

The Lakewood Township Committee held a Meeting on Thursday, February 2, 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 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. 2012-79 - Adopted

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

Motion by Committeeman Coles, second by Deputy Mayor Akerman, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 01/19/12

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 01/19/12

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

PRESENTATIONS

Mayor Miller recognized the following individuals for their service in the US Military: Dorit Attias, Sgt. Jose Ortiz and Cameron McNeil. Proclamations were presented by Fire Chief Rodney Youmans and Committeeman Lichtenstein.

Donna Kelly – Employee of the Month

Mayor Miller and Committeeman Lichtenstein presented Donna Kelly with the Employee of the Month Award for February 2012.

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.

Baruch Blaustein, 109 Seventh Street – Commented with regard to the upcoming Fire Commissioners Election. Submitted a petition for more polling districts to the Board of Fire Commissioners and the Ocean County Board of Elections.

Larry Simons – Apologized to Committeeman Langert for his previous comments regarding his accusation that he had two of his nephews employed in the Township Public Works Department. He also stated that there are other family members of Lakewood Township officials who are employed by the Township.

Mr. Muscillo stated that his nephew is employed by the Public Works Department. He is qualified for the position, and had worked for two years in another Township, and he is employed in an entry level position. He was offered the job, and he accepted it. He further advised that there have been no lay-offs of Township employees; there have been terminations for personnel matters.

Mayor Miller further advised there he has two cousins, once removed, working in the Department of Public Works. He is related to many people in Lakewood. He is not going to start to micro-manage the Manager's Office, that every time they interview someone, one of the questions has to be, are they related, or distantly related, to anyone on the Committee. There are certain guidelines relating to nepotism, as to who you can not hire, because of conflicts of interest, etc. But every distant relative that may apply should not be prevented from being employed by the Township.

Noreen Gill, 192 Coventry Drive – She asked if anyone is working on the evacuation plan for Lakewood, and is anyone, on any form of a committee, working on the infrastructure for this town. Complained about the traffic light at County Line Road, backing up traffic on Clifton Avenue.

Mayor Miller responded that the Office of Emergency Management prepares the evacuation plans for Lakewood.

Mayor Miller also advised that free reflector belts are available in the Municipal Building.

Gerry Ballwanz, Governors Road – Commented on the Resolution authorizing the execution of an agreement between NJ Transit Corporation and the Township, which pertains to the former Little League site, and a paved surface parking lot. She also commented on the RFP for a parking garage for the same area.

Mr. Reinman explained the preliminary evaluations and plans for this site.

Bill Hobday, 30 Schoolhouse Lane – Commented on an application discussed at a recent Zoning Board Meeting.

Joe DeFalco, 38 Oakmont Road – Spoke as President of the Fairways Homeowners Association. Commented on the evacuation plan that has been circulated in his development. He also spoke on their request for the Fairways area to be designated as South Lakewood.

Committeeman Langert advised they have received the request, and he has presented it to the Committee, and have requested the professionals to review this proposal.

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 amending Award of Contract to and authorizing the Appointment of Leib Klein, Esq., as Public Defender, pursuant to and in accordance with N.J.S.A. 19:44A-20.4 et. seq. Resolution No. 2012-80**

- 2. Resolution authorizing Appropriation Reserve Transfers in the 2011 Municipal Budget, in the amount of \$46,000.00.
Resolution No. 2012-81**
- 3. Resolution releasing a Maintenance Guarantee, posted by New Jersey Hand Inc., in connection with SP# 1838 - Lakewood Commons (Phase 1), Block 815, Lot #1, in the amount of \$84,032.00.
Resolution No. 2012-82**
- 4. Resolution authorizing the Execution of a Confirmation of Dedication for Airport use of Block 1160, Lots 220, 242, and 246.
Resolution No. 2012-83**
- 5. Resolution awarding a Contract to and Authorizing the Appointment of Leon S. Avakian Engineers, as Alternate Township Engineer, pursuant to and in accordance with N.J.S.A. 19:44A-20.4 et. seq.
Resolution No. 2012-84**
- 6. Resolution establishing Traffic Regulations in connection with the Jersey Shore Council – Boy Scouts of America – Soapbox Derby on April 14, 2012.
Resolution No. 2012-85**
- 7. Resolution releasing the Performance Guarantee posted by M & S Enterprises, SD#1387 (Portions of Pine Circle Drive, Lafayette Drive and Thorndike Drive), Block 267, Lot 7.
Resolution No. 2012-86**
- 8. Resolution authorizing the Execution of an Agreement between the New Jersey Transit Corporation and the Township of Lakewood, in connection with Formula Grant CFDA 20-500, and Capital Investment Grant 5309.
Resolution No. 2012-87**
- 9. Resolution authorizing the Award of a Professional Services Contract to Remington, Vernick & Vena Engineers for 2012 Municipal (MS4) Stormwater Permitting Services.
Resolution No. 2012-88**

**10. Resolution authorizing the Execution of a Contribution and Escrow Agreement between the Township of Lakewood and Homes for All/Steps, Lakewood Affordable Housing Corporation, NJ Hand, Inc., and New Jersey American Water Company, Inc.
Resolution No. 2012-89**

Motion by Committeeman Coles, second by Committeeman Langert, to approve Resolution Nos. 1 through 10 on the Consent Agenda.

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

Resolution Nos. 2012-80 through 2012-89 – Adopted.

ORDINANCE SECOND READING

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 second reading.

Mayor Miller 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 Lichtenstein.

Committeeman Langert stated it is his understanding that by refinancing these bonds, the Township would save about \$375,000.00 in interest costs.

Mr. Muscillo confirmed it is approximately \$340,000.00.

Committeeman Langert commended Mr. Muscillo and the Finance Department for their work on this matter.

