

The Lakewood Township Committee held a Meeting on Thursday, March 15, 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
Committeeman Members.....Absent.... Raymond Coles
Absent.... 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. 2012-122 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 03/01/12

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 03/01/12

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

PRESENTATIONS - None

PUBLIC HEARING: Defeated Fire District Budget

Mayor Miller opened the meeting to the public.

David Drukaroff, 1433 Laurelwood Avenue – Offered his opinion on this matter. The people of this Township elected a Board of Fire Commissioners to decide how to fund the Fire Department. If the voters decided that they do not want this budget, then what they are basically saying is that they do not trust the judgment of the very people they elected. In which case, we should get rid of the Board and let the voters make all the decisions. Therefore, he would recommend that the Budget be approved without the reductions.

Baruch Blaustein, 109 Seventh Street – Stated he spoke at the re-organization meeting on Monday, and asked why they are only reducing the budget by \$150,000. The Fire Commissioners had a surplus of four to five hundred thousand dollars this year, and he was told it was for various reasons, and they do not want the budget to be going up and down. And therefore, they did not want to reduce it by that whole amount. It was brought to his attention that the surplus issue has been going on for the last five years. He is not sure why they are not reducing the budget by a couple hundred thousand dollars, if every year, for the last five years, or so, they have a surplus of a couple hundred thousand dollars.

Bill Hobday, 30 Schoolhouse Lane – Stated they are proud to have members of the fire department and Commissioners present at this meeting, for the approval of their budget. Everyone in Lakewood sleeps soundly knowing this professional group is on guard to help in the event of an emergency, and he thanked them very much. They are dedicated, consistent, and do a very good job. He also thanked the Township Committee, who continue to do their job in a wonderful and efficient manner.

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

Committeeman Langert confirmed they are not voting on this matter as a separate Resolution; it is part of the Consent Agenda.

Mayor Miller responded that is correct.

Committeeman Langert commended Committeeman Lichtenstein and Deputy Mayor Akerman for taking the lead on the negotiations with the fire department. This is the third year in a row that the fire budget has been defeated at the polls, and he had the pleasure of serving on the negotiation team for the previous two years. This year he did not have the pleasure, but he is sure, from the feedback he received, it was very cordial and very professional on both sides. He is happy to support the cuts as suggested by Deputy Mayor Akerman and Committee Lichtenstein.

Committeeman Akerman advised that last year's budget was three and a half million dollars, and when they brought it to them, it was already reduced by three hundred thousand, and they agreed to take it down to 3.106 million dollars, which is a total reduction of \$450,000. When they sat together and discussed the budget, for the most part, they had very pleasant conversations, and they agreed, that if they are over-budgeting, they will keep looking at it. But every year, they have been tightening their belts and working together with everyone, and working towards one day having all the taxpayers stand up and applaud them, and he commends them for that.

Mayor Miller advised that Committeeman Coles and Committeeman Lichtenstein could not be here this evening, as they had previous personal commitments. He commended Committeeman Lichtenstein and Deputy Mayor Akerman, who were the two liaisons in this process, and gave them credit for taking this on and running with it.

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.

David Altier, 330F Joe Parker Road – Senior property owner at Golf View Townhouse Association on Joe Parker Road. Commented on the master plan, and the bus routes that are coming to Lakewood. In his neighborhood, on the outskirts of town, you must have a car or a ride in order to go anywhere of any significance, to leave the neighborhood. There are no stores nearby to walk to. There are no sidewalks in some spots along Joe Parker Road. In some places, there is no shoulder. Bicycling is dangerous. There are no buses along Joe Parker Road, that he is aware of. That portion of town is an under-served part of Lakewood, where there are no public parks. Ocean County Park is too far to walk to; you can not walk through the golf course to get there. There are no playgrounds for the children. He would like to request a bus route; when the town is considering where to put the bus routes, he requested to put one on that side of town, going through County Line Road, and along Joe Parker Road. They have had their fair share of bad luck at Golf View, and it would be good if the Township could do something positive for them. By putting a bus route through the area, it would help the neighbors to get to the Industrial Park for work, and to the downtown area, or to do some shopping at Shop-Rite.

Silvia Hagenfeld, 1503 Berkowitz Avenue – Complained that the woods near her home have been cut down. She believes her quality of life has been violated by this action.

Baruch Blaustein, 109 Seventh Street – Commented in support of the Ordinance leasing Kuser to the Lakewood Historical Society.

