. 2013-198**
17. **Resolution Supporting the request of the Ocean County Mayors' Association in its requests for 100% Federal Cost Recovery for Debris and Demolition related costs associated with Superstorm Sandy.
Resolution No. 2031-199**
18. **Resolution of the Township Committee of the Township of Lakewood approving an additional One Hundred Sixty Thousand Dollars (\$160,000.00) of "1st. Generation" Zone Assistance Funds for the 2013 Administration Budget. (UEZ)
Mayor Akerman removed this Resolution from the Consent Agenda.**
19. **Resolution Authorizing the Private Sale of Block 1045, Lot 2, in the Township of Lakewood, County of Ocean, State of New Jersey, at Private Sale pursuant to N.J.S.A. 40A:12-1 et seq.
Resolution No. 2013-200**
20. **Resolution Supporting the Click It or Ticket Mobilization of May 20 – June 2, 2013.
Resolution No. 2013-201**
21. **Resolution Approving and Authorizing an Addendum to the Municipal Services Agreement entered into with the Fairways at Lake Ridge Homeowners' Association, on December 20, 2001.
Resolution No. 2013-202**

Motion by Committeeman Miller, second by Deputy Mayor Langert, to approve Resolution Nos. 1 through 17 and 19 through 21 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles (abstained on No. 11); Committeeman Lichtenstein (abstained on Nos. 9 and 10); Committeeman Miller (abstained on No. 20); Deputy Mayor Langert, and Mayor Akerman.

Negative: Committeeman Coles – On Resolution No. 1

Resolution Nos. 2013-183 through 2013-202 – Adopted.

ORDINANCES 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", Article IX "Zoning Districts and Regulations," of the Revised General Ordinances of the Township of Lakewood 1999. (Chap. XVIII, Article IX – Hospital Support Zone)

Read by title only for second reading.

Mayor Akerman opened the meeting to the public.

Mr. Wouters advised that the purpose of this Ordinance as advertised, and notice to adjoining property owners, is to rezone properties surrounding Kimball Medical Center from their current zonings of R-10, Single Family Residential, R-12, Single Family Residential, HD-6, Highway Development, HD-7, Highway Development, to a Hospital Support Zone. The property owners that are affected by this have been notified. He knows that Mr. Pfeffer has met with some of the property owners. He requested that Mr. Pfeffer discuss the nature of the discussions.

Mr. Pfeffer advised that as a quick history, this has been actually in the works for approaching two years now. This has been an ongoing matter with the Township. The hospital owns and operates many of these properties, and as Mr. Wouters indicated, many of them fall within residential zones. Many of the commercial buildings, if they want to do any modifications at this point, have to go through the Zoning Board to request anything because they are non-conforming uses. The idea was to come to the Township to try and make something that works for everyone, including the residential homeowners who are close. By doing that, the Township engaged T & M Associates, and they had many meetings and site visits, and they did go through the property and they issued two reports, wherein they indicated that this area is due for some type of rezoning application. They worked together and came up with what is known as a Hospital Support Zone. In the days leading up to tonight, he has been working with everyone. He received a phone call from a concerned neighbor who indicated that he spoke for approximately seventy-five families in the area and that they had three concerns. He worked with them and made proposed changes which he has forwarded to Mr. Wouters and he believes they are acceptable to those changes which would affect the residential portion. There is one last lot that he does not feel comfortable agreeing to any type of restriction, and he leaves that to the Township, and that is in regard to Lot 20. Their request is either to not include it in the rezoning (this property is not owned by the hospital, and is a medical facility). The idea was that it would bring it into a conforming use. He had not heard from this owner with any objection. The homeowners are concerned that this one property, which is three plus acres, if they wanted to knock down this large building, they could put up even a larger building. That was not the intent. These comments were passed onto Mr. Wouters, to either not include it, or put some restriction on this one lot. He leaves that to the Township. He

believes he resolved the issues concerning the Buttell Avenue lots, and the few residential lots on Williams.

Mayor Akerman asked if Mr. Pfeffer objected to them pushing this matter off for another couple of weeks.

Mr. Pfeffer responded he would like to have this voted on. However, if the Committee feels it would make everyone happy, to try to get the best result, he is not going to object to it. He would just like to know they are moving forward. He is here tonight, and is happy to address any of the other comments. He knows of three areas of concern. Two of them, he believes have been resolved. The third one will be up to the Committee, however they deem fit to include it, or not include it, or put restrictions on it.

Committeeman Lichtenstein asked Mr. Wouters about the two changes that have been referred to, and if the Planning Board actually agrees with it, or does it require re-noticing and carrying the Ordinance.

