

The Lakewood Township Committee held a Meeting on Thursday, January 19, 2012, in the Lakewood Municipal Building, at 6:30 PM for the Executive Session, and 7:30 PM for the Regular Meeting, with the following present:

Mayor..... Menashe P. Miller
Deputy Mayor..... Albert D. Akerman
Committee Members..... Raymond Coles
Meir Lichtenstein
Steven Langert
Municipal Attorney.....Jan L. Wouters, Esq.
Municipal Manager..... Michael Muscillo
Deputy Municipal Manager..... Steven Reinman
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. 2012-38 - Adopted

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 12/15/2011 & 01/03/2012

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 12/15/2011

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

PRESENTATIONS

Donna Kelly - Employee of the Month

As Donna Kelly was not able to attend due to illness, the presentation was postponed to the February 2nd meeting.

Jorge Ramos – Retirement

Mayor Miller and Committeeman Coles presented Jorge Ramos with a Proclamation in recognition of his twenty-two years of outstanding service to the Township employed in the Department of Public Works.

Mayor Miller, Committeeman Lichtenstein and Chief Lawson presented _____ Pinter with a Certificate in recognition of his dedication, hard work, and his tireless efforts to keep everyone in Lakewood safe, and for the excellent job he does with the Lakewood Civilian Safety Watch.

Mayor Miller appointed Chief Lawson as a member of the Lakewood Civilian Safety Watch, and advised he would like to join, together with Committeeman Lichtenstein.

Mr. Pinter advised his goal was to help the community and to try to get people to cooperate. He believes his hard work has paid off, and he will continue as long as they have good partners on the Board, and he hopes they are able to give back to the community in a big way. He thanked the Committee for this award.

Committeeman Coles thanked Mr. Pinter for his hard work, and advised they have pooled their own funds and came up with a \$500.00 donation to help with expenses.

ORDINANCES FOR DISCUSSION - None

QUALITY OF LIFE

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

With regard to the request by Deputy Mayor Akerman for the State to eliminate the No Turn on Red sign at Clifton Avenue, turning right onto Route 88, as the traffic backs up on Hurley Avenue, Mr. Staiger responded he is having conversations with the DOT regarding downtown traffic, and he will include with request in those conversations.

With regard to his request to have the professionals look into the issue of people draining water from their pumps or wells into the street, Committeeman Langert advised there is an Ordinance on the Agenda for first reading concerning this matter.

Committeeman Lichtenstein asked Mr. Staiger if he had any luck with the various turning signals and light timing, at Forest and County Line, Forest and Kennedy, Route 9 and Kennedy, Route 9 and County Line, Central and Route 9, Mr. Staiger responded that with regard to the state intersections he has not heard anything from the State. They are in the process of looking at the downtown traffic circulation and the signals along Route 9. With regard to the County intersections, there have been improvements made at various intersections, and they are having discussions with the County.

Mr. Lichtenstein advised that Georgian Court University, BMG, and the Committee have all asked about improving the signalization at the corner of County Line and Kennedy at Route 9, which requires something as simple as the proper turning light motions.

Mr. Staiger responded that the State said last year they would be looking at the timing sequences for all the traffic lights from Lakewood down through Toms River. The funding from the DOT to do the study of all the traffic signals, signal optimization from the Howell border down to Toms River, was not available for last year, and is supposed to be available this year.

Committeeman Langert advised that someone had suggested changing some of the lights in town, at certain hours of the day, into red blinking lights. He attended a meeting today in Trenton in conjunction with the downtown traffic study. He brought this up at the meeting, and was advised that it was the policy of the DOT not to approve any more red blinking lights because it affects traffic movements, and when the lights turn red, people do not pay attention, and blow through the lights and cause accidents.

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.

Baruch Blaustein, 109 Seventh Street – Commented on the website he has created with a database of public records and the history of Lakewood.

Walt Loerhren – Commented regarding his correspondence with DOT concerning his request for green arrows that he feels are needed at Kennedy Boulevard and County Line Road, on traffic going east, to make a left turn onto Route 9.

Committeeman Lichtenstein confirmed that is what the Township has also been requesting from DOT.

Committeeman Langert added that as part of his recent meeting with the DOT, the State advised that they are studying those intersections at this time.

Noreen Gill, 192 Coventry Drive – Commented with regard to the Township’s proposal to construct pocket parks throughout the Township, and the Township’s two million dollar shortfall.

