

**The Lakewood Township Committee held a meeting on Thursday, August 2, 2012, in the Lakewood Municipal Building, at 6:30 PM for the 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**  
**Steven Langert**  
**Meir Lichtenstein**  
**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, by Resolution of the Township Committee adopted January 3, 2012 and published in the Asbury Park Press on January 13, 2012.**

**ROLL CALL**

**CLOSED SESSION**

**Resolution No. 2012-280 – Adopted**

**ROLL CALL**

**SALUTE TO THE FLAG AND PRAYER**

**OPEN SESSION**

Motion by Committeeman Langert, second by Committeeman Coles, and carried, to open the meeting.

**MOTION TO APPROVE MINUTES OF:        07/05/12**

Motion by Committeeman Langert, second by Committeeman Lichtenstein, and carried, to approve the above Minutes.

Committeeman Coles did not participate in the vote.

**Minutes approved.**

**MOTION TO APPROVE CLOSED SESSION MINUTES:    07/05/12**

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

Committeeman Coles did not participate in the vote.

**Closed Session Minutes approved.**

## **PRESENTATIONS**

### **Barry Moon - Employee of the Month**

Barry Moon was presented with the Employee of the Month Award for August 2012.

### **LAND SALE - BLOCK 440, LOT 27**

Mr. Wouters advised that pursuant to an Ordinance adopted by the Township Committee, and Notice of Sale, they would now hold a public auction for Lot 27 in Block 440, which is approximately .94 acres located in the R-20 Zone. The minimum bid, per the Notice of Sale, is \$120,000.00. The sale is made subject to those conditions set forth in the Ordinance and the Notice of Sale, specifically that the bidder must be a not-for-profit entity, and the property must be used for educational, charitable, or other not-for-profit purpose, and this condition will be placed in the Deed by way of restriction. He asked if there were any bidders present, and that they please come forward, and state their name and address.

Aaron Pruzansky, 6 Sharon Court, Lakewood, NJ, came forward, and offered a bid in the amount of \$120,000.00.

As there were no other bidders present, Mr. Wouters closed the sale, and requested that Rabbi Pruzansky submit his name and address, and ten percent deposit, to the Township Clerk. He advised that the Township will consider his bid, and it will be on the Agenda for the next meeting as to their acceptance of this bid.

## **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 Miller opened the meeting to the public.

Walt Loehren commented regarding problems with the traffic arrows at County Line Road, Kennedy Boulevard and Route 9. He asked if the Township has received a response from the State.

Mayor Miller responded that Mr. Staiger is not present at this evening's meeting, and he would be the one that would be able to provide the information regarding any response from the State. He would ask him tomorrow morning if he has any information.

Tovia Yoffe, 71 Forest Park Circle – Read a letter requesting to have a carnival in their neighborhood for a charitable organization called Oorah. The carnival is to be held on Sunday, August 19<sup>th</sup>. As in past years, the large carnival requires closing off the semi-circle in the back of Forest Park Circle. As depicted on the petition to be submitted to the Committee, they have collected signatures from the majority of those who will be affected by this temporary road closure. The request is to close off the street from 12:00 Noon until 5:00 PM on August 19<sup>th</sup>.

Mayor Miller responded that the Chief of Police has approved this request, and this request is listed on this evening's Agenda under correspondence. At this time, he asked that they approve the correspondence items.

## **CORRESPONDENCE**

Per list of two (2) item of correspondence, attached hereto and made a part hereof.

Motion by Committeeman Coles, second by Deputy Mayor Akerman, to approve correspondence items.

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

### **Correspondence items approved.**

Mayor Miller advised that a formal letter will be sent indicating the approval of this request.

Noreen Gill, 192 Coventry Drive – Submitted pictures to the Mayor and Committee. She is outraged by certain things that have been going on in town.

Mayor Miller advised the matter is in Court. He asked Mr. Wouters for an update.

