

The Lakewood Township Committee held a Meeting on Thursday, December 15, 2011, 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.....	Absent....	Menashe P. Miller
Deputy Mayor.....		Steven Langert
Committee Members.....		Albert D. Akerman
		Raymond Coles
		Meir Lichtenstein
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 7, 2011 and published in the Asbury Park Press on January 10, 2011.

ROLL CALL

CLOSED SESSION
Resolution No. 2011-334

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: 12/1/11

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 12/1/11

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

PRESENTATIONS

Lance Corporal, Jeremy J. Clarkin – United States Marine Corp.

Deputy Mayor Langert and Committeeman Lichtenstein presented Lance Corporal Clarkin, US Marine Corps, with a Proclamation in recognition of his dedicated service to our country.

Helina Sininsky - Employee of the Month

Deputy Mayor Langert and Committeeman Lichtenstein presented Helena Sininsky with the Employee of the Month Award for January 2012.

ORDINANCES FOR DISCUSSION - None

QUALITY OF LIFE

Deputy Mayor Langert reviewed quality of life items from the previous meeting.

With regard to the road conditions at Monmouth and Lexington Avenues and Fourth Street, Mr. Burdge checked the site, and there seems to be construction work in the area, but he does not see anything where Public Works would be involved. Water mains were installed for the new homes, and it is the responsibility of the utility company to repair the road.

Deputy Mayor Langert asked Mr. Staiger to look into this, to see who is responsible for opening the road, and to make the necessary repairs.

Mr. Staiger advised he believes the trenches are from NJ American Water Co., and he will contact them.

With regard to the request for a crosswalk at the corner of Pine Street and Warren Avenue, at the entrance to Pine River, Mr. Burdge responded that this work has been completed.

With regard to the road conditions at County Line road, near the Brook Hill development, at Somerset Avenue, Mr. Staiger responded that they are pursuing the developer to finish the improvements for that development.

Deputy Mayor Langert advised they were referring to Lucerne Avenue and Brook Road, which is further east.

Mr. Staiger will look into it.

With regard to matter of the signalization of traffic signals at Hurley Avenue and Cedarbridge Avenue; Route 9/Hurley Avenue/Central Avenue; County Line Road and Route 9; and Kennedy Boulevard and Route 9; and any other intersections that have been discussed, and putting turning lanes along County Line Road, Mr. Staiger advised that with regard to the intersections that are along State Highways, they have contacted the NJ DOT, and they were to perform an optimization study of the traffic signals along Route 9 from Howell to Toms River in 2011; however, it has been shifted to a different department, and it is anticipated to be done in 2012. As to the other intersections they have been speaking about over the course of the year, Mr. Staiger responded with the following information: As to Fourteenth Street and Hope Chapel Road, the County has completed their analysis, and have determined that this intersection does not warrant a traffic signal. As to New Central Avenue and Miller Road, the traffic signal was requested. The counts for the County are schedule for January 2012. As to Monmouth Avenue and County Line Road, the County has completed their analysis and they have determined that it does not warrant a traffic signal, but they do recommend a flashing signal. As to Prospect Street and Williams Street, the signal is currently under design and the County anticipates advertising that for the second quarter of 2012. As to James Street and Williams Street, a designated left turn lane for northbound traffic from Williams Street onto James Street, they have prepared a sketch and have forwarded that to the County. The County did find that sketch acceptable, and it will be forwarded to Public Works for striping. As to North Lake Drive and Hope Chapel Road, a right turn lane onto North Lake Drive from northbound traffic onto Hope Chapel was requested. The County is currently evaluating this intersection to address the traffic at South Lake Drive. They anticipate the solution will require two thru-lanes at North Lake Drive, therefore, there will not be enough room to have a designated right turn lane. As to James Street and Route 9, the Township had requested a dedicated left turn lane from James Street onto Route 9. The DOT is asking for a letter or Resolution from the Township to extend the no parking on James Street to either 160' or their recommendation is 210' from the intersection; it is currently 150'.

Committee Lichtenstein asked if they will then do the left turn lane.

Mr. Staiger responded that they would then do the restriping on James Street.

Committeeman Lichtenstein asked if they can look into which residents this will affect. He believes the firehouse is within the 110', so it is probably right past the firehouse on both sides. He wants to make sure that they are not eliminating parking for residents, or if they need to eliminate parking for residents, they can explain to them what the Township is doing before they do it.

Mr. Staiger stated that the minimum that the State is looking for is an additional 10', but they recommend going 50', to a distance of 210'.

Deputy Mayor Langert asked if parking is currently permitted on James Street, on the south side.

Mr. Staiger responded that it is on both sides of James Street that the DOT is looking into.

