

The Lakewood Township Committee held a Meeting on Thursday, August 10, 2017 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.....Raymond Coles
Deputy Mayor.....Menashe P. Miller
Committee Members..... Meir Lichtenstein
Albert D. Akerman....Absent
Michael D’Elia
Municipal Manager.....Thomas Henshaw
Municipal Attorney.....Steve Secare, Esq
Municipal Clerk..... Kathryn Hutchinson

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 January 10, 2017 and revised via email on August 7, 2017.

ROLL CALL

CLOSED SESSION

Resolution No. 2017-283 Approved

ROLL CALL

SALUTE TO THE FLAG AND PRAYER – Mayor Coles asked for a moment of silence for Eugene Cautillo, long time Lakewood Resident and Planning Board member.

OPEN SESSION

Motion by Committeeman Lichtenstein, second by Committeeman D’Elia, with all in favor to begin open session.

MOTION TO APPROVE MINUTES OF WORK SHOP AND EXECUTIVE SESSION OF:

No minutes to approve.

MOTION TO APPROVE MINUTES OF REGULAR SESSION: No minutes to approve

PUBLIC LAND SALE – None

PRESENTATIONS – Marty Trescott and Chris Christein from T&M Associates presented on the different ordinances that have to deal with the plan endorsement and protecting vacant lots in Lakewood.

Committeeman Lichtenstein continued on describing the upcoming ordinances and mentioned the New Jersey Department of Environment Protection and their aid with these items.

PUBLIC COMMENT

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.

Carol Seckner, 59 Foxwood Road – Ms. Seckner asked if the Brook Road Sports Complex consists of one large open field or if there are buildings on the property.

Mayor Coles stated there is a storage building, a picnic pavilion, and various fields for sports.

Ms. Seckner then asked if someone needs permission to use the park and if it is owned by the Township.

Mayor Coles stated yes that it is Township property and that groups and individuals need permission to use the field.

Ms. Seckner suggested the fee be used toward security to prevent tragedies such as the most recent one at this complex. She added that she does not feel safe living in Lakewood.

Mayor Coles stated there have been thousands of gatherings and picnics in Township parks over the past years, and this past tragedy was the first time something like it occurred. He stated they have spoken about security, such as increasing employees, adding cameras and locking up the park facilities. Mayor Coles stated this is an isolated incident and a rare occurrence.

Ms. Seckner then spoke on her beliefs of men hitchhiking in Lakewood and the danger it creates for them and other drivers on the road.

Howard Seckner, 59 Foxwood Road – Mr. Seckner spoke on his beliefs regarding Lakewood's safety and the shooting that occurred at Brook Road Sports Complex. He spoke about different crimes that have occurred throughout Lakewood. Mr. Seckner commended the Lakewood police officers and how they deserve more respect for their job well done.

Debra Lampart, 1142 Carolina Street – Ms. Lampart questioned if some homes in her neighborhood are going to be turned into dormitories.

Mayor Coles stated this is his first time hearing about it. He suggested she give the address to the Township Clerk and the Engineering Department and Inspection Department will look into it.

Ms. Lampart stated the address is 1127 Carolina Street.

Larry Loidman, Lakewood resident – Mr. Loidman spoke on his beliefs regarding the Township Committee and their lack of outreach regarding the different fraudulent and scam incidents that have occurred in Lakewood recently.

Mayor Coles thanked Mr. Loidman for his comments.

Maryanne Sornziollachi, Projects for Health, Environment and Action – Ms. Sornziollachi spoke on the issues of water throughout the entire world, and the sources of potable water for growing communities such as Lakewood.

Gloria White, 1138 Carolina Street – Ms. White spoke on the lack of security at Brook Road Sports Complex. She also spoke on the ongoing issue regarding water throughout Lakewood. Ms. White then spoke on the rental of pools and the issue of school busses having a door to door service.

Mayor Coles stated he is still looking into why the park was not emptied out the night of the shooting. He stated they are working on higher security measures for all Township parks. He stated he will look into the implementation of bus stops.