Mr. Wouters responded yes. To review where they were, the Ordinance, after it was adopted on first reading, was delivered to the Planning Board. The Planning Board reviewed it, and approved the Ordinance with a recommendation that the Committee consider keeping the residential standards for the R-75 as opposed to R-10. But they did approve it. Subsequently after notice went out, a number of property owners met with Mr. Pfeffer, and as a result of that, Mr. Pfeffer was prepared to recommend an amendment to the Ordinance that would restrict about fifteen or sixteen properties to residential development. They would not be included in that portion that would be permitted to go from residential to commercial. This evening, he had a discussion on the telephone with another property owner who called him from Chicago, to indicate that there is a third parcel, which is a three acre plus parcel, that the property owners would also like to have considered to be restricted to residential as opposed to commercial. Because these amendments affect particular pieces of property, in order to consider those kind of amendments, it is his suggestion that the requested amendments be sent back to the Planner to report on to the next meeting of the Township Committee which is on June 6th, and that this public hearing be carried until the second meeting in June, which would be June 20th. That would give everyone time to prepare any amendments, and to give proper public notice to all the property owners that would be affected by the change. Because right now, for example, the owner of the three acre lot, which is not the hospital, that owner thinks that the property is going to be changed to commercial. If the Township is going to recommend that, he should be given notice to have the chance to reply. It is his suggestion that at this point, unless the Township Committee has something to comment on, that the public hearing be carried, so that they can get the amendments to the Planner for consideration.

Mr. Pfeffer further advised that as to the twenty properties he mentioned where they were putting a restriction, all those properties, except for one which is vacant, are currently residential. So all they are trying to say by agreeing to it is that it is not going to become any more intense, it is a residential use, it will stay as a residential use. The one property where they are asking for it to be removed or restricted, that property currently is in a residential zone, but is a commercial property.

Committeeman Lichtenstein confirmed that Mr. Pfeffer is talking about the change that was made, not the original. The change that was made now would agree to the neighbors not to intensify the use.

Mr. Pfeffer agreed. They are residential houses, and they will be restricted to only be used for residential houses, in the change. In the original zone, you had the choice. That was never the intent to turn these residential houses into commercial. It was just a clarification that they have no objection. On the third property, again, that currently is a commercial use, and it is a large property, and he does not feel comfortable recommending or asking for a restriction to be put on it, and that is why he said he could not speak on that behalf. They are trying to make the best zone possible. If there are other comments or other concerns that they can try to alleviate, as opposed to waiting two more weeks and having to come back, he would rather hear them now, if the Committee does not mind.

_____ - He wanted to thank the Committee for all their selfless dedication to the community's need. One thing he wanted differed with was that it has been going on for many years, which may be true. The regular property owners.....he does not come to meetings very often.....none of them knew this was going on. There are a lot of people in business, who are trying to make money, that own property, or are trying to buy property, to put up houses or buildings, and they are in their own circle. The regular homeowners are not involved in that, and had no idea. He got the registered mail two days ago. He had no clue, nor did his neighbors. How it affects him on Buttell Avenue, is mostly related to that three plus acre property. If you look at the map, on Buttell Avenue there is a cross street called Rose Place, which is paved part of the way, and then it is a paper street that goes through to that three acre plus property. People say different things. They said that they are only trying to do this, or that, but a lot of times you don't realize their intentions. There are things that are slipped under the carpet in order to get their agenda. He thinks that one day they will open up and pave that street, Rose Place, and have two entrances to that three acre plus property. A lot of that property is not developed at all, it is just woods. The developers see woods and trees, they see a lot of dollars. If you read through the Ordinance, there are a lot of things that have nothing to do with hospitals. Why do they call it a hospital zone? Why did they change it to R-75? What does it have to do with the hospital? If they want a commercial use, let them do their properties, and make them for commercial use.....the properties they own, and no other properties. That three acre plus property is the main thing that concerns most of the neighbors, which they are saying they have nothing to

do with. They have their suspicions that they do have something to do with that, and just don't want to say. That is what concerns him the most, that someone is going to knock that whole thing down and put up who knows what type of commercial building right in their backyards. If you make it a commercial area people will not be able to get mortgages on their houses. If you want to build commercial buildings, the Industrial Park has been developed very nicely, and there is a lot of empty land where they can put up big buildings. Some times people see a lot, and want to pack in as many townhouses as possible. The more houses you pack in, the more money you make. That is what it is all about. They want to know who is really behind this. It does not seem that the hospital is the one who is behind it. It seems like there are business deals going on. People are saying it is the hospital, and it is really something else.

Mayor Akerman asked if both sides are going to meet.

Mr. Pfeffer responded that it is however the Township would like them to proceed, they will be happy to do that.

