

The Lakewood Township Committee held a Meeting on Thursday, November 7, 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
Interim 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 November 5, 2013.

ROLL CALL

CLOSED SESSION

Resolution No. 2013-363 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

Motion by Committeeman Miller, second by Committeeman Lichtenstein, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 10/03/13 & 10/17/13

Motion by Committeeman Miller, second by Committeeman Lichtenstein, and carried, to approve the Minutes of October 3, 2013.

Committeeman Coles did not vote.

Minutes approved.

Motion by Committeeman Miller, second by Committeeman Lichtenstein, and carried, to approve the Minutes of October 17, 2013.

Committeeman Coles abstained.

Minutes approved.

MOTION TO APPROVE CLOSED SESSION MINUTES: 10/17/13

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

Committeeman Coles abstained.
Closed Session Minutes approved.

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.

David Drukaroff, 1433 Laurelwood Avenue – Commented with regard to the Affordable Care Act.

Maria _____ – spoke through an interpreter – Commented with regard to domestic workers. (unable to hear comments)

Lorena _____, Linden Avenue – spoke through an interpreter – Commented with regard to her experiences as a domestic worker.

Guadalupe _____, Linden Avenue – spoke through an interpreter – Commented with regard to her experiences as a domestic worker.

Gladys _____, 1488 East Spruce Street – spoke through an interpreter – Commented with regard to her experiences as a domestic worker.

Celia Martinez, 125 Ridge Avenue – spoke through an interpreter – Commented with regard to her experiences and the problems facing domestic workers.

Doris _____, East County Line Road – Commented with regard to the problems facing domestic workers.

Lou _____, New Labor – Commented with regard to previous meetings with the Mayor concerning problems facing domestic workers.

Mayor Akerman advised he reached out to the Township Attorney who said there is nothing that the Committee can do at this level. He further advised he spoke with the editors of two local publications and provided him with that information. The Township Attorney informed him that the Township does not get involved with labor law.

Mr. Wouters explained, on behalf of the Committee, that while the Committee is very sympathetic with regard to the problems facing domestic workers, this is really not the forum for them to get the things done that they want to have done. The State controls labor laws, work conditions, and that is where he suggests they direct their comments. He suggested that they meet with Senator Singer who would be able to guide them as to approaching the State with regard to labor laws and work conditions, work rules, etc. If the Committee had the ability to do something, they would. But they just control local Township obligations, not labor rules and regulations.

Lou _____ - He understands that there are certain things that the State is responsible for, but at the same time, there are issues that face domestic workers, be it labor or otherwise, that are particular to Lakewood. And as the Committee represents all of Lakewood, he thinks that they would agree that there are problems happening in some of their workplaces. He wanted to know what the Committee is willing and able to do.

Committeeman Coles suggested that they put a Resolution together, supporting the ten points that were brought to their attention, at least go on record that the Committee is in favor of people being treated fairly and being respected at their places of work. The Committee may not be able to do anything to affect a change in the attitude, but if people in town understand that this Committee supports their basic rights, he thinks it may be a step in the right direction.

Committeeman Lichtenstein added that before they pass that Resolution this evening, he did not know about this meeting, and does not understand all ten points, so perhaps it could be put into Resolution form for the Committee to vote on at the next meeting. He does not believe now is the time, but the Mayor can explain it to them, as he obviously understands the ten points. It can be put into a Resolution that they can all vote on, and will portray the fact that people should be treated with dignity and respect.

Committeeman Miller agreed with comments made by Committeeman Coles, with regard to putting together a Resolution to show the Committee's sympathy and certainly stand up for the rights of every human being in this town.

Committeeman Lichtenstein repeated that he supports Committeeman Coles' comments. They want to support the rights of people; he just wants to understand what the ten points are.

Noreen Gill, 192 Coventry Drive – Voiced her concerns with regard to the Shamos burial site on Vermont Avenue.

Janice Urbsitus, 68 Seminole Drive – Voiced her concerns with regard to the Shamos burial site on Vermont Avenue.