Mr. Wouters advised that the material in the pictures was not deposited on Township property; it was all on private property. Rabbi Abadi has been subject to a DEP hearing, and has been before a Judge who has ordered him to remove the material within thirty (30) days. If he does not, he will be fined \$1,000.00 per day until it is removed. The DEP is following up with their enforcement procedures, and the Township has been monitoring it and working along with the DEP.

Larry Simons, 7 Schoolhouse Court – Commented with regard to amendments to the Option Agreement between the Township and Cedarbridge Development Urban Renewal Corporation.

Gerry Ballwanz, Governors Road – Commented regarding the Resolution vacating East Kennedy Boulevard.

Mr. Wouters explained that the Resolution concerns the control of that portion of East Kennedy Boulevard, and the request to the County for it to revert back to the Township.

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 of the Governing Body of the Township of Lakewood Certification of the Annual Audit.  
Resolution No. 2012-281**
- 2. Resolution authorizing the Insertion of a Special Item of Revenue into the 2012 Municipal Budget UEZ – Project 2012-4- Transit Connect 2, in the amount of \$50,000.00. (Chapter 159 – UEZ – Transit Connect 2)  
Resolution No. 2012-282**
- 3. Resolution appointing a member to the Lakewood Housing Authority. (Eric Sherman)  
Resolution No. 2012-283**
- 4. Resolution releasing the Performance Guarantee, posted by, Next Generation, (Ray Carpenter), in connection with SD# 1365A – Cedar Bridge Avenue, Block 1603, Lot 1, in the amount of \$60,000.00.  
Resolution No. 2012-284**
- 5. Resolution authorizing the Place-to-Place Transfer of Plenary Retail Consumption License No. 1514-33-009-004, for Country Club Caterers Inc.  
Resolution No. 2012-285**
- 6. Resolution reducing the Performance Guarantee, (First Reduction), posted by North Lake Realty, in connection with road improvements to Cedar Drive and Thorndike Avenue, (Paper Streets).  
Resolution No. 2012-286**

- 7. Resolution releasing the Maintenance Guarantee posted by Aharon Rottenberg, SD# 1379 - Rose Park Crescent, Block 768, Lots 18 and 20, in the amount of \$15,000.00.  
Resolution No. 2012-287**
- 8. Resolution authorizing a refund based on a State Tax Appeal, for Block 1079, Lot 3, in the amount of \$10,268.63.  
Resolution No. 2012-288**
- 9. Resolution canceling Unexpended Balances of Certain General Capital Improvement Appropriations.  
Resolution No. 2012-289**
- 10. Resolution establishing a Change Fund in the Office of the Registrar of Vital Statistics, in the amount of \$65.00.  
Resolution No. 2012-290**
- 11. Resolution authorizing the Liquor License Renewal for 2012-2013, to Jackson Wine & Liquor, LLC t/a Jackson Wine & Liquor Wine Depot, Liquor License No. 1514-33-035-009.  
Resolution No. 2012-291**
- 12. Resolution authorizing the Insertion of a Special Item of Revenue into the 2012 Municipal Budget, FAA Grant No. 3-34-0076-0014-2012 Install Perimeter Fencing (Wetland Monitoring), Phase IV, in the amount of \$27,220.00.  
Resolution No. 2012-292**
- 13. Resolution awarding a contract to Otto Environmental System(NC), LLC., for the purchase of Otto 95E Green Carts for Refuse (Public Works) pursuant to and in accordance with N.J.S.A. 40A:11-1 et. seq.  
Resolution No. 2012-293**
- 14. Resolution authorizing a State Contract purchase of two 2012 Marked Dodge Charge Pursuit Police Vehicles from Chas. S. Winner Inc./Carman Dodge Joint Venture.  
Resolution No. 2012-294**
- 15. Resolution approving a Medical Leave of Absence without pay for Thomas Ross Jr. beginning July 23, 2012 through September 17, 2012.  
Resolution No. 2012-295**

