

The Lakewood Township Committee held a Meeting on Thursday, April 7, 2016 in the Lakewood Municipal Building, at 5:30 PM for the Workshop/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
Michael J. D’Elia
Meir Lichtenstein
Municipal Manager..... Thomas L. Henshaw
Municipal Attorney..... Steven Secare, Esq.
Municipal Clerk..... Kathryn Hutchinson

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, and published in the Asbury Park Press on January 6, 2016 and revised via email on April 4, 2016.

ROLL CALL

CLOSED SESSION
Resolution No. 2016-153 - Adopted

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: March 17, 2016
Motion by Committeeman Lichtenstein, second by Committeeman D’Elia, and carried, to approve the above Minutes. Committeeman Coles abstained.

MOTION TO APPROVE WORKSHOP AND CLOSED SESSION MINUTES: March 17, 2016
Motion by Committeeman D’Elia, second by Committeeman Lichtenstein, and carried, to approve the above Closed Session Minutes. Committeeman Coles abstained.

PRESENTATIONS - None

ORDINANCES FOR DISCUSSION - None

PUBLIC COMMENT

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.

Shai Pollack, 127 Claire Drive – Lives in Hearthstone. Advised that the main roadway entrance to the development is Finchley Boulevard, which approximately one year ago was repaved by the Water Company, not the Township. A developer is now building five duplexes, for a total of eleven units on the street, and therefore made eleven holes in the street. It was horribly repaved, and is like a roller-coaster to drive on the street. He asked what can be done to hold this Developer accountable to repave the street properly.

Mayor Miller requested the Manager to have the Engineering Department look at this area on Finchley Boulevard to make sure it is paved properly.

Joyce Blay, NJ News and Views, 311 Floral Way, Toms River – Asked questions about the Executive/Workshop Agenda from earlier this evening because not all items on the Agenda were discussed in public.

Mayor Miller explained items that were on the Agenda, regarding the extension of Vermont Avenue, and a proposed zone change which is being referred to the Planning Board. They are also looking into enacting a Master Plan Committee for input.

Pastor Jerome Robinson, 322 East Fifth Street – Advised they are glad they will be able to utilize the park on April 6, 2016, but he still has concerns going forward. He does not want the rules and regulations to change regarding the use of this park by the public, and that it will continue to be available for use by the public, and that no Ordinance will be adopted to shut down the park for their use.

Mayor Akerman clarified that what they are thinking of doing is the exact opposite to what Pastor Robinson is saying. As was explained at the previous meeting, it is in discussions to formulate an Ordinance to say that they would not restrict anyone from using the park. The parks are public property, and everyone should be able to use them. They would like to formulate an Ordinance that says everyone can use the park, on certain days, instead of restricting it to certain groups. That means that everyone can use it. If they don't adopt this Ordinance, and allow specific groups to come in, then that means that one group can use it and no one else can have the typical use of the park. For example, there are well over one thousand people that come to some of these events. So how can the rest of the residents, and out of town people, use the park, when the entire park is occupied by one huge event. They would like to restrict that, and that is why they were thinking of formulating an Ordinance to restrict any and all individual groups from occupying the park on certain days. That is not fair to the entire population of Lakewood. The entire Lakewood population should be able to use

the parks on certain days. They are not saying that the public can not use the park. They went back and forth with this previously. By allowing people to take the park for the day, they would be telling everyone else that they can not use the park on that day. And they do not think that is fair.

Mayor Miller advised he was not present at the last meeting, as he was out of town. But he is telling them now that they can hold their event there, and they look forward to seeing their event there.

Pastor Robinson added one last thing. He advised that in 2017 they want to use the park; in 2018 they want to use it; in 2019 they want to use it. They do not want not to be able to use the park. He knows it is repetitive, but this is just something that as being part of this community, that they would like to stand. It has been standing way before him, and now that he is here, it is standing, and they want it to continue to stand.

Michael Tarney, Bishop Evangelical Temple, 213 Second Street – Asked that if on certain days they will not be able to use the park?

Deputy Mayor Akerman advised they are not sure what they are doing yet. Last time they went back and forth, and they were accused of not allowing the public to use the park. He does not want the conversation to go that way. They are open to the idea of allowing specific people to take it for the day, but he is saying that when people get up and say the Committee is not letting the public use the park, their intention is just the opposite. They want the public to enjoy the park. For example, if they give the park out every single day of the year to individual groups, then the public can never use that park. That is not called allowing the public to have it. He wants to establish right away that they are looking to protect the public, not to limit the public. They do not have an Ordinance yet, but they are discussing the idea of whether they should restrict it totally to individual groups, should they limit it to individual groups, etc. They have not finalized anything yet.