Gerry Ballwanz, Governors Road – Commented on the recent tragedy wherein a child died at a septic system site. Asked about the procedure for the testing and location of septic systems.

Mr. Wouters advised that septic systems are regulated by the Ocean County Board of Health. Unfortunately, Lakewood is not involved whatsoever, except once the sewer pipe gets inside the house. All inspections, regulations, installations, approvals, and the enforcement of septic systems are handled by the County. The Township is at a loss as far as what they can do in situations like this, because the Township does not have jurisdiction.

Edith Wolpin – Advised that brochures were handed out regarding Lakewood Memorabilia Day. She invited the Township Committee and the public to attend.

Harry Hagenfeld, 1351 Monmouth Avenue – Commented regarding the environment. Also complained about the traffic along Route 9 to the hospital.

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 authorizing a State Contract Purchase of a 2012 GMC, Canyon Work Truck, extended Cab 4WD, in an amount not to exceed \$18,120.00.
Resolution No. 2012-123**

- 2. Resolution determining the form and other details of General Obligation Refunding Bonds and providing for the Sale and the Delivery of such General Obligation Refunding Bonds to RBC Capital Markets.
This Resolution was removed from the Consent Agenda.**

- 3. Resolution authorizing the Award of a Professional Services Contract to Remington & Vernick Engineers for 2012 Annual Post-Closure Professional Services and Title V Air Permit Compliance, in an amount not to exceed \$48,500.00.
Resolution No. 2012-124**

- 4. Resolution fixing and approving the 2012 Fiscal year Budget of the Lakewood Township Fire District No. 1.
Resolution No. 2012-125**
- 5. Resolution authorizing Approval of Urban Enterprise Zone Funding for a project for Infrastructure Repair in the Lakewood Industrial Park, in an amount not to exceed \$300,000.00.
Resolution No. 2012-126**
- 6. Resolution authorizing the Lakewood Township Tax Collector to Refund Tax Overpayments due to State and County Tax Appeals.
Resolution No. 2012-127**
- 7. Resolution authorizing the Lakewood Township Tax Collector to Refund Tax Overpayments and Senior Citizen Deductions created due to County Appeals and/or Overpayments.
Resolution No. 2012-128**
- 8. Resolution releasing the Performance Guarantee posted by Tiferes Bais Yaakov (c/o Rabbi Rozansky) in connection with SP 31868 (School on Oak Street), Block 795, Lot 1.02., in the amount of \$86,020.00
Resolution No. 2012-129**
- 9. Resolution authorizing the establishment of an Accountable Expense Reimbursement Plan.
Resolution No. 2012-130**
- 10. Resolution releasing the Performance Guarantee posted by Erwin Deutsch, in connection with SD #1398 (Cottage Place), Block 247, Lot 28, in the amount of \$5,204.00
Resolution No. 2012-131**
- 11. Resolution releasing the Performance Guarantee posted by JG Ridge LLC, in connection with SD #1659 (Ridge Ave., Minor Subdivision), Block 236, Lots 33 and 34, in the amount of 13,560.00.
Resolution No. 2012-132**
- 12. Resolution awarding Competitive Contract to Remington & Vernick Engineers for the 9th. Street Park and Ride Surface Lot and Parking Deck.
Resolution No. 2012-133**

13. **Resolution denying the Application of Gerard's West LLC, for a Person-to-Person Transfer of the Plenary Retail Distribution License No. 1514-44-003-007.
Resolution No. 2012-134**

14. **Resolution declaring default of Performance Bond of Kedma, Inc., with reference to Irrevocable Standby Letter of Credit No. 04-010, specifically as it relates to Application Number ZB #3452, Block 224, Lots 14, 15, and 16.
Resolution No. 2012-135**

Motion by Committeeman Langert, second by Deputy Mayor Akerman, to approve Resolution Nos. 1 and 3 through 14 on the Consent Agenda.
On Roll Call – Affirmative: Committeeman Langert, Deputy Mayor Akerman and Mayor Miler.

Resolution Nos. 2012-123 through 2012-135 – Adopted.

Resolution No. 2 that was removed from the Consent Agenda, was removed because of the need of four (4) votes of the Governing Body.

2. **Resolution determining the form and other details of General Obligation Refunding Bonds and providing for the Sale and the Delivery of such General Obligation Refunding Bonds to RBC Capital Markets.**

ORDINANCE SECOND READING

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Private Sale of Block 1077.05, Lot 4, 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 Langert, second by Deputy Mayor Akerman.