- 16. Resolution authorizing the Insertion of a Special Item of Revenue into the 2012 Municipal Budget, Tomchei Shabbos of Lakewood – Food Bank, in the amount of \$11,000.00.  
Resolution No. 2012-296**
- 17. Resolution authorizing the Sale of Unclaimed, Found, or Recovered Property on Online Auction Website.  
Resolution No. 2012-297**
- 18. Resolution in support of Community Medical Center’s Application for a New Cardiac Surgery Program.  
Resolution No. 2012-298**
- 19. Resolution authorizing a Memorandum of Understanding with Chaveirim Volunteer Services Inc., and Lakewood Civilian Safety Watch.  
Resolution No. 2012-299**
- 20. Resolution confirming non-acceptance of Dedicated Property known as Block 190, Lot 70.29 as shown on the amended final plot, for County Line Manor.  
Resolution No. 2012-300**
- 21. Resolution declaring Default of Performance Guarantee of SD# 1340, (Somerset Avenue), Block 174.04, Lot 33, Avrohom Lefkowitz.  
Resolution No. 2012-301**
- 22. Resolution requesting the County of Ocean Release, Extinguish and Vacate the rights of way of a portion of a Paper Street known as Kennedy Boulevard East in the Township of Lakewood.  
Resolution No. 2012-302**
- 23. Resolution authorizing the Execution of a Shared Services Agreement between the Township of Lakewood and Township of Toms River, and the Township of Brick.  
Resolution No. 2012-303**
- 24. Resolution authorizing a State Contract Purchase of two 2013 Ford Taurus’ from Malouf Ford-Lincoln, Inc.  
Resolution No. 2012-304**
- 25. Resolution authorizing the Execution of a Settlement Agreement between Lakewood Township and the Prospect Park Homeowners Association.  
Resolution No. 2012-305**

26. **Resolution authorizing a Confirmatory Deed for Block 1032, Lot 3.  
Resolution No. 2012-306**
27. **Amended Resolution declaring default of Performance Bond of 319  
Lincoln LLC., with reference to, specifically as it relates to Application  
Number SD#1332 – Maple Estates (Arlington Estates), Blocks 771, 772,  
and 774.01, Lots 1, 4, 5, and 10. (Amends Resolution 2012-270)  
Resolution No. 2012-307**
28. **Resolution authorizing a refund based on a State Tax Appeal, in the  
amount of \$8,059.51.  
Resolution No. 2012-308**
29. **Resolution authorizing a refund based on a State Tax Appeal, in the  
amount of \$921.62.  
Resolution No. 2012-309**
30. **Resolution authorizing a refund based on a State Tax Appeal, in the  
amount of \$3,202.97.  
Resolution No. 2012-310**
31. **Resolution authorizing a refund based on a State Tax Appeal, in the  
amount of \$16,802.40.  
Resolution No. 2012-311**
32. **Resolution authorizing a refund based on a State Tax Appeal, in the  
amount of \$4,510.49.  
Resolution No. 2012-312**
33. **Resolution authorizing the Insertion of a Special Item of Revenue into  
the 2012 Municipal Budget Lakewood Community Services Corporation  
– Food Bank, in the amount of \$5,000.00.  
Resolution No. 2012-313**

Motion by Committeeman Coles, second by Deputy Mayor Akerman, to approve Resolution Nos. 1 through 33 on the Consent Agenda.

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

**Resolution Nos. 2012-281 through 2012-313 – Adopted.**

Motion by Committeeman Lichtenstein, second by Deputy Mayor Akerman, offering the following Resolution from the floor:

**34. Resolution authorizing bids for lease of Block 1064, Lot 3.**

Committeeman Lichtenstein explained that this Resolution would allow the front part of the Hagaman tract, that is not affected negatively by environmental issues, to be used for a parking lot for some of the area people. They have requested a short term lease for the property to be graveled for use as a parking lot. An Ordinance authorizing the public auction for the lease of this property is required to be prepared and offered for consideration.