Committeeman Lichtenstein stated that parking is permitted on both sides of the street.

Deputy Mayor Langert stated they can do one of two things. He can ask for a Resolution this evening to support this recommendation, as it would help to alleviate the traffic at this intersection. Or they can ask Chief Lawson to have Traffic & Safety look into it, and come back with a recommendation at the second meeting in January, and if in fact Traffic & Safety suggests that they do this, they can offer a Resolution at that time.

Committeeman Lichtenstein stated he would like to offer a Resolution, but in the Resolution he would like it to be stated that it is pending discussion with the residents. He does not think they need the Police Department. He needs to sit down with the Engineer, and look at which houses will be affected, and he would go out with the Engineer to speak with the residents. A second to the Motion was offered by Committeeman Akerman.

Deputy Mayor Langert confirmed that there is a Resolution on the floor from Committeeman Lichtenstein, seconded by Committeeman Akerman, to petition the DOT for a left turn signal, contingent on Committeeman Lichtenstein determining that eliminating an additional 50' of parking will not infringe on any residents in the area.

Committeeman Lichtenstein added that if they can accomplish this by eliminating less parking than the 50', for example with 35', and they can resolve this without hurting parking, they will do that.

Deputy Mayor Langert asked the Committeeman Members if they would be agreeable to leaving the amount of footage required to Committeeman Lichtenstein's discretion, whether it be the minimum of 10' or the maximum of 50'.

All Committee Members agreed.

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

Resolution approved.

Mr. Staiger continued. As to the intersection of South Lake Drive and North Hope Chapel Road, a traffic signal was requested. The traffic signal has been constructed. There are minor punch list items to be completed, but that light has been activated.

As to New Central Avenue and Route 528, also known as Central Avenue, a traffic signal was requested. That signal has been completed, except for punch list items, and is activated.

As to County Line Road, and East End Avenue, counts are scheduled for January 2012 to determine if the proposed changes for a dedicated left turn lane can be accommodated with the current configuration instead of waiting for the County Line project. The County has experienced a delay with their project for County Line Road, but they will proceed with the counts to see if they can do it before they do their project.

As to County Line Road and Clifton Avenue, they are awaiting the State's project to evaluate Route 9 signals.

Deputy Mayor Langert continued with additional quality of life items.

As to the construction site where a home was demolished near Squankum Road near WaWa, Mr. Staiger responded that if there was a home there before that was demolished, it is a buildable site.

As to recommendations for sidewalk construction, upgrade of street lights, and traffic signals from Committee Members and professionals, Deputy Mayor Langert advised that he trusts that the information has been provided to Committeeman Lichtenstein.

Quality of Life Comments from Committeeman Members:

Committeeman Akerman asked if the State would eliminate the No Turn on Red sign at Clifton Avenue, turning right onto Route 88, as the traffic backs up on Hurley Avenue.

Committeeman Akerman also advised that on Williams Street, traveling towards James Street, there is no striping. There is an issue as cars sit in the middle of the road. It is a wide road and there is ample room for a left turning lane.

Mr. Staiger advised this item has been forwarded to Public Works to do the striping.

Committeeman Lichtenstein advised he does have the list of recommendations that were requested. He will go through it and pass it out to Committee Members and Municipal Manager so that they can see what they want to include in a Bond Ordinance.

Committeeman Lichtenstein commended the professionals. The Committee worked together on the snow alert system and the snow plowing issue. The Alert system is in

place. Approximately five hundred people so far have signed up for it. He has asked the Mayor's office to send letters out to the senior communities to encourage them to sign up. It has been advertised in the Asbury Park Press. He has asked the local media to advertise it. He thanked the professionals for working with the Committee on this matter.

As to the snow plowing issue, Committeeman Lichtenstein advised they have a total of six or seven contractors who have approached them. He wants to make sure they do not go over budget, but he wants to see what can be done to remain within Budget. Committeeman Lichtenstein further advised as to the matter of bringing in, on an "on call basis", contractors or individuals drivers, they have had people apply who are familiar with operating heavy equipment, and the Manager and Department of Public Works are working very well on this matter. Provided it does not snow within a week or two, he suspects they will be ready to take it on, and this program will be fully in place.

Committeeman Lichtenstein also complimented the public and the departments working with him. There are approximately 500 street light outages in town. The Mayor's office has submitted this information to JCP&L. These repairs are supposed to be completed within three to seven days. JCP&L has advised that they do not think they will be able to fix this amount of outages within that time, and they have asked for two to three weeks.

Committeeman Lichtenstein suggested that they request the Utilities Advisory Committee to continue to attend the hearings and oppose the rate increases, unless the utility company has made a very good clear case as to the reason for the rate increase.