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

Ordinance No. 2012-17 adopted on second reading.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Private Sale of Block 495, Lot 1, 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.

Gerry Ballwanz, Governors Road – Stated this is a faulty Ordinance because it says that the property is greater than an acre. This property is in the R-40 zone, which means you only need 40,000 square feet of land. This property is in excess of 43,000 square feet. It should not be sold at a private sale; it needs to be sold at a public sale.

Mr. Wouters advised he will review the back-up information that was provided to him by the Engineer. He believes it was referred to as an under-sized parcel. He suggested that the Ordinance be passed as is, and they will go back and check it. If needed, they can nullify it and revise it.

Seeing no one else wishing to be heard, the hearing on this Ordinance was closed to the public.

Motion by Deputy Mayor Akerman, second by Committeeman Langert, that the above Ordinance be carried to the meeting of March 29, 2012.

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

Second reading and public hearing on Ordinance No. 2012-18 carried to the meeting of March 29, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey authorizing the Exchange of Certain Lands within the Township of Lakewood, in particular, the Township of Lakewood to acquire Block 1154, Lot 7, Block 1154, Lot 10, Block 1143, Lot 9, plus additional consideration, and the Township of Lakewood to convey Block 433, Lot 3, as part of an exchange of lands pursuant to N.J.S.A. 40A:12-16, 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 Deputy Mayor Akerman, second by Committeeman Langert.

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

Ordinance No. 2012-19 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, amending Section 11-10, Stopping or Standing, specifically, Section 11-10.1 Stopping or Standing Prohibited. (Chap. XI, Sec. 11-10)

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 Deputy Mayor Akerman.

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

Ordinance No. 2012-20 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, amending Section 11-18, (One Way Streets) and amending Section 11-23.1 (Right Turn Only) (Chap. XI, Sec. 11-18; and Sec. 11-23.1 – North Lake Drive)

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 Deputy Mayor Akerman.

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

Ordinance No. 2012-21 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, amending Section 11-13, (Parking Prohibited at All Times on Certain Streets) and amending Section 11-14 (Parking Prohibited During Certain Hours on Certain Streets). (Chap. XI, Sec. 11-13; and Sec. 11-14 – E. Eleventh St. North)

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 Deputy Mayor Akerman.

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

Ordinance No. 2012-22 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the execution of a Fifty Year Lease Agreement by and between the Township of Lakewood, and the Lakewood Historical Society, Inc., for Kuser Hall in Pine Park. (Historical Society Lease)

Read by title only for second reading.

Mayor Miller opened the meeting to the public.

David Drukaroff, 1433 Laurelwood Avenue – Spoke in favor of this Ordinance.

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 Langert, second by Deputy Mayor Akerman.

Committeeman Langert stated he is very happy to support this Ordinance this evening. The Historical Society is presently housed in trailers around the town, and they have been looking for a home. They certainly deserve a place, and they certainly deserve to be in a nice place. And what better place could they be than to be in Pine Park, in Kuser Hall. He wished them all the best in their new location. It is a wonderful idea, and it is wonderful to see Sheldon Wolpin present at this evening's meeting.

Mayor Miller commented that this is a great idea. He welcomed Sheldon Wolpin to the meeting, and reopened the meeting to the public, to allow Mr. Wolpin to speak.

Sheldon Wolpin – Thanked the Township Committee on behalf of the Lakewood Historical Society, and the Lakewood Heritage Committee.

Robert Kirschner, a member of the Commission, also thanked the Committee.

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

Ordinance No. 2012-23 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 03/29/12)

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). (Chap. IX, Sec. 9-2, 9-5, & 9-8)

Read by title only for first reading.

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

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

Ordinance No. 2012-24 adopted on first reading. Second reading and public hearing to be held on March 29, 2012.

Amended 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). (Forest Park Circle & Branchwood Lane)

Read by title only for first reading.

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

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

Ordinance No. 2012-25 adopted on first reading. Second reading and public hearing to be held on March 29, 2012.

CORRESPONDENCE & PARKS AND EVENTS CORRESPONDENCE

Motion by Committeeman Langert, second by Deputy Mayor Akerman, and carried, to approve the above correspondence items.

MOTION TO APPROVE BILL LIST OF: 03/13/12

Motion by Committeeman Langert, second by Deputy Mayor Akerman.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS - None

ADJOURNMENT

Motion by Committeeman Langert, second by Deputy Mayor Akerman, and carried, to adjourn the meeting. Meeting adjourned at 8:16 PM.