Committeeman Coles responded that the two million dollars is not short in this year’s budget; they are looking at the potential of next year and what the Township may need to make up. They are not short in this year’s budget; they are right on target. They do not have the final numbers from the auditor yet. They do not know what state aid may be coming in, they do not know if the tax collection rate will be up or down. All those things affect where they are at for next year. The number that was put out there was a very gross estimate as to where they should start looking, what they might need to tackle for next year. It is really premature to start talking about that. But it is not this year’s budget that is in trouble; they are right on target. What they need to do is look at next year’s budget, and this is the time when they start formulating that.

Mayor Miller added that as far as the pocket parks are concerned, they do not intend taking any of that money out of the Township’s budget. Something like that would come from CDBG money or other sources. There are other funding sources available for pocket parks to be put into place.

Bill Hobday, 30 Schoolhouse Lane – Commented in opposition to the proposed school that was granted variances to proceed at the Planning Board this week, which is on Massachusetts Avenue, adjacent to North Street, near the fire tower. Complained about the traffic at the existing school at 950 Massachusetts Avenue, which was approved with sufficient onsite parking for staff only. However, cars are parked along the roadside every night. The proposed school that was granted variances at this weeks’ Planning Board meeting, is six percent larger than a building that can be on that lot, reducing the area for parking.

Larry Simons, 7 Schoolhouse Court – Commented regarding the employment of the Assistant to the Mayor, and the alleged employment of Committeemen’s relatives in the Department of Public Works.

Harold Herskowitz, 1496 Cedar Row – Commented with regard to a proposed parking plan for the downtown area.

Mayor Miller responded that the Township is moving ahead with the parking lot project.

Committeeman Lichtenstein asked that the Ordinance be enforced prohibiting the chaining of bicycles to various lamp-posts or decorative structures in the downtown area; that the officers in the downtown area remind the offenders that the town will soon be enforcing this Ordinance, and that the bicycles should be removed and stored properly.

Mayor Miller added they are referring to the bicycles that are being left on the sidewalk for long extended periods of time. He is not in favor of going after the children who chain their bicycle to the pole for a few minutes to run into a store, but those bicycles that are left there for extended periods of time. When they do the parking lot projects, he would like to see bicycle racks installed to make it more bicycle friendly.

Committeeman Akerman commented regarding the various sandwich board signs that are being drilled into the sidewalks on Clifton Avenue, and whether they are permitted, or are they prohibited by Ordinance. He asked that someone look into this matter.

Gerry Ballwanz, Governors Road – Commented regarding the bicycles that are being left at Kennedy Boulevard and Route 9; these bicycles may be left by people who take the bus to another destination, and then when they come back, they pick up their bicycle.

Mrs. Ballwanz also commented regarding the Resolution concerning the Township's approval being required for grants that are coming out of UEZ funds. Also commented regarding a legal notice that the Township is soliciting bids for Cedarbridge Corporate Campus for sidewalks and a traffic light.

Committeeman Coles explained the grant process through UEZ funding. He also explained the grant that the DOT awarded Cedarbridge for pedestrian improvements around the campus. It is his understanding that those funds are to be used to install sidewalks along Pine Street, possibly New Hampshire Avenue, and Cedarbridge Avenue, as well as a traffic light. He is not sure of the location of the traffic light. The project is not being funded by the Township.

Mike McNeil – Thanked Committeeman Coles, and Mr. Reinman, and commented on affordable housing issues.

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

Mayor Miller asked Deputy Mayor Akerman to pass on Mr. Hobday's complaints regarding private schools to the Planning Board.

Mayor Miller also advised that the Township has filed a lawsuit against JCP&L. The latest news is that JCP&L has rolled into town with more trucks than he thought they had, and have been repairing the street lights. He thanked all the volunteers for their work in canvassing the town and reporting the light outages.

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 authorizing the Execution of a Shared Services Agreement – Truck Wash, between the Township of Lakewood and the Borough of Beach Haven.
Resolution No. 2012-39**
- 2. Resolution authorizing the Tax Collector to Cancel the Taxes and any accrued Penalties and Interest due on Block 173, Lot 9 for the years 2009 and 2010.
Resolution No. 2012-40**
- 3. Resolution memorializing and authorizing the Institution of a Lawsuit against Jersey Central Power & Light.
Resolution No. 2012-41**
- 4. Resolution releasing a Maintenance Guarantee, posted by S&H Builders, in connection with ZB#3413 (A.G. Rogers Residences/Queens Garden Apt., First Street), Block 121, lot 15, 16 & 17, in the amount of \$23,942.00.
Resolution No. 2012-42**
- 5. Resolution releasing a Performance Guarantee, posted by Regency Development, SP#1936 (950 Massachusetts Ave.), Block 440, Lot 44, in the amount of \$37,230.00.
Resolution No. 2012-43**