Deputy Mayor Langert commended Committee Lichtenstein on his work on the snow plowing and snow alert matters.

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 Langert advised that the Impact Fee Ordinance will be pulled from the Agenda this evening. They hope to introduce it again in January in a different form.

Deputy Mayor Langert opened the meeting to the public.

Bill Hobday, 30 Schoolhouse Lane – Commented regarding the street light program. Suggested they do this semi-annually.

Deputy Mayor Langert agreed. It is a wonderful idea to do this more than once a year.

Gerry Ballwanz, Governors Road – Regarding the Resolution concerning the parking garage, she asked where is it to be located. Commented regard a recent Planning Board Meeting, where it was mentioned that the Township had reduced the right-of-way along Route 9 from 100' to 75'. She asked when that was approved; she does not recall an Ordinance being adopted approving this. She also commented that water is still collecting in the area of the demolished home near Squankum Road.

Deputy Mayor Langert advised there is an issue that he would like the Committee to consider, and refer it to the professionals for their input. There are places in town where people drain water from their pumps, or wells, straight into the street. There is no Ordinance governing this, or prohibiting it. He would like to have the Engineering and Inspection Departments, and maybe Public Works, if necessary, look at this situation, and come back to the Committee with a solution to this problem.

Mrs. Ballwanz advised she attended the hearing in Howell regarding the water rate increase. Commented on the Ordinance granting the easement to NJ American Water Co. Also asked about the status of the wellhead protection Ordinance.

Deputy Mayor Langert responded that wellhead protection is part of Plan Endorsement, and when they get to that part of the Plan Endorsement, they will do it in the context of when it is needed.

As to the location of the parking garage, Deputy Mayor Langert advised it is to be located at the old Little League Field site on Clifton Avenue. They are at the point in the project progression where they can put out an RFP.

Seeing no one else wishing to be heard, the hearing on this Ordinance was closed 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 Accepting Bid from "On the Grill of Lakewood, Inc.", for purchase of Class C Plenary Retail Consumption Liquor License. Resolution No. 2011-335**

- 2. Resolution Authorizing Appropriation Transfers in the 2011 Municipal Budget, in the amount of \$96,500.00.
Resolution No. 2011-336**
- 3. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2011 Municipal Budget for the Urban Enterprise Zone – Lakewood First Aid and Emergency Squad Vehicle Grant, in the amount of \$20,000.00. (Chapter 159 –Emergency Vehicle Grant - LDC)
Resolution No. 2011-337**
- 4. Resolution Releasing a Maintenance Guarantee posted by Seneca Homes, LLC, in connection with SD#1557 – Yosef Oppen Minor Subdivision Garfield St., Block 7, Lots 1 & 4, in the amount of \$1,554.25.
Resolution No. 2011-338**
- 5. Resolution Releasing a Maintenance Guarantee posted by Construction Depot, (Shimshon Bandman), in connection with SD#1570 – Elm Street and Melville Avenue (minor subdivision), Block 762, Lot 4, in the amount of \$2,374.13.
Resolution No. 2011-339**
- 6. Resolution to Accept a Subgrant Award of the Federal Fiscal Year 2011 of Department of Homeland Security Emergency Management Performance Grant Program Funding, and for the Lakewood Township, Chief Financial Officer to amend the Budget and certify the availability of funds.
Resolution No. 2011-340**
- 7. Resolution Requesting State of New Jersey, Department of Environmental Protection to waive Permit Fees for Municipalities.
Resolution No. 2011-341**
- 8. Resolution Approving participation with the State of New Jersey Safe and Secure Communities Program administered by the Division of Criminal Justice, Department of Law and Public Safety.
Resolution No. 2011-342**
- 9. Resolution Authorizing the Execution of MICU Interface Agreement between Lakewood Township and Monmouth Ocean Hospital Service Corporation.
Resolution No. 2011-343**

- 10. Resolution Authorizing the Execution of a Lease Agreement with Emergency Services Program of Catholic Charities for a period of Ten (10) Years for nominal consideration.
Resolution No. 2011-344**
- 11. Resolution authorizing the use of Competitive Contracting for Bus Routes.
Resolution No. 2011-345**
- 12. Resolution Authorizing the Township Manager to Advertise a Request for Proposal for Preliminary Engineering and Design Build Documents – Parking Garage.
Resolution No. 2011-346**
- 13. Resolution authorizing the use of Competitive Contracting for the Boat Concession on Lake Carasaljo.
Resolution No. 2011-347**
- 14. Resolution Approving the use of Zone Assistance Funds for the project, “UEZ Polices Officers year 17 (2012)”, in the amount of \$690,000.00. (LDC – Police Officers)
Resolution No. 2011-348**
- 15. Resolution Authorizing and Approving an Amendment to the 1975 Service Contract between the Township of Lakewood and the Lakewood Township Municipal Utilities Authority.
Resolution No. 2011-349**
- 16. Resolution Authorizing Execution of Quit Claim Deed to relinquishing whatever interest the Township may have in property known as Block 175.01, lot 28.
Resolution No. 2011-350**
- 17. Resolution Authorizing the Township to Execute an Agreement for a Grant from the New Jersey Department of Environmental Protection for the 2012 Green Communities Grant, Community Forestry Management Plan, in the amount of \$3,000.00.
Resolution No. 2011-351**