Mark Rosolewski, 1191 Williams Street – Advised this is the first notice he has received. He has not heard about anything going on in that neighborhood. He would like to know what is going on, and how it is going to affect the property value, and his taxes. Right now Williams Street is very crowded. If you are going to make is a commercial zone, there will be a lot of cars. In his opinion, it would not be a good idea to change that zone. He would like more information as to what the Township is planning to do.

Mayor Akerman advised that Mr. Pfeffer will give him his contact information so he can be in touch with him as well.

Mr. Pfeffer clarified that the amendments he made, and has sent over to Mr. Wouters, are restricting those lots next to (this person's) house to residential. They are not increasing any commercial use on that one. With regard to the lots on Buttell, they are also going to be restricted to residential lots. His client does not own Lot 20, the three acre parcel. He never had a conversation with them. The reason why a lot of these properties are brought into this is because it is a residential zone, that has commercial properties. When they talk about how the zoning is great, and they have different areas with commercial buildings.....these are all commercial buildings, ninety percent of these properties, and they are trying to make this a better zone. But he is happy to talk to them, and keep in touch with everyone.

Committeeman Coles asked if the zoning will have the same density, or will it be changed with the restrictions that are proposed.

Mr. Pfeffer responded that all those lots would fall under the Hospital Support Zone, but will be restricted to residential uses only.

Committeeman Coles asked about density. Will it be R-7.5, R-10, what are they now, and what is proposed?

Mr. Pfeffer responded there are several different zones. There is HD-6, HD-7, R-10 and R-12. They are proposing for those areas to have R-75. Because many of the houses in the area....actually there was just a duplex approved on one of the lots that was not included....it was just approved as a duplex contiguous to it.

Committeeman Coles asked how many are R-10 right now that will be going down to R-75.

Mr. Pfeffer responded approximately three or four lots in R-12, and on the R-10, he believes it is either four or five. And there is HD-6 that is already existing.

Committeeman Lichtenstein stated that there is one issue that they should be very cognizant of is to get the notice out as quickly as possible. He would hate to have the residents noticed on the 18th and they meet on the 20th, and they did not have time to get together.

Mr. Wouters responded that by law they have to be noticed at least ten days before the hearing.

Committeeman Lichtenstein asked if they are going to be voting on....if they are going to be hearing the Planning Board's recommendation on the 6th.....

Mr. Wouters responded this has been to the Planning Board. It is not going back to the Planning Board. This is going to be referred to the Planner. Whatever the Planner reports back on the 6th, he is going to ask the Committee at the time to make a decision that night, possibly, hopefully that night, as to what type of amendment they suggest. If that happens on the 6th, on the 7th he can send the notices out.

Committeeman Lichtenstein stated he wanted the notice to go out on the 7th so people have ten days before.

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

Motion by Committeeman Lichtenstein, second by Deputy Mayor Langert, to carry the above Ordinance to June 20, 2013.

Deputy Mayor Langert wanted to bring it to the attention of the gentlemen who spoke about the trees behind Buttell. With just a quick glance at that map, if nothing were to happen, and he does not know who owns that piece of property, and is not related to them in any way, all he can say by looking at the zoning map now it is currently in the R-10 zone. Duplexes are permitted in an R-10 zone. So if those people wanted to take down their woods tomorrow and come in tomorrow with a plan to build duplexes there,

they could do it. Duplexes are allowed in R-75 as well. He just wanted to make him aware that they could actually build duplexes there tomorrow without anything being done.

Committeeman Lichtenstein stated that he would hate for them to come back on the 20th, and spend forty-five minutes going through it again, and then have to come back again. So he knows that they will be working it out with the neighbors so that they are happy with it and no one on the Committee gets calls and says what you advertise is not what they want. Even though the current facility is not Mr. Pfeffer's client, that is going to be a wrench in the machinery. And that is going to push them back if that person is not involved in the process. So Mr. Pfeffer may want to tell his client that as least one Committeeman asked that you involve that person in the process now so that they do not get it back on the 20th and he has representation get up to say that is not what he wants, and then they have to go back to square one.

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

Second reading and public hearing on Ordinance No. 2013-26 carried to the meeting of June 20, 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, Section 18-901 B (Map and Interpretation). (Chap. XVIII, Sec. 18-901 – Map and Interpretation)

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 Lichtenstein, second by Committeeman Coles.

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

Ordinance No. 2013-30 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Change of a Street Name in Accordance with N.J.S.A. 40:67-1 (K).

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 Voting: Committeeman Lichtenstein

Ordinance No. 2013-37 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Granting Municipal Consent for the Operation of a Cable Television System within the Township of Lakewood, New Jersey, to Cablevision of Monmouth, LLC. (Cable Television)

Read by title only for second reading.