Bishop Tarney requested that when the Committee discusses the Ordinance, could one person from the religious community be part of those discussions.

Committeeman Lichtenstein responded that the Committee understands the request, that they want to use the park in the future years. And it has come up in discussions about future Ordinances. The Committee understands the request; they can use it this year, and he does not think they should walk away thinking they will not be able to use it in the future. There is no Ordinance on the table at this point.

Edward Harper, Macedonia – Asked how soon does the Committee plan to implement the Ordinance.

Committeeman Lichtenstein repeated that there is no Ordinance on the table at this time.

Deputy Mayor Akerman added they do not have a plan. They are discussing the idea of doing an Ordinance, but they do not have anything written up.

Pastor Linwood Frasier – Advised that his concern is that the Committee keeps saying that if they have their event there, that certain people won't be able to use it. Everyone is welcome. It is not a closed event.

Deputy Mayor Akerman responded that he knows that. But there are times when there are a lot of people that come, and it is hard to tell one group yes, and another group no. There are times when the entire park is taken up, and the general public can not use it at all. He agrees that most of the time it is fine, it is open. He is not denying that.

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 of the Township of Lakewood, County of Ocean, State of New Jersey, Cancelling Various Grant Receivable and Grant Appropriated Reserve Balances
Resolution No. 2016-154**
- 2. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Award of a Non-Fair and Open Contract to Serpico Pyrotechnics, LLC, and Establishing Traffic Regulations in Connection with Independence Day Fireworks Displays to be Conducted at Lake Carasaljo for the Years 2016 and 2017.
Resolution No. 2016-155**
- 3. Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Accepting The Highest Bid at the Public Auction Held on March 3, 2016 for the Sale of Property Owned by the Township of Lakewood, Known as Block 536 Lot 133, From the Highest Bidder and Authorizing the Mayor to Execute a Contract of Sale
Resolution No. 2016-156**
- 4. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Rescinding Resolution No. 2016-144, Entitled “Resolution of the Township of Lakewood, County of Ocean, State of New Jersey Authorizing the Issuance of a Duplicate Tax Sale Certificate Pursuant to Chapter 99 of the Public Laws of 1997”.
Resolution No. 2016-157**

5. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing a Refund of a Dog License Renewal Fee in the Amount of \$16.00 For a Service Dog Pursuant to N.J.S.A. 4:19-15.3.
Resolution No. 2016-158**
6. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Execution of a Shared Services Agreement Between the Township of Lakewood and the County of Ocean for the “Fatal Accident Support Team Program 2015/2016”.
Resolution No. 2016-159**
7. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Designating Avenue of the States, LLC. as Redeveloper of Block 961 Lot 2.02 in the Cedarbridge Redevelopment Area.
Resolution No. 2016-160**
8. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Designating Cedarbridge Office Urban Renewal LLC as Redeveloper of Block 961.01 Lot 4 in the Cedarbridge Redevelopment Area.
Resolution No. 2016-161**
9. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Mayor and or His Designee to Enter Into a Grant Agreement With the New Jersey Department of Transportation Fiscal Year 2016 Municipal Aid Program for 2016 Road Improvements for Clifton Avenue.
Resolution No. 2016-162**
10. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Awarding a Contract to Seacoast Construction Inc. for the Construction of Park Avenue Parking Lot Project, Pursuant To And In Accordance With N.J.S.A. 40A:11-1 Et Seq.
Resolution No. 2016-163**
11. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Awarding a Contract to Earle Asphalt Company for the 2015 Road Improvement Program Project Phase II, Pursuant to and in Accordance With N.J.S.A. 40A:11-1 Et Seq.
Resolution No. 2016-164**
12. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing a Refund of Taxes for 2015 Pursuant to N.J.S.A. 54:4-3.30 Et Seq.
Resolution No. 2016-165**