Motion by Committeeman Coles, second by Committeeman Akerman, to approve Resolution Nos. 1 through 17 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles (Abstained on Resolution No. 10), Committeeman Lichtenstein, Committeeman Akerman and Deputy Mayor Langert (Abstained on Resolution No. 1).

Resolution Nos. 2011-335 through 2011 351 – Adopted.

ORDINANCES SECOND READING

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey amending Chapter VI, (Alcoholic Beverage Control), Section 6-3 (Licenses) of the Revised General Ordinances of the Township of Lakewood, 1999, to reinstate Section 6-3.6 (Prohibited Locations). (Chapter VI, Sec. 6-3 – Liquor Licenses - Prohibited Locations)

Read by title only for second reading.

Deputy Mayor Langert 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 Lichtenstein, second by Committeeman Akerman.

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

Ordinance No. 2011-56 adopted on second reading.

An Ordinance authorizing the Township of Lakewood to enter into a grant of Easement with the New Jersey American Water Company over and under Block 444, Lot 7, as shown on the Tax Map of the Township of Lakewood.

Read by title only for second reading.

Deputy Mayor Langert 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 Lichtenstein, second by Committeeman Coles.

Committeeman Lichtenstein commented that he feels they are doing the right thing by moving ahead with this Ordinance. He does not believe that the utility company will reduce their fees in any way.

Deputy Mayor Langert thanked those professionals in town who refused to accept NJ American Water Company's first offer at face value. They went back and negotiated with them, and gained close to an extra \$300,000 in payment for this easement than was offered originally. To all those who worked on this, he thanked them for bringing in this additional money.

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

Ordinance No. 2011-57 adopted on second reading.

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

Read by title only for second reading.

Deputy Mayor Langert 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 Akerman, second by Committeeman Lichtenstein.

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

Ordinance No. 2011-58 adopted on second reading.

Mr. Wouters requested that the following Ordinance be withdrawn from the Agenda, and not acted upon this evening.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey Amending and Supplementing Chapter XVIII (Unified Development Ordinance), Article VII (Provisions Applicable to Site Plans and Subdivisions) of the Revised General Ordinances of the Township of Lakewood 1999, Adding New Section 18-706 (Impact Fees). Chapter XVIII, Sec. 18-706 – Impact Fees)

Read by title only for second reading.

Deputy Mayor Langert opened the meeting to the public.

Gerry Ballwanz – Asked if there will be any change in the Ordinance regarding water and sewer, and how would that impact this Ordinance.

Deputy Mayor Langert responded there is an Ordinance on the books already that refers to off-site improvements, which basically says that if a developer is building houses and there is infrastructure that needs to be built in order to support that development, they are required to pay for it at the time they build it. The intent of this Ordinance was to address impacts away from the development. The new Ordinance will be designed to address future impact, but not necessarily directly on the infrastructure being built to support the development, but on the infrastructure built to support the surrounding area.

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 Akerman.

Ordinance No. 2011-59 died due to lack of second to the Motion.

ORDINANCE FIRST READING – None

CORRESPONDENCE - None

MOTION TO APPROVE BILL LIST OF: 12/13/11

Motion by Committeeman Lichtenstein, second by Committeeman Coles.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Committeeman Lichtenstein wished everyone Happy Holidays.

Committeeman Coles wished everyone Happy Holidays.

Committeeman Akerman wished everyone Happy Holidays.

Deputy Mayor Langert stated he hopes to address Committeeman Akerman next year as Deputy Mayor Akerman, and he hopes that Mayor Miller will be home in time for the meeting. He believes that the Re-Organization Meeting will be held on Tuesday, January 3rd, and he hopes that Mayor Miller will be back from his tour of duty by then. If he does not return until the 4th of January, then the meeting will be held on Thursday, January 5th. If in fact the Mayor will not be back that week at all, because his tour of duty got extended, then the meeting will be held on January 3rd, and the Mayor will attend via Skype. He wished everyone Happy Holidays.

ADJOURNMENT

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