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

Ordinance No. 2012-1 adopted on second reading.

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 second reading.

Mayor Miller opened the meeting to the public.

Gerry Ballwanz – Stated it is a very good Ordinance. She asked if someone is building something, and they run into water, where are they supposed to put the water. Stated that maybe people will have to be more careful as to where they are building.

Seeing no one else 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 Langert.

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

Ordinance No. 2012-2 adopted on second reading.

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 second reading.

Mayor Miller 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 Langert, second by Committeeman Coles.

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

Ordinance No. 2012-3 adopted on second reading.

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 second reading.

Mayor Miller 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 Lichtenstein.

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

Ordinance No. 2012-4 adopted on second reading.

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 second reading.

Mayor Miller 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 Akerman.

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

Ordinance No. 2012-5 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 02/16/12)

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter IX (Taxicabs) of the revised General Ordinances of the Township of Lakewood, specifically, Section 9-2 (Definitions), Section 9-5 (Medallions), Section 9-8 (Meters and Rates). (Chapter IX – Sec. 9-2 Definitions; 9-5 Medallions; and 9-8 Meters & Rates)

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. 2012-6 adopted on first reading. Second reading and public hearing to be held on February 16, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing the Revised General Ordinances of the Township of Lakewood 1999, specifically Chapter XI (Traffic), Section 11-35 (Handicapped Parking on Streets) of the Code of the Township of Lakewood. (Chapter XI, Sec. 11-35 Handicap Parking – Forest Pk. Circle)

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. 2012-7 adopted on first reading. Second reading and public hearing to be held on February 16, 2012.

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 by the addition of New Section 11-33 (Student Discharge and Pickup). (Chapter XI, Sec. 11-33 Student Discharge & Pickup - Thirteenth St. North)

Read by title only for first reading.

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

Mayor Miller advised, for the record, that this is for in front of a school on Thirteenth Street, where the school requested an area for student pick-up, which removed the parking. However, the neighbor next door wants to keep his parking. He does not know the exact footage, and wanted to make sure that it does not encroach on the neighbor's property.

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

Committeeman Langert requested that a map be attached to the Ordinance, on second reading, delineating the exact area.

Ordinance No. 2012-8 adopted on first reading. Second reading and public hearing to be held on February 16, 2012.

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 11-23 (Turn Prohibitions). (Chapter XI, Sec. 11-23 No Left Turn – 1536 Mass. Ave.)

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. 2012-9 adopted on first reading. Second reading and public hearing to be held on February 16, 2012.

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 11-13 (Parking Prohibited at all times on Certain Streets) of the Code of the Township of Lakewood. (Chapter XI, Sec. 11-13 – No Parking – Chestnut St. South)

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. Committeeman Langert requested that a map be attached to this Ordinance, on second reading, delineating the exact area.

Ordinance No. 2012-10 adopted on first reading. Second reading and public hearing to be held on February 16, 2012.

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 11-10.1 (Stopping or Standing Prohibited). (Chapter XI, Sec. 11-10.1 – Syracuse Court)

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. 2012-11 adopted on first reading. Second reading and public hearing to be held on February 16, 2012.

CORRESPONDENCE

Per schedule of thirty-eight (38) items, attached hereto and made a part hereof.

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

Committeeman Langert advised he believes there are a few conflicting requests, maybe two requests from the same school. He asked that they make sure that the person who is in charge of the scheduling, checks the dates to make sure there are no conflicting dates. He also requested that the Pine Park Softball Leagues dates for 2012 be pulled from the Agenda. There was discussion last year, as there were some issues of people not getting off the fields.

Mayor Miller agreed to hold off on that request until the next meeting.

Committeeman Coles suggested that they hold off on any correspondence relating to field scheduling until the next meeting.

Committeeman Lichtenstein amended his Motion to reflect this change. Deputy Mayor Akerman amended his second to the Motion to reflect this change.

MOTION TO APPROVE BILL LIST OF: 01/31/12

Motion by Committeeman Lichtenstein, 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

Committeeman Lichtenstein advised he was told that at the Transportation Board meeting, there was discussion relating to the dualization of Route 9. He has been working on this matter for a little while, and Deputy Mayor Akerman continued the discussion at the meeting. He suggested that they reach out to Senator Singer and ask if he could arrange for the DOT Commissioner to come down. But before they do that, they should request the Engineering Department to take a quick look at what it would actually entail to put the roads in. He suggested that the Manager direct the Engineer, over the next two or three weeks, to come up with a plan that he believes will work, and to minimize the amount of money it would cost, and show exactly what property they would have to take, if any. Then they could ask Senator Singer to help them with the Commissioner of Transportation.

Mayor Miller agreed.

Deputy Mayor Akerman advised that they will be meeting with the DOT later this month. He will put together a report for the Committee to update everyone on this issue.

Committeeman Lichtenstein stated he would hold off on his request so as not to duplicate Deputy Mayor Akerman's efforts.

Committeeman Langert thanked Mr. Simons for his apology. He also advised that the Township is in the midst of a traffic study, and later this month Senator Singer has arranged to have some of the people from NJ Transit come down and meet with them, and the Engineers, with regard to the bus terminal and what to do with the exit and entrance, and he will report back after the meeting.

Deputy Mayor Akerman further commented on the Route 9 matter. He stated that Committeeman Lichtenstein was correct in that the idea of doing the minimal amount of work was brought up, and purchasing the minimal amount of property, and that is what they are shooting for.

Mayor Miller advised that the Township's contract with Cablevision is up at the end of this year. He would like to put together a committee to renegotiate with Cablevision, and see what the needs of the community are, and move forward. He appointed Committeeman Langert to be the Liaison to this committee. He wants to have members representing the entire spectrum of the town.

ADJOURNMENT

Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 8:49 PM.