Mayor Akerman opened the meeting to the public.

Alice Kelsey, 295B Malvern Court East – Asked if there is any chance that in the future they will be able to see Township Committee Meetings on their dedicated channels.

Deputy Mayor Langert advised that in 1997, when the previous cable contract was signed, there was a provision in there for a public access channel for Lakewood. The Township Committee at that time decided to give that over to the High School so they could use that as a learning tool as a vocational program, and that really is under the purview and control of the High School. What they do, or don't do, with that channel would lie with the administration of the High School. There are some communities that do utilize that public access channel, but as far as the Township is concerned, a previous Committee felt that it would be beneficial for the students to be able to learn about how to run and control a television station.

Committeeman Coles agreed. The station is located at the High School, and has been since its institution. He believes it is Channel 77, the Lakewood Public Access Channel. He does not know how much programming is actually on it right now. He knows there has been talk about reinvigorating it over at the High School.

Mrs. Kelsey asked why could it not be taped here, and then taken over to the High School and shown to the public. It does not have to be live; it could be a taped show, so that they could see what was going on. A large portion of this community is young, but a significant number of older individuals do not want to come out after dark. She feels herself going into that stage, but she would still like to keep track of what is going on.

Bill Hobday, 30 Schoolhouse Lane – As fifteen years is a long time, he asked if there was any option in negotiating the contract to lessen that because with the rapid advance of technology this might not be viable in fifteen years. The only question is do they have an option to say five, ten....because fifteen sounds so long.

Deputy Mayor Langert responded that when this first came up, he was extremely excited to volunteer to head this advisory committee, made up of representatives from every part of Lakewood. One of the things he said in an initial meeting was to come up with a wish list of items and things they would like to see a cable company have to live up to. The representative from the cable company came down and said this is a wonderful list, certainly a nice laundry list of items, and if he was in the same position he would probably want the same things. But you are getting none of it.....you are getting a, b

and c.....This is all regulated by state statute. There is absolutely nothing you can ask for that the cable company will give you other than ten years or fifteen years. If you go for ten years, you will get x amount of dollars; if you go for fifteen years, you will get more dollars. Other than that, it is what it is, if you want something, talk to the BPU or your state legislators, and maybe you will get something. One thing that Cablevision did share with them is now that FIOS is wiring, there is something called the franchise fee. The franchise fee that the Township gets from Cablevision every year is two percent of the basic fee. Once FIOS has wired sixty percent of the town for service, the State gives Cablevision the right to opt out of their contract, which he understands that Cablevision has done in every single municipality where FIOS has passed service to sixty percent of homes. According to the representative, within a few years, Cablevision will want to opt out of this contract. What that means to the Township, is either a five or six percent increase, from the two percent that the Township is now collecting for franchise fees, the Township will be entitled to collect five percent. So that is where the monetary benefit to the Township will come across.

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

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

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

Ordinance No. 2013-38 adopted on second reading.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Public Sale of Block 805, 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.

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 Lichtenstein, second by Committeeman Coles.

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

Ordinance No. 2013-39 adopted on second reading.

ORDINANCES FIRST READING (Second reading and Public Hearing 06/06/13)

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Private Sale of Block 467, Lots 1 and 6, in the Township of Lakewood, County of Ocean, State of New Jersey, at Private 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 Committeeman Miller, second by Committeeman Coles.

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

Not Present for the Vote: Deputy Mayor Langert

Ordinance No. 2013-41 adopted on first reading. Second reading and public hearing to be held on June 6, 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, Section 18-903.E.3C (Front Yard Setback). (Chap. XVIII, Sec. 18-903.E.3C

Read by title only first reading.

Ordinance died due to lack of Motion.

CORRESPONDENCE

Per list of one (1) correspondence item, attached hereto and made a part hereof.

PARKS AND EVENTS CORRESPONDENCE

Per schedule of twenty-six (26) picnic/event requests, attached hereto and made a part hereof.

Motion by Committeeman Lichtenstein, second by Committeeman Miller, and carried, to approve the above correspondence items.

MOTION TO APPROVE BILL LIST OF: 05/21/13

Motion by Committeeman Lichtenstein, second by Committeeman Miller, 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 congratulated Committeeman Miller for his hard work on the Memorial Day Parade, and he hopes to see everyone there.

Committeeman Miller announced that the Memorial Day Parade will be held on May 27th and he looks forward to seeing everyone there.

Deputy Mayor Langert wished everyone a happy and safe Memorial Day.

Mayor Akerman wished everyone a happy Memorial Day.

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Committeeman Miller, and carried, to adjourn the meeting. Meeting adjourned at 9:23 PM.