- 6. Resolution releasing a Performance Guarantee, posted by Dewey Pearl LLC, ZB#3654 – Major Subdivision (Pearl Gardens), Block 247, Lots 20, 23, and 24, in the amount of \$183,050.00
Resolution No. 2012-44**
- 7. Resolution authorizing a Shared Services Agreement with the County of Ocean for the Police Services – Child Restraint Group.
Resolution No. 2012-45**
- 8. Resolution authorizing the Lakewood Township Tax Collector to refund Tax Overpayments.
Resolution No. 2012-46**
- 9. Resolution approving the use of Zone Assistance Funds for the project, "Hatzolah Emergency Medical Services Inc. Vehicle Grant", in the amount of \$20,000.00.
Resolution No. 2012-47**
- 10. Resolution authorizing the execution of a Shared Services Agreement between the Township of Lakewood and the County of Ocean for the "Prosecutor's Program 2012".
Resolution No. 2012-48**
- 11. Resolution authorizing Appropriation Reserve Transfers in the 2011 Municipal Budget, in the amount of \$133,000.00.
Resolution No. 2012-49**
- 12. Resolution authorizing the Lakewood Tax Collector to cancel any and all Property Taxes effective January 1, 2011, on Block 777, Lot 11 for Tax Exemption for Widow of Disabled Veteran.
Resolution No. 2012-50**
- 13. Resolution awarding a Contract to Otto Environmental System (NC), LLC, for the purchase of 1000 EA OTTO Millennium MSD 95-Gallon Injection Molded Garbage (Green) Containers pursuant to and in accordance with N.J.S.A. 40A:11-1 et. seq.
Resolution No. 2012-51**
- 14. Resolution recommending the awarding a Contract to Hess Corporation for supply and delivery of Natural Gas as a member of the Stafford Township Cooperative Pricing System pursuant to and in accordance with N.J.S.A. 40A:11-1 et. seq.
Resolution No. 2012-52**

- 15. Resolution releasing a Performance Guarantee posted by GPWEI contingent on acceptance of New Performance Bond Guarantee with new Company – in connection with SD#1527 - (Squankum Road Subdivision), Block 172, Lot 18, in the amount of \$806,980.00.
Resolution No. 2012-53**
- 16. Resolution making Application to the Local Finance Board pursuant to N.J.S.A. 40A:2-51.
Resolution No. 2012-54**
- 17. Resolution reducing the Performance Guarantee (First Reduction) posted by Villa Marie LLC, in connection with Oliver Street Road improvements, Block 5 and 6, Lots 3, 9, and respectively, from \$117,390.00 to \$71,210.00.
Resolution No. 2012-55**
- 18. Resolution releasing a Performance Guarantee posted by Tamarind Developers LLC, - ZB#3546a (Major Subdivision-Joe Parker Road) Block 189.03, Lot 184 and 186, in the amount of \$444,023.00 (original) /\$133,206.90 (second reduction).
Resolution No. 2012-56**
- 19. Resolution reducing the Performance Guarantee (Second Reduction) posted by CS Management CO., LLC, (Forest Lake, Inc.), in connection with ZB#3376A, (Forest Ave. and First Street), Block 73, Lot 8, from \$190,670.50 to \$80,565.84.
Resolution No. 2012-57**
- 20. Resolution authorizing the Lakewood Tax Collector to cancel Tax Sale Certificate #09-00006, for Block 3, Lot 12.
Resolution No. 2012-58**
- 21. Resolution consenting to assignment of payments under 1975 Service Contract for the benefit of the Holders of the Revenue Bonds, Series 2012A and 2012B and the related Interim Project Notes of the Lakewood Township Municipal Utilities Authority.
Resolution No. 2012-59**
- 22. Resolution appointing Members to the Lakewood Township Transportation Board.
Resolution No. 2012-60**

- 23. Resolution appointing Members to the Lakewood Township Shade Tree Commission.
Resolution No. 2012-61**
- 24. Resolution appointing Members to the Lakewood Township Rent Control Board.
Resolution No. 2012-62**
- 25. Resolution appointing Chaplains to the Lakewood Township Police Department.
Resolution No. 2012-63**
- 26. Resolution appointing Members to the Lakewood Township Planning Board.
Resolution No. 2012-64**
- 27. Resolution appointing Members to the Lakewood Township Municipal Alliance.
Resolution No. 2012-65**
- 28. Resolution appointing Members to the Lakewood Development Corporation.
Resolution No. 2012-66**
- 29. Resolution appointing Members to the Lakewood Industrial Commission.
Resolution No. 2012-67**
- 30. Resolution appointing Members to the Lakewood Township Heritage Commission.
Resolution No. 2012-68**
- 31. Resolution appointing Members to the Lakewood Township Environmental Commission.
Resolution No. 2012-69**
- 32. Resolution appointing Members to the Lakewood Township Emergency Planning Council.
Resolution No. 2012-70**

