

**The Lakewood Township Committee held a Meeting on Thursday, March 29, 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**  
**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. 2012-136 - Adopted**

**ROLL CALL**

**SALUTE TO THE FLAG AND PRAYER**

Mayor Miller congratulated Chief Rob Lawson and his wife, Jan, on the occasion of their twenty-fifth wedding anniversary; they led the meeting in the pledge of allegiance.

Chaplain Shafer, a police chaplain from Jackson, offered the invocation. A prayer was offered in memory of Ella Mary Burdge.

**OPEN SESSION**

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

**Presentations:**

**Ella Mary Burdge - Tribute**

Mayor Miller remembered Ella Mary Burdge, who was employed as a Crossing Guard for over thirty years. Plaques were presented to members of the family in her memory.

## **Gary Haber – Military Service**

Mayor Miller presented Gary Haber with a Proclamation in recognition of his service in the US Army from 1966 to 1968.

## **Cindy Schwartz – Employee of the Month**

Cindy Schwartz was presented with the Employee of the Month Award for April 2012.

### **MOTION TO APPROVE MINUTES OF: 03/15/12**

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

Committeeman Coles and Committeeman Lichtenstein abstained.

### **MOTION TO APPROVE CLOSED SESSION MINUTES: 03/15/12**

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

Committeeman Coles and Committeeman Lichtenstein abstained.

## **ORDINANCES FOR DISCUSSION - None**

## **QUALITY OF LIFE**

Committeeman Lichtenstein requested that Public Works take a look at the graffiti issue in town. He asked that the Inspection and Police Departments advise Public Works of areas in need of attention. He specifically mentioned the area of Pine Street, between MLK Drive and Route 9, that needs to be cleaned up. He also requested Chief Lawson, in participation with the Ocean County Correction Department, to arrange the clean-ups of public property, such as the Lake and parks.

Mayor Miller requested Mr. Arecchi to contact him, so he could do a presentation in his facility to an employee who returned a lost wallet, together with other employees who are to receive awards.

**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 Drukaroff, 1433 Laurelwood Avenue – Commented on a recent public hearing he attended regarding affordable housing.

Bill Hobday, 30 Schoolhouse Lane – Commented on a town meeting in Manchester he recently attended where Governor Christie was present, and discussed the Route 9 issue.

Moshe Neuhouse, 33 \_\_\_\_\_ Road - Thanked the Committee for their efforts in trying to improve the quality of life for Lakewood residents. Advised the Committee about the conditions of his neighborhood, Chesterfield Commons, south of Cross Street, that was left in poor condition by the Developer.

Mayor Miller asked Mr. Wouters and Mr. Staiger for an update on this subdivision.

Mr. Staiger responded that they have issued a letter recommending that a claim be placed on the Bond. He will check to see action was taken and if a Resolution was adopted, in order to go forward.

Mr. Wouters advised they are going through that process to put the Bonding Company and Developer on notice.

Noreen Gill, 192 Coventry Drive – Complained about the turning arrow across from the Strand; advised that the trucks making deliveries block cars from turning at that corner, and traveling on Clifton Avenue, causing a dangerous situation.

Chief Lawson advised they have looked at this problem, and have talked to the merchants. It is not possible for the deliveries to be made at the back of the stores. It was proposed that the deliveries be made very early in the morning, but they can not control that, as some of the delivery trucks come from New York. Unfortunately, there is no easy solution to this problem. They have asked the trucks to pull up further, which would solve the problem.

Mayor Miller requested that Traffic and Safety look at this problem.

Baruch Blaustein, 109 Seventh Street – Commented regarding turning lanes on Route 9, near County Line Road. Also asked if the Township Committee can do anything to promote voters registration.

Mayor Miller responded that they are working with the DOT to get left turning lanes at Fourteenth Street, Fifteenth Street and County Line Road. As far as voters' registration, he advised that the Clerk's Office has applications, and recommended that some forms be placed downstairs in the Municipal Building, and that a link be placed on the Township website to the County website, so people can get the application on line.

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

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 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.  
Resolution No. 2012-137**
- 2. Resolution authorizing Emergency Temporary Appropriations for the period between the beginning of the Current Fiscal year and the Date of the Adoption of the 2012 Budget, in the amount of \$15,496,164.84.  
Resolution No. 2012-138**
- 3. Resolution authorizing the Liquor License Renewal for 2011-2012, for Bacoli Inc., T/A Bacoli Pizza Pasta and Grill, Liquor License No. 1514-33-033-003.  
Resolution No. 2012-139**
- 4. Resolution authorizing the execution of an Agreement between the County of Ocean and the Township of Lakewood for construction of a Traffic Signal at the intersection of Prospect Street (County Road #10) and Williams St.  
Resolution No. 2012-140**
- 5. Resolution reducing the Performance Guarantee (First Reduction), posted by 1078 Times Square, LLC, in connection with SD# 1710 (Times Square), Block 435, Lot 1, from \$34,870.00 to \$10,461.00.  
Resolution No. 2012-141**
- 6. Resolution awarding a contract to Gary Kubiak & Son Electric, Inc., for the installation of Runway End Identifier Lights at the Lakewood Airport, pursuant to and in accordance with N.J.S.A. 40A:11-1 et. seq.  
Resolution No. 2012-142**
- 7. Resolution declaring default of developer, Ormont Development, LLC, with reference to Maintenance Guarantee, specifically as it relates to Application Number ZB# 3489A – Ridge Avenue Townhouses, Block 237, Lots 4, 5, 6, and 7.  
Resolution No. 2012-143**

