

**The Lakewood Township Committee held a Meeting on Thursday, September 2, 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 Singer**  
**Absent.....Raymond Coles**  
**Meir Lichtenstein**  
**Municipal Manager.....Michael Muscillo**  
**Municipal Attorney.....Lawrence E. Bathgate, II, Esq.**  
**Jan 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. 2010-266**

**ROLL CALL**

**SALUTE TO THE FLAG AND PRAYER**

**OPEN SESSION**

Motion by Committeeman Lichtenstein, second by Deputy Mayor Miller, and carried, to open the meeting.

**MOTION TO APPROVE MINUTES OF: 08/19/10**

Motion by Committeeman Lichtenstein, second by Mayor Langert, and carried, to approve the above Minutes.  
Committeeman Singer and Deputy Mayor Miller abstained.

**MOTION TO APPROVE CLOSED SESSION MINUTES: 08/19/10**

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

**PRESENTATIONS - None**

**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.

Joanne LaRocca, 22 Brian Street – Complained about the conditions of the sidewalks in her neighborhood; requested the installation of new sidewalks by the Township. Also requested public sewers in her neighborhood. Also complained about the installation of fences related to new construction in her area.

Mr. Barina - Passed an article to the Township Committee.

Seeing no one else wishing to be heard, the hearing on this Ordinance was closed 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 the 2010 Capital Budget, in the amount of \$80,000.00.  
Resolution No. 2010-267**
- 2. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Insertion of a Special Item of Revenue into the 2010 Municipal Budget, from an Urban Enterprise Zone Grant - Supplemental Parking Phase III, in the amount of \$832,000.00. (Chapter 159 – UEZ Supplemental Parking Phase III)  
Resolution No. 2010-268**
- 3. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Insertion of a Special Item of Revenue into the 2010 Municipal Budget, from an Urban Enterprise Zone Grant - Small Business Development, in the amount of \$155,000.00. (Chapter 159 – UEZ Small Business Dev.)  
Resolution No. 2010-269**
- 4. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Insertion of a Special Item of Revenue into**

**the 2010 Municipal Budget, from an Urban Enterprise Zone Grant - Financial Assistance Program V, in the amount of \$950,000.00. (Chapter 159 – UEZ Financial Assistance Program V) Resolution No. 2010-270**

- 5. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Insertion of a Special Item of Revenue into the 2010 Municipal Budget, from an Urban Enterprise Zone Grant - Franklin Street Redevelopment Area Acquisition 2, in the amount of \$981,000.00. (Chapter 159 – Franklin St. Redevelopment Area Acquisition 2) Resolution No. 2010-271**
- 6. Resolution releasing a Performance Guarantee, posted by Primax Properties, LLC, in connection with application SP# 1900a, Block 534, Lots 8 & 10. Resolution No. 2010-272**
- 7. Resolution releasing a Maintenance Guarantee, posted by Bais Medrash of Willow Court, Inc., in connection with SP# 1810 for Block 25.12, Lot 8. Resolution No. 2010-273**
- 8. Resolution appointing members to the Lakewood Township Heritage Commission. (Member; Sherril Schuster – Alternate Members; Judy Lefsky & Robert Kirschner) Resolution No. 2010-274**
- 9. Resolution accepting a Bid on Block 822, Lots 1 and 3 as a result of the Private Land Sale in the Township of Lakewood, County of Ocean, State of New Jersey, Pursuant to N.J.S.A. 40A:12-1 et. seq. Resolution No. 2010-275**
- 10. Resolution authorizing the Lakewood Tax Collector to cancel any and all property taxes on Block 524.19, Lot 25 due to Disabled Veteran Exemption. Resolution No. 2010-276**
- 11. Resolution authorizing the Lakewood Tax Collector to cancel any and all property taxes on Block 1248, Lot 111.04, Qual. C100D due to Disabled Veteran Exemption. Resolution No. 2010-277**
- 12. Resolution authorizing the Lakewood Tax Collector to cancel any and all property taxes on Block 548, Lot 77.71 Qual. C1000 due to Disabled Veteran Exemption.**

**Resolution No. 2010-278**

- 13. Resolution authorizing the Lakewood Tax Collector to cancel any and all property taxes on Block 1440, Lot 2.181, Qual. C1000 due to Disabled Veteran Exemption.  
Resolution No. 2010-279**
- 14. Resolution authorizing the Lakewood Tax Collector to cancel any and all property taxes on Block 1587, Lot 1084.04 Qual. C100D due to Disabled Veteran Exemption.  
Resolution No. 2010-280**
- 15. Resolution authorizing the Lakewood Tax Collector to cancel any and all property taxes on Block 224, Lot 13 due to Disabled Veteran Exemption.  
Resolution No. 2010-281**
- 16. Resolution authorizing the Execution of a Shared Services Agreement between The Township of Lakewood and Lakewood Township Board of Education.  
Resolution No. 2010-282**
- 17. Resolution authorizing the Execution of a Shared Services Agreement between the Township of Lakewood and the Lakewood Municipal Utilities Authority.  
Resolution No. 2010-283**
- 18. Resolution authorizing The Township of Lakewood Tax Collector to refund Tax Lien Redemptions.  
Resolution No. 2010-284**

Motion by Committeeman Singer, second by Deputy Mayor Miller, and carried, to approve Resolution Nos. 1 through 18 on the Consent Agenda.