- 33. Resolution appointing Members to the Lakewood Township Complete Town Committee.
Resolution No. 2012-71**
- 34. Resolution appointing Members to the Lakewood Township Community Center Advisory Board.
Resolution No. 2012-72**
- 35. Resolution appointing Members to the Lakewood Township Civil Rights Commission.
Resolution No. 2012-73**
- 36. Resolution appointing Members to the Lakewood Township Community Development Block Grant ("CDBG") Selection Committee.
Resolution No. 2012-74**
- 37. Resolution appointing Members to the Lakewood Township Zoning Board of Adjustment.
Resolution No. 2012-75**
- 38. Resolution appointing Members to the Lakewood Township ADA Compliance Committee and Disabilities Commission.
Resolution No. 2012-76**
- 39. Resolution appointing Members to the Lakewood Township Parks & Recreation Advisory Board/Special Events.
Resolution No. 2012-77**
- 40. Resolution re-appointing a Member to the Lakewood Township Municipal Utilities Authority.
Resolution No. 2012-78**

Motion by Committeeman Coles, second by Deputy Mayor Akerman, to approve Resolution Nos. 1 through 40 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein (abstained on Resolution Nos. 9 and 19), Committeeman Langert, Deputy Mayor Akerman and Mayor Miller.

Resolution Nos. 2012-39 through 2012-78 – Adopted.

ORDINANCE SECOND READING - None

ORDINANCES FIRST READING (Second reading and Public Hearing 2/02/12)

Refunding Bond Ordinance of the Township of Lakewood, in the County of Ocean, New Jersey, Providing for the Refunding of all or a portion of Various Series of Township Bonds, Appropriating an amount not exceeding \$9,600,000.00, therefor and Authorizing the Issuance of not to exceed \$9,600,000.00 General Obligation Refunding Bonds of the Township of Lakewood for Financing the cost thereof.

Read by title only for first reading.

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

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

Ordinance No. 2012-1 adopted on first reading. Second reading and public hearing to be held on February 2, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XXXII (Stormwater Management) of the Revised General Ordinances of the Township of Lakewood 1999, specifically amending Section 32-1.3 (Prohibited Conduct) and Section 32-1.4 (Exceptions to Prohibition). (Stormwater Mgmt. Sec. 32-1.3 & 32-1.4)

Read by title only for first reading.

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

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

Ordinance No. 2012-2 adopted on first reading. Second reading and public hearing to be held on February 2, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter II (Administration) Section 2-7 (Public Defender) of the Revised General Ordinances of the Township of Lakewood 1999, specifically amending Section 2-7.2 (Appointment). (Administration Sec. 2-7.2)

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. 2012-3 adopted on first reading. Second reading and public hearing to be held on February 2, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII of the Revised General Ordinances of the Township of Lakewood entitled "The Lakewood Township Unified Development Ordinance of 2005" specifically, Article II (Definitions), to add the Definition of Automobile Repairs and Service, and Section 903, entitled Non-Residential Zoning Districts Subsection M entitled Industrial Zone (M-1) to add a conditional use entitled "Automobile Repairs and Service" and to add under conditional use requirements Section 1015 entitled "Automobile Repairs and Service." (Chapter XVIII – Sec. 903 & 1015)

Read by title only for first reading.

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

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

Ordinance No. 2012-4 adopted on first reading. Second reading and public hearing to be held on February 2, 2012.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, 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.

Read by title only for first reading.

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

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

Ordinance No. 2012-5 adopted on first reading. Second reading and public hearing to be held on February 2, 2012.

CORRESPONDENCE - None

MOTION TO APPROVE BILL LIST OF: 01/17/2012

Motion by Committeeman Lichtenstein, second by Committeeman Coles, and carried, 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

Committeeman Langert commented regarding the placement of bicycle racks in the downtown area. He asked that the Clerk or Township Attorney research whether or not the Township took formal action authorizing bicycle racks, as long as the business owner wishes to do so in front of his store. He believes that the Township did take that action.

Committeeman Langert also advised he received a request from the Homeowners Associations of Fairways, and the Enclave. Both associations passed a Resolution asking that the Township Committee think about designating their areas as South Lakewood. With the permission of Mayor Miller, Committeeman Langert gave the Resolutions to the Municipal Manager, for review by the professionals and Township Committee.

ADJOURNMENT

Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 8:45 PM.