Shlomi Klein, 189 Chateau Drive – Mr. Klein spoke on his beliefs regarding Township employees and the recent difficulty he has had receiving documents. Mr. Klein commended Mayor Coles for his efforts. He expressed his confusion on the meeting notice for this meeting.

Mayor Coles stated the public portion of the meetings are always schedule for 7:30pm. He thanked Mr. Klein for his comments, but stated it was his and the Township Committee's decision to make OPRA requests uniform throughout the different departments.

Gerry Baldwins, Governors Road – Ms. Baldwins spoke on the lease agreement with Chemed and the confusion on whether it was supposed to be an ordinance or resolution.

Mayor Coles stated draft agendas are subject to change. He added that he does not like to make much changes once the agenda is posted Tuesday afternoons. Mayor Coles stated the Township Attorneys have confirmed that if it is a non-profit, the lease agreement can be done via resolution. Mayor Coles commended Chemed and all the do for all Lakewood residents.

Joyce Blay, 311 Floral Way – Ms. Blay questioned Mayor Coles on his emails with Mr. Sharaby regarding Chemed's lease agreement and the removal of trees without permits. She said the Mayor stated the Township was considering leasing the land, and then she added that the land had already been leased.

Mayor Coles stated he made a mistake.

Harold Herskowitz, 1436 Cedar Row – Mr. Herskowitz spoke on the implementation of a new social hall and his fear for crime. He spoke on the moving of downtown businesses to strip malls in the southern end of Lakewood. Mr. Herskowitz spoke on the lease agreement of Chemed, and how he will double their office for the same land.

Yisroel Herskowitz, 36 Zinfandel Road – Mr. Herskowitz commended the Township Committee for their efforts. He then asked why the new building on Prospect is so close to other neighboring houses. He also spoke on traffic issues throughout Lakewood.

Mayor Coles suggested Mr. Herskowitz speak with the gentleman from Maser Consulting regarding his traffic concerns.

Seeing no one else approaching the podium, Mayor Coles closed the meeting to the public.

NON CONSENT AGENDA RESOLUTIONS

1. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing An Emergency Appropriation For The Purpose Of Funding Lakewood Board Of Education Student Transportation Costs Per N.J.S.A. 40A:4- 46

Motion by Committeeman Lichtenstein, second by Committeeman D'Elia, to approve the above ordinance.

On Roll Call: Affirmative: Committeeman D'Elia, Committeeman Lichtenstein
Deputy Mayor Miller, and Mayor Coles
Absent: Committeeman Akerman

Resolution 2017-284 Approved

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 Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Purchase Of A 2018 Mack GU813 American Roll-Off Chassis With Related Equipment, Accessories And Services Or Equivalent Pursuant To N.J.S.A. 40A:11-1 Et. Seq.
Resolution 2017-285
2. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New

Jersey, Releasing A Prior Performance Guarantee Posted by NJ Hand, Inc., and the Posting Of A New Original Performance Guarantee In Connection With Blocks 807-809, 815, 815.01, 818, 819 and 831 (Coles Way)

Resolution 2017-286

3. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Prior Maintenance Guarantee Posted By County Apple, LLC., And The Posting Of A New Original Maintenance Guarantee In Connection With Block 171, Lots 4, 5 & 6 (Honey Court)
Resolution 2017-287
4. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Pinecrest Development, LLC., In Connection With ZB #3673, (Gvuras Ari Drive) B 769, Lots 43.04, 43.05, 44, 45 and 83.01
Resolution 2017-288
5. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Reducing the Performance Guarantee (First Reduction) Posted by MNYK In Connection With SD #1978 (Rachel & Lewin Ave.) For Block 473, Lots 2, 3, 8 and 10
Resolution 2017-289
6. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Reducing The Performance Guarantee (First Reduction) Posted By 126 Forest, LLC, In Connection With SD #1939, (Nussbaum & Rachel Ave.) For Block 463, Lot 2
Resolution 2017-290
7. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted by Yelena Rozenfeld, In Connection With ZB #3894, Block 223, Lot 91 (401 Ridge Ave.)
Resolution 2017-291
8. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Reducing The Performance Guarantee (First Reduction) Posted by MNYK Developers At Prospect, LLC., In Connection With SD #1979, (Blanche St., Nussbaum & Rachel Ave.) For Block 462, Lots 1,4,5, And 6
Resolution 2017-292
9. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By 339 Laurel, Inc., In Connection With SD #1660 (Laurel Ave.), Block 538, Lots 11 And 25
Resolution 2017-293
10. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New

Jersey, Releasing A Performance Guarantee Posted By 401 Madison, LLC.,
In Connection With SP#1839, Block 93, Lot 17 (4th Street/Madison Ave.)