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

**Resolution No. 2012-314 – Adopted.**

**ORDINANCE SECOND READING - None**

**ORDINANCE FIRST READING (Second reading and Public Hearing 08/16/12)**

**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, Amending Section 11-10, Stopping or Standing, specifically, Section 11-10.1, Stopping or Standing Prohibited. (Chap. XI, Sec. 11-10 – No Stopping/Standing - Ridge Ave.)**

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, Committeeman Langert, Deputy Mayor Akerman and Mayor Miller.

**Ordinance No. 2012-45 adopted on first reading. Second reading and public hearing to be held on August 16, 2012.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII (Unified Development Ordinance), Article IX (Zoning Districts and Regulations), Section 18-903 I (Residential Office Park-ROP) of the Revised General Ordinances of the Township of Lakewood to add Duplexes as a Permitted Use. (Chap. XVIII, Sec. 18-903 I ROP –Duplexes)**

Read by title only for first reading.

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

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

**Ordinance No. 2012-46 adopted on first reading. Second reading and public hearing to be held on August 16, 2012.**



**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, Zoning Districts and Regulations, Section 18-901, "Establishment of Zone Districts and Zoning Maps," Section B, "Interpretation," 1.a "Amendments to Zoning Map," to Rezone Properties within Blocks 778.01, 830 through 837, 839 through 842, 849, 851 & 852. Vicinity of Spruce Street, from R40/20 Cluster to R-10 Residential Zone Classification. (Chap XVIII, Sec. 18-901 – Zoning Districts)**

Read by title only for first reading.

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

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

Abstain: Mayor Miller

**Ordinance No. 2021 47 adopted on first reading. Second reading and public hearing to be held on August 16, 2012.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing, Extinguishing and Vacating the Rights of the Public in a portion of Paper Street with no Name off of Park Place, in the Township of Lakewood. (St. Vacation – Portion of Paper St. No Name off Park Place)**

Read by title only for first reading.

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

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

**Ordinance No. 2012-48 adopted on first reading. Second reading and public hearing to be held on August 16, 2012.**

**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 first reading.

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

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

**Ordinance No. 2012-49 adopted on first reading. Second reading and public hearing to be held on August 16, 2012.**

**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 Districts & Regulations – Hospital Support Zone)**

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, Committeeman Langert, Deputy Mayor Akerman and Mayor Miller.

**Ordinance No. 2012-50 adopted on first reading. Second reading and public hearing to be held on August 16, 2012.**

**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 Park Place, in the Township of Lakewood. (St. Vacation – Portion of Park Place)**

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, Committeeman Langert, Deputy Mayor Akerman and Mayor Miller.

**Ordinance No. 2012-51 adopted on first reading. Second reading and public hearing to be held on August 16, 2012.**

The Township Clerk advised that there is a typo on Page 2 of the following Ordinance, at No. 2, the number should be eighteen, and it says twelve, and the Ordinance will be corrected for second reading.

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII "The Lakewood Township Unified Development Ordinance of 2005" specifically, Article IX, Zoning Districts and Regulations, to amend the B-5 Highway Development Zone to allow a New Conditional Use entitled "Mixed Use Multi-Family" and provide standards thereof. (Chap. XVIII, Article IX – Zoning Districts & Regulations – Mixed Use Multi-Family)**

Read by title only for first reading.

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

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

**Ordinance No. 2012-52 adopted on first reading. Second reading and public hearing to be held on August 16, 2012.**

### **PARKS/EVENTS CORRESPONDENCE**

Per schedule of fifteen (15) requests, attached hereto and made a part hereof.

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

### **MOTION TO APPROVE BILL LIST OF: 07/17/12 & 07/31/12**

Motion by Committeeman Langert, second by Committeeman Coles, to approve the above Bill List.

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

**Bill List approved.**

### **COMMENTS FROM COMMITTEE MEMBERS**

Mayor Miller asked for a Motion to return to Closed Session to discuss Personnel and Legal Matters.

Motion by Committeeman Coles, second by Committeeman Lichtenstein, to go into Closed Session.

**ADJOURNMENT** of Public Meeting at 8:17 PM. At this time, the Township Committee returned to Closed Session.