Larry Simons, 30 Schoolhouse Court – Commented on a recent publication in The Shopper, “that a Township employee has taken a significant pay increase of \$20,000 despite the Committee’s specifically voting against it. In investigating the increase, it became clear that the Committee had in fact voted against the raise.” He asked how could this be, that the Township Committee votes against an employee’s raise, yet that employee still “gets the raise”. He also asked who ultimately authorized this employee’s raise; will this employee be asked to return this raise. The Shopper article did not mention the name of this Lakewood Township employee in this article. Mr. Simons advised that he reviewed recent salaries of various Lakewood Township employees, and found one employee who has had a recent pay adjustment of \$767.31 bi-weekly, for a grand twelve month twenty-six bi-weekly increase of \$19, 950.00, very close to the \$20,000 figure that the Lakewood Shopper used in their article. If this is the person alluded to in the Shopper article, he asked why did he get this big increase. Regarding the Shopper’s comments that the Committee specifically voted against the raise, he asked Mayor Akerman was this raise ever authorized by the Lakewood Township Committee, possibly in closed Executive Session; was the Lakewood Township Attorney ever made aware of this “unauthorized raise, either verbally or via e-mail”. Now that he had a name that he thought fit the Lakewood Shopper data, he delved into this situation further. The recent “parting of the ways” by the Lakewood Municipal Manager, left an opening in the Lakewood Township governing structure. He wondered who was currently performing the responsibilities of the former Lakewood Municipal Manager. His understanding was that Mr. Steven Reinman is now the Acting Municipal Manager. He asked if Mr. Reinman was also the Executive Director of the LIC, and doesn’t he receive a salary for such a position. He asked if Mr. Reinman was also the Director of Economic Development, and doesn’t he receive a salary for such a position. He asked if Mr. Reinman was also the Director of the Lakewood Airport Authority, and doesn’t he receive a salary for such a position. He asked how Mr. Reinman can be the full time Acting Municipal Manager when at the same time be the full time Executive Director of the LIC, and also the Director of the Airport Authority, and getting paid for each of these responsibilities. He personally thinks that Mr. Reinman is over-extended, and if he is the unnamed person in the Shopper article which stated “many have felt that the employee’s work is not sufficient to live up to the sizeable salary he receives from the Township”. He asked how Mr. Reinman can perform efficiently so many different responsibilities whether they be full or part time. The Shopper article also stated “he also received paid trips abroad that were supposedly inclusive of Lakewood Township business”. The April 12th, 2011 issue of Lakewood 24-6 published an article which he partially quoted “Director of Economic Development Steven Reinman embarked on a trip to Germany to support the process of bringing organic diversion in Lakewood’s Industrial Park”. He asked if this trip was what the Shopper was referring to; was it necessary. He has not heard anything further about it.

Mayor Akerman addressed some of Mr. Simon's concerns. He explained that his bi-weekly salary went up an additional \$700, so he is not getting three salaries. He is getting one salary plus a few hundred dollars; it is the same salary plus a few hundred dollars. He does not have his former job at this time. He has one job, and he may be assisting as much as he can in the other jobs, but he does not get paid for three jobs. He has one job, as Interim Municipal Manager.

Mr. Simons asked if Mr. Reinman is the Executor Director....the Airport Director...

Mayor Akerman responded that he is on the Lakewood Industrial Commission which does not receive a salary.

Deputy Mayor Langert stated that he does.

Committeeman Coles added that the Commissioners do not, but he does as Executive Director.

Mayor Akerman stated that as far as him taking his own raise, and he knows he was quoted as saying that in the paper, there is no mechanism by which he would be able to take his own raise...."We" had a meeting at which he was not present in the room, and they discussed his raise. There was a lot of confusion thereafter, and it was not he who told anybody to give him the raise.

Mr. Simons stated that he never said that. He asked who "we" was.

Mayor Akerman responded, the Township Committee.

Mr. Simons confirmed, all five Committee members?

Mayor Akerman responded that all five Committeemen were in the room. And there was a lot of confusion.

Mr. Simons asked if all Committee members authorized it.

Mayor Akerman responded there was a lot of confusion, and he was not privy to that confusion. There was a lot of confusion amongst Committeemen, and they sorted it out.

Mr. Simons stated that was not the question that he asked in his presentation. He asked who authorized this raise. That was his direct question.

Mayor Akerman stated that he prefers not to discuss which employee authorized the raise, but it was not the person who got the raise.

Mr. Simons stated that he never said that. He asked...is the Township Committee the one who authorized the raise?

Mayor Akerman answered yes.

Mr. Simons confirmed....all five members?

Mayor Akerman responded that he did not know how deep he would go into this, but all five Committee members had many conversations over the last few weeks, they had different versions of how they remembered it. The result was that it was either given to him at the time or they said at a later day they will give it to him, so that was the outcome. He did not take it on his own because he would not have been able to take it on his own.