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

**Resolution Nos. 2010-267 through 2010-284 – Adopted.**

**ORDINANCE SECOND READING**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, repealing Chapter III (Police Regulations), Sections 3-5.1 and 3-5.2 (Defacing Property; Graffiti) of the Revised General Ordinances of the Township of Lakewood, 1999. (Chapter III Sec. 3-5.1 & 3-5.2 Defacing Property; Graffiti)**

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 Singer, second by Committeeman Lichtenstein.

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

**Ordinance No. 2010-64 adopted on second reading.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII (Unified Development Ordinance), Article II (Definitions) of the Revised General Ordinances of the Township of Lakewood. (Chapter XVIII, Sec. 18-200 – Definitions)**

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.

Mr. Wouters advised that this Ordinance was submitted to the Planning Board for their review. They reviewed it at their recent meeting, issued a letter dated today, indicating their support and concurrence with the adoption of this Ordinance.

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

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

**Ordinance No. 2010-65 adopted on second reading.**

**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 to Jersey Central Power & Light Company, along and adjacent to the North Side of Bellinger Street.**

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 Lichtenstein, second by Deputy Mayor Miller.

Committeeman Singer asked why they are doing this Ordinance.

Committeeman Lichtenstein advised there was a request for JCPL to be able to put lines through to provide power to someone.

Mayor Langert advised it is to give JCPL an easement for new construction to provide street lights and service to a Yeshiva.

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

**Ordinance No. 2010-66 adopted on second reading.**

**ORDINANCE FIRST READING (Second reading and Public Hearing 09/16/10)**

**Ordinance Re-appropriating \$80,000.00 proceeds of obligations, not needed for their original purposes, in order to provide Site Investigation, Testing and Remedial Action in conjunction with 200 Monmouth Avenue and 121 Second**

**Street located in the Township of Lakewood, and other related expenses in and by the Township of Lakewood, in the County of Ocean, New Jersey.**

Read by title only for first reading.

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

Mayor Langert confirmed that part of this money will be recouped from the Township's insurance company.

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

**Ordinance No. 2010-67 adopted on first reading. Second reading and public hearing to be held on September 16, 2010.**

**An Ordinance of The Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of an undersized parcel in the Township of Lakewood, at a Private Sale, pursuant to N.J.S.A. 40A:12-1, et. seq. (Block 197, Lot 7)**

Read by title only for first reading.

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

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

**Ordinance No. 2010-68 adopted on first reading. Second reading and public hearing to be held on September 16, 2010.**

**An Ordinance Releasing, Extinguishing and Vacating the Rights of the Public in a portion of a paper street known as Funston Avenue, in the Township of Lakewood. (St. Vacation – Funston Ave.)**

Read by title only for first reading.

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

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

**Ordinance No. 2010-69 adopted on first reading. Second reading and public hearing to be held on September 16, 2010.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, releasing and discharging a portion of a Deed Restriction contained in the December 9, 2005 Deed between the Township of Lakewood and Bnos Rivka, Inc.**

Read by title only for first reading.

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

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

**Ordinance No. 2010-70 adopted on first reading. Second reading and public hearing to be held on September 16, 2010.**

## **CORRESPONDENCE**

Per list of one (1) correspondence item, attached hereto and made a part hereof.

## **PARKS AND EVENTS CORRESPONDENCE**

Per schedule on one (1) picnic request, attached hereto and made a part hereof.

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

## **MOTION TO APPROVE BILL LIST OF: 08/31/10**

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

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

**Bill List approved.**

## **COMMENTS FROM COMMITTEE MEMBERS**

Committeeman Lichtenstein welcomed Deputy Mayor Miller back and congratulated him on his Major Select Promotion in the US Air Force.

Deputy Mayor Miller passed the correspondence provided by Mr. Barina to Mr. Muscillo for review.

Mayor Langert advised he will have someone look into Mrs. LaRocca's comments. He asked Mr. Muscillo to request someone from Public Works to survey the condition of the sidewalks in her neighborhood.

Committeeman Singer explained that if the Township does the work, a Bond Issue would be required and the residents would be assessed for the cost of the sidewalks. It is the property owners' responsibility for maintain their sidewalks, and if they are in poor condition, it would be their responsibility to replace them. As to the sewers, the question is whether or not the homeowners are willing to pay the expense of bringing sewer through the development.

Mayor Langert wished everyone a very happy and safe Labor Day Weekend, and to those of the Jewish faith, he wished a Happy New Year.

## **ADJOURNMENT**

Motion by Committeeman Singer, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 7:55 PM.