Resolution 2017-294

11. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Rescinding Resolution R2017-265 Entitled, " A Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Insertion Of A Special Item Of Revenue Into The 2017 Municipal Budget For Funding Under The First Generation Zone Assistance Funds For The Fiscal Year 2017 For The UEZ Administration Budget 2017"

Resolution 2017-295

12. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Awarding A Contract To Earle Asphalt Company For The 2015 NJDOT 7th Street And Private Way Road Improvements Project Pursuant To And In Accordance With N.J.S.A. 40A:11-I Et Seq.

Resolution 2017-296

13. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Awarding A Contract To MTB, LLC., For The Lakewood Historical Museum Kuser Hall Roof Replacement Project Pursuant To And In Accordance With N.J.S.A. 40A:11-I Et Seq.

Resolution 2017-297

14. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Cancelling Various Grant Receivable And Grant Appropriation Reserve Balances

Resolution 2017-298

15. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Purchase Of Seventy-Eight (78) 8-Yard Front Load Containers

Resolution 2017-299

16. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund A Premium Paid At Tax Sale To The Lien Holder Of Record Due To A Sheriff Sale

Resolution 2017-300

17. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Renewing A Liquor License For The Year 2017-18

Resolution 2017-301

18. Resolution of the Township Of Lakewood, County Of Ocean, State Of

New Jersey, Renewing A Liquor License for The Year 2017-18
Resolution 2017-302

19. Resolution of the Township Of Lakewood, County Of Ocean, State Of New Jersey, Renewing A Liquor License for The Year 2017-18
Resolution 2017-303
20. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Reappointment Of Kathryn Hutchinson To The Position Of Municipal Clerk
Resolution 2017-304
21. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Sale Of Surplus Property No Longer Needed For Public Use On An Online Auction Website
Resolution 2017-305
22. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Referring An Amendment to The Unified Development Ordinance Of The Township Of Lakewood To The Planning Board For Review
Resolution 2017-306
23. Resolution Of the Township Of Lakewood, County Of Ocean, State Of New Jersey, Awarding A Professional Services Contract To Maser Consulting For Digital Tax Maps Pursuant To And In Accordance With N.J.S.A. 40A:11-1 Et. Seq.
Resolution 2017-307
24. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Supporting the Drive Sober Or Get Pulled Over 2017 Statewide Crackdown
Resolution 2017-308
25. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Awarding A Contract To Earle Asphalt Company For The Pine Street And Spruce Street Road Improvements, Pursuant To And In Accordance With N.J.S.A. 40A:11-1 Et Seq.
Resolution 2017-309

26. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New

Jersey, Awarding A Contract To Shore Top Construction Corp., For The Sunset Road Park Basketball Court Resurfacing Project Pursuant To And In Accordance With N.J.S.A. 40A:11-1 Et. Seq.

Resolution 2017-310

27. Resolution Of the township of Lakewood, County Of Ocean, State Of New Jersey, Appointing A Member To Fill An Unexpired Term On The Lakewood Township Planning Board

Resolution 2017-311

Motion by Committeeman Lichtenstein, second by Deputy Mayor Miller, to approve Resolution Nos. 1-27 on the Consent Agenda.

On Roll Call: Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Absent: Committeeman Akerman

Resolution Nos. 2017-285 through 2017-311 approved.

ORDINANCES FOR SECOND READING

1. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey So As To Amend Chapter XVIII Entitled "Unified Development Ordinance Of 2005" to Amend And Create Various Sections-Riparian Zone

Mayor Coles asked if this ordinance could be carried.