Mr. Simons repeated that he never said he took it on his own. He did not receive an answer to his fourth question. He has only received partial answers, not to his satisfaction. He asked if the Lakewood Township Attorney was ever made aware of this "unauthorized raise, either verbally or via e-mail".

Mayor Akerman responded, yes, it was discussed on many occasions over the last few weeks, and there was a lot of polling of the Committee, and the result was that he should get the raise.

Joyce Blay, NJ News and Views, 1594 Crimson Road, Toms River – Congratulated Mayor Akerman on his re-election. She asked Mr. Reinman if he could kindly provide the amount of money in Lakewood Township's treasury for surplus at this very moment.

Mr. Reinman responded that he did not have the figure at this moment, but he would be glad to provide Ms. Blay with the information.

Rene Cora, 233A Lois Lane – Commented with regard to issues he has at Public Works.

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 Releasing the Performance Guarantee posted by Accurate Builders, LLC, in connection with Application SD# 1406, (Primrose Estates), Block 11.01, Lots 4, 5, 6, 7.01, 15, 18, and 19, and Posting new Original Performance Guarantee.
Resolution No. 2013-364**
- 2. Resolution Reducing the Performance Guarantee, (First Reduction), posted by Beth Medrash Govoha, in connection with SP# 1981, Block 46, Lot 3.
Resolution No. 2013-365**
- 3. Resolution Authorizing a Refund Based on a Corrected Tax Court Judgment, Block 52, Lot 3, in the amount of \$4,598.00.
Resolution No. 2013-366**
- 4. Resolution Authorizing Cancellation of Taxes and Municipal Lien due to Transfer of Ownership to the Municipality, for Block 830, Lots 42, 43, 44, and 45.
Resolution No. 2013-367**
- 5. Resolution Authorizing Cancellation of Taxes due to Transfer of Ownership to the Municipality, for Block 1022, Lot 5, Block 1154, Lot 7, Block 1143, Lot 9, and Block 1154, Lot 10.
Resolution No. 2013-368**
- 6. Resolution Authorizing the Insertion of a HUD – Community Block Grant, Special Item of Revenue into the 2013 Municipal Budget for HUD Block Grant, in the amount of \$1,197,788.00. (Chap. 159 – CDBG)
Resolution No. 2013-369**
- 7. Resolution Authorizing a Refund Based on a Tax Court Judgment, for Block 88, Lot 11, and Block 172, Lot 7.
Resolution No. 2013-370**
- 8. Resolution Authorizing the Tax Collector to Refund a Payment Erroneously Paid, for Block 515, Lot 1.
Resolution No. 2013-371**
- 9. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2013 Municipal Budget for the Funding under the New Jersey Department of Transportation Airport Improvement Program Jet Fuel Tank, in the amount of \$37,145.00. (Chap. 159 – Airport)
Resolution No. 2013-372**

- 10. Resolution Authorizing the Award of a Professional Services Contract to Remington Vernick & Vena Engineers for Engineering Services – Traffic Signal modifications to Intersection of Clifton Avenue and 2nd Street, and Clifton Avenue and 4th Street.
Resolution No. 2013-373**
- 11. Resolution In Support of the Lakewood Township Police Obtaining Accreditation from the State of New Jersey Association of Chiefs of Police.
Resolution No. 2013-374**
- 12. Resolution Releasing a Performance Guarantee posted by Moshe Ritterman, in connection with Application ZB# 3175A, Block 11, Lot 1.36, Shonny Court.
Resolution No. 2013-375**
- 13. Resolution Reducing the Performance Guarantee posted by Masters at the Fairways LLC, in connection with ZB# 3570, Block 524.30, Lots 7, 8.01, 8.02, 10, 11, 12, and 17.
Resolution No. 2013-376**
- 14. Resolution Authorizing the Tax Collector to Reinstitute the Billing on a Taxable Line Item, for Block 12.07, Lot 20.
Resolution No. 2013-377**
- 15. Resolution Appointing Member to the Lakewood Planning Board.
Resolution No. 2013-378**
- 16. Resolution Authorizing Tax Collector to Reimburse Lien Holder for Certificate Erroneously sold at Tax Sale with Legal Interest, in the amount of \$1,006.71.
Resolution No. 2013-379**
- 17. Resolution Authorizing the Mayor to Execute a Contract between FMBA Local 380 and the Township of Lakewood.
Resolution No. 2013-380**
- 18. Resolution Awarding a Contract to Lancha Construction Corp., relative to Sidewalk improvements pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq.
Resolution No. 2013-381**

- 19. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2013 Municipal Budget for Funding under the 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation, in the amount of \$32,963.00. (Chap. 159 - JAG)
Resolution No. 2013-382**

- 20. Resolution Authorizing FDA Section 509 Agreement and the Execution of Agreement between the New Jersey Transit Corporation and the Township of Lakewood for Leased Vehicles.
Resolution No. 2013-383**

Motion by Committeeman Lichtenstein, second by Committeeman Miller, to approve Resolution Nos. 1 through 20 on the Consent Agenda.

