

The Lakewood Township Committee held a meeting on Thursday, June 10, 2010 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.....Steven Langert
Deputy Mayor.....Menashe Miller
Committee Members.....Robert W. Singer
Raymond Coles
Meir Lichtenstein
Municipal Manager..... Frank Edwards
Municipal Attorneys..... Lawrence E. Bathgate, Esq.
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 1, 2010 and published in the Asbury Park Press on January 6, 2010.

ROLL CALL

CLOSED SESSION

Resolution No. 2010-169 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 05/27/10

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 05/27/10

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

PRESENTATIONS

Mr. George Watson Sr. was presented with a Proclamation from the Township and a Joint Senate/Assembly Resolution in recognition of his service in the Air Force during World War II.

Plan Endorsement Smart Growth Award

Mr. Doyle presented Lakewood Township with the Smart Growth Plan Endorsement Award.

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 Langert opened the meeting to the public.

Joyce Blay, NJ News and Views, 1594 Crimson Road, Toms River – Asked how much money will be spent on the fireworks display this year.

Gerry Ballwanz, Governors Road – Asked why the Township is charging the public school system for trash pickup, and not the private schools. Also stated that the Minutes from the January Township Committee meetings are not on the web site. Also asked about the status of Plan Endorsement.

Bill Hobday, 30 Schoolhouse Lane – Congratulated Committeeman Singer on his primary win.

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

Deputy Mayor Langert advised that the fireworks will cost the Township \$10,000.00 this year and they will be held on Thursday, July 1st. As to the issue of the Minutes not being on the website, Mr. Edwards will check into it. As to the issue of the Plan Endorsement, the Township did receive a report from the State with certain action plans, and deadlines. He feels that some of the deadlines are arbitrary and unrealistic. The Township has asked the Planners and Attorneys to formulate a response to the State dealing with each of the action items. He believes that most of the action items will fall into line once they settle the sewer service issue.

As to the issue of garbage pick-up, Mayor Langert advised that that the taxpayer was already paying for the public and private school pick-up last year. That is not going to change. What the Township is saying to the school board is that it is going to come out of their pocket, and not the Township's....it is going to be on their tax base, and not on the Township's tax base. He did that because he feels they are not fiscally responsible, and it is time for them to show fiscal responsibility.

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 awarding a Professional Services Contract to Leib Klein, Esq., as Public Defender for the Township of Lakewood.
Resolution No. 2010-170**
- 2. Resolution authorizing the Execution of a 2010 Special Event Contract between the Lakewood BlueClaws Baseball Club and the Lakewood High School to hold the 2010 Lakewood High School Graduation Ceremony at First Energy Park.
Resolution No. 2010-171**
- 3. Resolution Establishing Traffic Regulations in connection with the Independence Day Fireworks Display to be conducted at Lake Carasaljo.
Resolution No. 2010-172**
- 4. Resolution authorizing the award of a Professional Transportation Planning Services Contract to T & M Associates, in the amount of \$4,000.00.
Resolution No. 2010-173**
- 5. Resolution awarding a Contract to and authorizing the Appointment of Michael Burns, Esquire as an Alternate Municipal Prosecutor for the Township of Lakewood.
Resolution No. 2010-174**
- 6. Resolution authorizing the Professional Services Agreement with Hatzolah Emergency Services, Inc.
Resolution No. 2010-175**
- 7. Resolution releasing a Performance Guarantee posted by M. Sternstein in connection with SD #1451, Block 12, Lot 240, in the amount of \$13,335.00.
Resolution No. 2010-176**
- 8. Resolution releasing a Performance Guarantee posted by Richard Roberts in connection with SP #1872, Block 21, Lot 4, in the amount of \$50,000.00.
Resolution No. 2010-177**

9. **Resolution reducing the Performance Guarantee (Second Reduction) posted by Julian Blumenthal, in connection with ZB #3700, block 420.01, Lots 1.01, 21, and 22, from \$17,840.00 to \$8,865.50. Resolution No. 2010-178**
10. **Resolution reducing the Performance Guarantee (Third Reduction) posted by Somerset Development, LLC, in connection with SD #1430A/B, Block 830, Lot 1, from \$1,162,240.00 to \$622,725.00. Resolution No. 2010-179**
11. **Resolution authorizing the execution of an Amendment to the Affordable Housing Agreement with New Jersey Hand, Inc. Resolution No. 2010-180**
12. **Resolution authorizing the Execution of an Agreement Between the Township of Lakewood and PBA Local #71. Resolution No. 2010-181**

Motion by Committeeman Coles, second by Committeeman Singer, to approve Resolution Nos. 1 through 12 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein (abstained on Resolution Nos. 5 and 6), Committeeman Singer, Deputy Mayor Miller and Mayor Langert.