Committeeman Lichtenstein asked if the ordinance can be carried to the meeting on October 18, 2017.

Motion by Deputy Mayor Miller, second by Committeeman D'Elia, to carry the above ordinance to October 18, 2017.

On Roll Call: Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Absent: Committeeman Akerman

Ordinance 2017-24 carried to October 18, 2017.

2. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending The Code Of The Township Of Lakewood By Adding A Section Entitled 16-6, Outdoor Landscape Water Conservation Guidelines

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Shlomi Klein, 189 Chateau Drive – Mr. Klein asked if Lakewood is having a water shortage.

Committeeman Lichtenstein asked to speak through the chair. He stated that this ordinance allows the Mayor to declare a water shortage and it institutes the different guidelines that have to be followed. He added that there is not currently a water shortage, but this gives the Township authority to enforce this guidelines if one were to occur.

Mr. Klein asked why this ordinance is been enacted now since there is no water shortage.

Committeeman Lichtenstein stated this ordinance is in line with the plan endorsement with the State and is something the Department of Environmental Protection requested.

Mayor Coles added that the Department of Environmental Protection requested this so required guidelines are able to be enforced immediately, instead of waiting for an ordinance to be adopted at the time of a drought.

Motion by Committeeman D'Elia, second by Committeeman Lichtenstein, to approve the above ordinance after second reading.

On Roll Call: Affirmative: Committeeman D'Elia, Committeeman Lichtenstein,
Deputy Mayor Miller and Mayor Coles.
Absent: Committeeman Akerman

Ordinance 2017-25 adopted after second reading and public hearing.

3. Ordinance Of The Township Of Lakewood, county Of Ocean, State Of New Jersey, So As To Create A Chapter BH:XXI Entitled "Well Head Protection" In The Board Of Health Code To Create A New Section

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Shlomi Klein, 189 Chateau Drive – Mr. Klein asked if Lakewood has wells and if drinking water is coming from them.

Mayor Coles stated Lakewood has multiple wells, both through the MUA and American Water. He added that drinking water does come from through the wells after it has been treated.

Mr. Klein asked where this ordinance is coming from.

Committeeman Lichtenstein stated it is for the plan endorsement, similarly to the previous ordinance. He states this mimics what the Department of Environmental Protection wishes and is a proactive step, it does not mean there are current issues.

Mr. Klein asked why this was not referred to the Planning Board for review.

Committeeman Lichtenstein stated he can speak with their attorneys, but this is not a zoning issue, it is for particular use.

Marty Trescot from T&M Associates stated this ordinance is written under the Board of Health and is not a zoning issue.

Joyce Blay, 311 Floral Way – Ms. Blay questioned an incident where a developer created a land fill on a well head. She asked if this ordinance will impact activities such as the previous one.

Mayor Coles stated no one gave him permission to do so, and no one in this body of government has the permission to grant such a request. He added no such activities will be allowed with this ordinance

Ms. Blay repeated her question.

Mayor Coles replied no.

Maryanne Sornziollachi, Projects for Health, Environment and Action – Ms. Sornziollachi spoke on contamination of water and how it is not just from places such as paint factories, but also herbicides, pesticides and car fumes.

Committeeman Lichtenstein stated the language of this ordinance was from the Department of Environmental Protection and he is almost positive such language exists in the ordinance.

Gerry Baldwandz, Governors Road – Ms. Baldwandz expressed her enthusiasm for the institution of this ordinance. She stated it was not part of the 2005 Master Plan, and asked if any previously implemented well heads have been jeopardized without this protection. She questioned why there was no map provided.

Committeeman D'Elia stated there have been no problems with any of the wells, and there is a constant reporting regarding the conditions of the water in Lakewood. He added the water companies have to tell the Township immediately if there are any issue with wells.

Committeeman Lichtenstein added that maps are not available to the public due to the well heads being critical infrastructure. He stated the planners from T&M have access to where the well heads are located.

Seeing no one else approaching the podium, Mayor Coles closed the meeting to the public.