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

Negative: Committeeman Coles (as to Resolution No. 9)

Resolution Nos. 2013-364 through 2013-383 – Adopted.

ORDINANCE 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 – Park Place)

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 Committeeman Miller.

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

Ordinance No. 2013-67 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-Lexington Ave. & First St.)

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. 2013-68 adopted on 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, Specifically Section 11-35 (Handicapped Parking on Streets). (Chap. XI, Sec. 11-35 – Handicap Parking)

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 Miller, for discussion.

Committeeman Lichtenstein asked Mr. Reinman if he received a letter from the resident regarding this handicapped parking.

Mr. Reinman responded yes, together with their placard and the recommendation from the Police Department.

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

Ordinance No. 2013-69 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 II (Definitions) of the Revised General Ordinances of the Township of Lakewood. (Chap. XVIII, Sec. 18-200B – Public Street)

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 Miller.

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

Not Present for the Vote: Deputy Mayor Langert.

Ordinance No. 2013-70 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 Committeeman Coles.

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

Ordinance No. 2013-71 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing, Extinguishing and Vacating the Rights of the Public of a Portion of a Paper Street known as West Spruce Street, in the Township of Lakewood. (St. Vacation – Portion of West Spruce St.)

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 Miller.

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

Ordinance No. 2013-72 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 11/21/13)

Bond Ordinance Providing for Various Capital Improvements and the Acquisition of Various Capital Equipment Appropriating \$1,916,208.00 therefor and Authorizing the Issuance of \$1,820,397.00 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 Langert.

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

Ordinance No. 2013-73 adopted on first reading. Second reading and public hearing to be held on November 21, 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 to Restrict Residential uses within 200 Feet of Route 9, South of Central Avenue. (Chap. XVIII, Sec. 18-903)

Read by title only for first reading.

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

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

Abstain: Committeeman Lichtenstein.

Committeeman Lichtenstein stated, for the record, there is a property that is affected by this Ordinance, and he does some work for the owners, and that is why he can not vote on it.

Ordinance No. 2013-74 adopted on first reading. Second reading and public hearing to be held on November 21, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI (Traffic), Section 11-22 (Four-Way Stops) of the Revised General Ordinances of the Township of Lakewood 1999. (Chap XI, Sec. 11-22; 4-Way Stop - Seventh Street and Nowlan Place)

Read by title only for first reading.

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. 2013-75 adopted on first reading. Second reading and public hearing to be held on November 21, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey Amending and Supplementing Chapter XVIII (Unified Development Ordinance), Article VIII (Design Standards), Section 18-815.1.9 (Maintenance and Repair), of the Revised General Ordinances of the Township of Lakewood, 1999. (Chap. XVIII, Sec. 18-815.1.9 – General Maintenance)

Read by title only for first reading.

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

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

Ordinance No. 2013-76 adopted on first reading. Second reading and public hearing to be held on November 21, 2013.

PARKS AND EVENTS CORRESPONDENCE

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

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

Committeeman Lichtenstein advised they received a letter from the Fire Department regarding the possibility of having a coin toss. He asked Mr. Wouters if that was something that has to be discussed first, before an Ordinance is placed on the Agenda. Is that something they would do as an Ordinance for discussion?

Mr. Wouters responded yes.

MOTION TO APPROVE BILL LIST OF: 11/05/13

Motion by Committeeman Miller, second by Committeeman Coles.

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 Mayor Akerman on his re-election.

Committeeman Miller congratulated Mayor Akerman on his re-election.

Committeeman Coles congratulated Mayor Akerman on his re-election.

Deputy Mayor Langert congratulated Mayor Akerman on his re-election.

Deputy Mayor Langert also announced that the Township may be looking to hire a public information officer next year. He wanted everyone to keep that in mind as they go into next year.

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Committeeman Miller, and carried, to adjourn the meeting. Meeting adjourned at 8:35 PM.