Ordinance Nos. 2010-170 through 2010-181 – Adopted.

ORDINANCE SECOND READING

Calendar Year 2010 Ordinance to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank (N.J.S.A. 40A:4-45.14)

Read by title only for second reading.

Mayor Langert opened the meeting to the public,

Bert Albert, Lions Head Woods – Stated that since there is no increase in the tax rate, and the Budget is the same as last year, why is the Township applying for a three and a half percent increase in the CAP if it is not needed.

Mr. Edwards answered that it is because it lets you CAP, it lets you bank the amount that you did not need in one particular year, and carry it forward for two consecutive years, and the Township has done this ever since this whole process was implemented by the

State. It gives more flexibility to future Budgets and future Township Committees, but it is not needed for this year, but they are banking it. If you don't bank it, it goes away. 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 Deputy Mayor Miller.

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

Ordinance No. 2010-35 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 2-76.4 (Fees for Emergency Medical Services) of the Revised General Ordinances of the Township of Lakewood. (Chapter II 2-76.4 Fees for EMS)

Read by title only for second reading.

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 Coles, second by Deputy Mayor Miller.

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

Ordinance No. 2010-36 adopted on second reading.

An Ordinance amending and supplementing "an Ordinance establishing the annual minimum and maximum salary ranges for the offices and positions of persons employed by the Township of Lakewood in the County of Ocean and State of New Jersey" and providing for an effective date 20 days after publication after final adoption.

Read by title only for second reading.

Mayor Langert opened the meeting to the public.

Gerry Ballwanz – Asked about the maximum rates; is that all part of people getting raises within the Township.

Mayor Langert explained that the Ordinance reflects the minimum and maximum salary ranges, which means, if the Township so desires to hire a person in any of those positions, there is a minimum and a maximum that the person can make. It does not necessarily mean that the person is going to get that money.

Joyce Blay, NJ News and Views, 1594 Crimson Road, Toms River – Asked about the title of Director of Economic Development and Director of Industrial Development. She

asked if this would be consolidated into one position, and if so, will Mr. Reinman be receiving a salary increase.

Mr. Edwards explained the title is in the Ordinance because of the funding, but it could be eliminated.

Mayor Langert added that Mr. Reinman's salary is not paid by local tax dollars; it is actually paid for by UEZ dollars.

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 Deputy Mayor Miller.

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

Ordinance No. 2010-37 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 06/24/10)

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter II of the Township Code entitled Administration, Article XI entitled Police Department, to establish an Internal Affairs Unit. (Chapter II, Article XI – Police - Internal Affairs)

Read by title only for first reading.

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

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

Ordinance No. 2010-38 adopted on first reading. Second reading and public hearing to be held on June 24, 2010.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI (Traffic), Section 11-12A (No Stopping, No Standing and schedule XI-A (No Stopping, No Standing) of the Code of the Township of Lakewood. (Chapter XI, Section 11-12A – Massachusetts Ave.)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Deputy Mayor Miller.

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

Ordinance No. 2010-39 adopted on first reading. Second reading and public hearing to be held on June 24, 2010.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the conveyance and execution of a Deed of Utility Easement with respect to a portion of Chile Avenue. (Utility Easement – Chile Ave.)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Deputy Mayor Miller.

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

Ordinance No. 2010-40 adopted on first reading. Second reading and public hearing to be held on June 24, 2010.

CORRESPONDENCE

Per list of three (3) correspondence items attached hereto and made a part hereof.

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

MOTION TO APPROVE BILL LIST OF: 06/08/10

Motion by Deputy Mayor Miller, second by Committeeman Coles, to approve the above Bill List.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Committeeman Singer advised that he has received a request with regard to the Township taking a look at requesting the State to look into installing sidewalks at least on one side of Route 9. He gave the information to the Municipal Manager to forward to the Engineer for review.

Committeeman Singer also advised that on Friday night, the retirement dinner for John Franklin will be held.

Committeeman Singer also thanked all the supporters during the recent primary.

Committeeman Coles suggested looking into a co-pay plan with regard to the EMS.

Mayor Langert congratulated Committeeman Singer on his win in the primary.

Mayor Langert also advised that the fireworks will be held on July 1st, and asked that the information be placed on the website, inviting everyone to come out and enjoy the display.

Mayor Langert further commented on bond issues, and reassessments.

Committeeman Coles announced that the second annual Business Expo will be held on July 1st at Lake Terrace from 12:00 Noon until 6:00 PM.

ADJOURNMENT

Motion by Deputy Mayor Miller, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 8:25 PM.