Motion by Committeeman D'Elia, second by Deputy Mayor Miller, to approve the above ordinance after second reading and public hearing.

On Roll Call: Affirmative: Committeeman D'Elia, Committeeman Lichtenstein,
Deputy Mayor Miller and Mayor Coles.
Absent: Committeeman Akerman

Ordinance 2017-26 adopted after second reading and public hearing

4. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Chapter II Entitled "Administration" Of The Revised General Ordinances Of The Township Of Lakewood, Specifically Section 2-76 (Fees For Miscellaneous Services And Copies Of Public Documents)

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Shlomi Klein, 189 Chateau Drive – Mr. Klein made a comment regarding why he is timed to speak, but previous residents were not. Mr. Klein requested the Township Committee to explain to the public what this ordinance is instituting.

Deputy Mayor Miller stated there has been a decrease in money flow to the Registrar's Office due to the closure of Kimball Medical Center's maternity ward and cheaper fee's that the State offers. He added this ordinance decreases the fees and will encourage funeral homes and other individuals to get their death or birth certificates through Lakewood's Registrar's Office. He added this is not costing the Township more money to institute.

Seeing no one else approaching the podium, Mayor Coles closed the meeting to the public.

Motion by Deputy Mayor Miller, second by Committeeman Lichtenstein, to approve the above ordinance after second reading and public hearing.

On Roll Call: Affirmative: Committeeman D'Elia, Committeeman Lichtenstein,
Deputy Mayor Miller and Mayor Coles.
Absent: Committeeman Akerman

Ordinance 2017-29 adopted after second reading and public hearing.

ORDINANCES FIRST READING - Public Hearing Scheduled For September 14, 2017 For Item #1 And August 31, 2017 For Item #2

1. Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Chapter XVIII Entitled "Unified Development Ordinance " Of The Revised General Ordinances Of The Township Of Lakewood, Specifically Article VIII (Design Standards"), Section 18-812 ("Signs")

Read by title only for first reading.

Motion by Committeeman Lichtenstein, second by Deputy Mayor Miller, to approve the above ordinance after first reading.

On Roll Call: Affirmative: Committeeman D'Elia, Committeeman Lichtenstein,
Deputy Mayor Miller and Mayor Coles.
Absent: Committeeman Akerman

Ordinance 2017-30 approved after first reading, second reading and public reading schedule for September 14, 2017.

2. An Ordinance Of The Township Of Lakewood, County Of Ocean, And State Of New Jersey, Authorizing The Granting Of A Conservation Restriction/Easement (Forest And Riparian Zone Preservation Areas) To The New Jersey Department Of Environmental Protection Of Properties Designated Herein As Township-Owned Properties Outside Or Partially Outside Sewer Service Areas, Lying Within The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40A:12-13(b)(1) And N.J.S.A. 13:8B-3

Read by title only for first reading.

Motion by Committeeman Lichtenstein, second by Committee D'Elia, to approve the above ordinance after first reading.

On Roll Call: Affirmative: Committeeman D'Elia, Committeeman Lichtenstein,
Deputy Mayor Miller and Mayor Coles.
Absent: Committeeman Akerman

Ordinance 2017-31 approved after first reading, second reading and public hearing to be held on August 31, 2017.

CORRESPONDENCE – Parks and Events

Per schedule of nineteen (19) parks, events and correspondence requests attached hereto and made a part hereof.

Motion by Deputy Mayor Miller, second by Committeeman Lichtenstein, with all in favor, to approve the above correspondence.

MOTION TO APPROVE BILL LIST: August 8, 2017

Motion by Deputy Mayor Miller, second by Committeeman Lichtenstein, to approve the Bill List.

On Roll Call: Affirmative: Committeeman D'Elia, Committeeman Lichtenstein,
Deputy Mayor Miller, and Mayor Coles
Absent: Committeeman Akerman

Bill list of August 8, 2017 approved.

COMMENTS FROM COMMITTEE MEMBERS - None

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Committeeman D'Elia, with all in favor to adjourn the meeting. Meeting adjourned at 8:54 PM.