8. **Resolution declaring default of Performance Bond of David Gelbwachs, with reference to Performance Guarantee, Bond No. B12682084, specifically as it relates to Application Number ZB# 3298A – Major Subdivision – East 7<sup>th</sup>. Street and Ridge Avenue, Block 223.01, Lot 71.02.  
Resolution No. 2012-144**
9. **Resolution Declaring April Autism Awareness Month and Recognizing April 2, 2012 as World Autism Awareness Day.  
Resolution No. 2012-145**
10. **Resolution appointing members to the Lakewood Heritage Commission. (Robert Kirschner – John Barron Alt.)  
Resolution No. 2012-146**
11. **Resolution authorizing the execution of an Agreement for Payments in lieu of Taxes with Lakewood Housing Partners, LLC.  
Resolution No. 2012-147**
12. **Resolution endorsing the findings of the Township Attorney with regard to the Lack of a Density Bonus for Lakewood Housing Partners, LLC.  
Resolution No. 2012-148**
13. **Resolution confirming the need for Housing Project – Lakewood Housing Partners LLC.  
Resolution No. 2012-149**

Motion by Committeeman Coles, second by Deputy Mayor Akerman, to approve Resolution Nos. 1 through 13 on the Consent Agenda.

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

**Resolution Nos. 2012-137 through 2012-149 – Adopted.**

## **ORDINANCE SECOND READING**

**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 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. 2012-24 adopted on second reading.**

**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 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. 2012-25 adopted on second reading.**

**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 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.

**Ordinance No. 2012-6 died on second reading due to lack of Motion.**

**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 – Advised that after the last meeting, she checked the website, and saw that it did say 1.03 acres. She did the calculations, and it definitely is an undersized lot, which is appropriate for a private sale.

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 Lichtenstein.

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

**Ordinance No. 2012-18 adopted on second reading.**

**ORDINANCE FIRST READING (Second reading and Public Hearing 04/19/12)**

**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 VIII (Design Standards), Section 18-803 F (Paving Materials, Walls, and Fences). (Chap. XVIII, Sec. 18-803)**

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. 2012-26 adopted on first reading. Second reading and public hearing to be held on April 19, 2012.**

**An Ordinance in the Township of Lakewood, County of Ocean and State of New Jersey, Releasing, Extinguishing and Vacating the Rights of the Public of Portions of a Paper Street known as Fish Road, in the Township of Lakewood. (St. Vacation – Fish Road)**

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. 2012-27 adopted on first reading. Second reading and public hearing to be held on April 19, 2012.**

**An Ordinance in the Township of Lakewood, County of Ocean and State of New Jersey, Releasing, Extinguishing and Vacating the Rights of the Public of a portion of a Paper Street known as Shorrock Street, in the Township of Lakewood. (St. Vacation – Shorrock Street)**

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. 2012-28 adopted on first reading. Second reading and public hearing to be held on April 19, 2012.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XII (Building and Construction) of the Revised General Ordinances of the Township of Lakewood 1999, specifically amending Section 12-2.11 Mechanical Systems and Equipment. (Chap. XII, Sec. 12-2.11 – Mechanical Systems & Equipment)**

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. 2012-29 adopted on first reading. Second reading and public hearing to be held on April 19, 2012.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter III of the Revised General Ordinances of the Township of Lakewood 1999, entitled "Police Regulations" to include a new Section 3-5, entitled "Interference with Retail or Wholesale Business Practices" (Chap. III, Police Regulations, Sec. 3-5, Interference with Retail or Wholesale Business Practices)**

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.

Committeeman Langert requested to be provided with additional backup information for this Ordinance, in order to understand what it is about and why they are considering it.

**Ordinance No. 2012-30 adopted on first reading. Second reading and public hearing to be held on April 19, 2012.**

## **CORRESPONDENCE & PARKS AND EVENTS CORRESPONDENCE**

Motion by Committeeman Lichtenstein, second by Committeeman Coles, and carried, to accept the above correspondence items.

**MOTION TO APPROVE BILL LIST OF: 03/27/12**

Motion by Committeeman Lichtenstein, second by Committeeman Coles.

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 advised that he spoke with Public Works regarding some of the bulk pick-ups, and some of the move-outs that they do in town, and it has come to his attention that unfortunately there are people who take advantage. He received a report from Public Works detailing what their plan of action would be for the town to charge some of these chronic or habitual landlords who take advantage of the town, and he would like to recommend that the Committee authorize the Manager and Public Works to take action on this immediately. He offered a Motion that the Manager and Public Works take this action. A second to the Motion was offered by Committeeman Coles.

Committee Langert thanked Mr. Arecchi for helping the town and putting this together.

Mayor Miller commented regarding the parking situation. He advised that someone had suggested to him that if the curb all along the Inspection Department building was pulled back a couple of feet, you could pick up some parking spots all along there. He asked that Mr. Arecchi look into this possibility.

Deputy Mayor Akerman commended Mr. Arecchi on doing a good job in the absence of Al Burdge.

**ADJOURNMENT**

Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 8:30 PM.