- 13. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing A Refund Of Taxes For 2015 Pursuant To N.J.S.A. 54:4-3.30 Et Seq.
Resolution No. 2016-166**
- 14. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing the Maintenance Guarantee Posted by Entech Boiler Controls, Inc., in Connection with ZB #3786A, Block 208, Lot 7.
Resolution No. 2016-167**
- 15. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing a Performance Guarantee Posted by 323-325 Realty, LLC, in Connection with SD #1702, Block 235, Lots 33, 35, 36 and 44.
Resolution No. 2016-168**
- 16. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing a Performance Guarantee Posted by the Jewish Outreach Congregation in Connection with SD #1986AA, Block 778.22, Lot 8.
Resolution No. 2016-169**
- 17. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing a Performance Guarantee Posted by Mizz Construction NJ, LLC. In Connection with SD #1933, Block 430, Lot 10.
Resolution No. 2016-170**
- 18. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing a Performance Guarantee Posted by Mizz Builders, LLC. In Connection with SD #1941AA, Block 238, Lot 22.
Resolution No. 2016-171**
- 19. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing a Performance Guarantee Posted by Tuscana I, LLC, in Connection with SD #1433C, Block 208.01, Lot 19.
Resolution No. 2016-172**
- 20. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing A Shared Services Agreement With The County Of Ocean For The Child Restraint Group.
Resolution No. 2016-173**
- 21. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Awarding a Contract to Bergey's Trucks, Inc. D/B/A Bergey's Truck Center for the Purchase of One (1) 2017 Truck Refuse Front Loader Pursuant to and in Accordance With N.J.S.A. 40A:11-1 Et Seq.
Resolution No. 2016-174**

**22. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Accepting the Highest Bid at the Public Auction Held on March 3, 2016 for the Sale of Property Owned by the Township of Lakewood, Block 416 Lot 5, From the Highest Bidder and Authorizing the Mayor to Execute a Contract of Sale in the Township of Lakewood County of Ocean, State of New Jersey
Resolution No. 2016-175**

Motion by Committeeman Coles, second by Deputy Mayor Akerman, to approve Resolution Nos. 1 through 22 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein (Not voting on Resolution Nos. 15, 17 and 18), Committeeman D’Elia, Deputy Mayor Akerman and Mayor Miller.

Resolution Nos. 2016-154 through 2016-175 – Adopted.

ORDINANCES SECOND READING - None

ORDINANCES FIRST READING – Second Reading and Public Hearing to be held on May 5, 2016

Committeeman Lichtenstein removed himself from the dais with regard to any discussion and vote on the following Ordinance:

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Private Sale of Block 1069 Lot 2, 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 first reading.

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

On Roll Call – Affirmative: Committeeman Coles, Committeeman D’Elia, Deputy Mayor Akerman and Mayor Miller.

Not voting: Committeeman Lichtenstein

Ordinance No. 2016-17 adopted on first reading. Second reading and public hearing to be held on May 5, 2016.

Committeeman Lichtenstein returned to the dais.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Acquisition of Certain Interests in Real Properties by Negotiation, Purchase, Condemnation or Eminent Domain, Said Properties Being Identified on the Annexed Schedule and Parcel Maps.

Read by title only for first reading.

The above Ordinance was offered by Committeeman Lichtenstein, second by Committeeman D’Elia.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman D’Elia, Deputy Mayor Akerman and Mayor Miller.
Ordinance No. 2016-18 adopted on first reading. Second reading and public hearing to be held on May 5, 2016.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter II of the Revised General Ordinances of the Township of Lakewood, 1999, Entitled “Administration”, Section 2-76 Entitled “Fees For Miscellaneous Services and Copies of Public Documents”, Specifically Subsection 2-76.1 Entitled “Fees for Miscellaneous Services”

Read by title only for first reading.

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

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

Ordinance No. 2016-19 adopted on first reading. Second reading and public hearing to be held on May 5, 2016.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Changing the Name of a Street to Claire Drive Pursuant to and in Accordance With N.J.S.A. 40:67-1(K) Et Seq.

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Committeeman D’Elia.

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

Ordinance No. 2016-20 adopted on first reading. Second reading and public hearing to be held on May 5, 2016.

CORRESPONDENCE

Per list of two (2) correspondence items, attached hereto and made a part hereof.

PARKS AND EVENTS CORRESPONDENCE

Per schedule of eighteen (18) parks/events requests, attached hereto and made a part hereof.

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

MOTION TO APPROVE BILL LIST OF: April 6, 2016

Motion by Committeeman Coles, second by Committeeman D'Elia, to approve the above Bill List.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Mayor Miller advised they will be preparing for the Memorial Day Parade. Anyone who would like to march in the Parade should contact his office.

Mayor Miller offered the following appointments to the Master Plan Committee: Bill Hobday, Ben Heineman, Moshe Gleiberman, Shlomo Ingber, Shalom Landman, Moshe Lankry, Mike McNeil, Nechama Morgan, Avi Verschleizer, and Mike McLoughlin.

Mayor Miller further advised they will be looking for individuals to join subcommittees as well for their input.

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Committeeman Coles, and carried, to adjourn the meeting. Meeting adjourned at 7:48 PM.