

The Lakewood Township Committee held a meeting on Thursday, June 12, 2014, in the Lakewood Municipal Building, at 6:30 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
Steven Langert
Meir Lichtenstein
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 1, 2014 and published in the Asbury Park Press on January 6, 2014.

ROLL CALL

CLOSED SESSION

Resolution No. 2014-195 – 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: 05/22/14

Motion by Committeeman Lichtenstein, second by Deputy Mayor Akerman, and carried, to approve the above Minutes. Committeeman Coles did not vote.

MOTION TO APPROVE CLOSED SESSION MINUTES: 05/22/14

Motion by Committeeman Lichtenstein, second by Committeeman Langert, and carried, to approve the above Closed Session Minutes. Committeeman Coles did not vote.

2014 MUNICIPAL BUDGET

ORDINANCE

Calendar Year 2014 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 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. 2014-45 adopted on first reading. Second reading and public hearing to be held on June 26, 2014.

RESOLUTION

Introduction of 2014 Municipal Budget

The Township Clerk read this Resolution into the record.

Motion by Committeeman Coles, second by Committeeman Langert.

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

Resolution No. 2014-196 – Adopted.

PRESENTATIONS

James Smith – Employee of the Month

James Smith was presented with the Employee of the Month Award for June 2014.

Jeff Shapiro explained the Concert Series Program at the Amphitheater at Lake Carasaljo, which the Township is bringing back. Investors Bank presented the Township with a check in the amount of \$5,000.00 to sponsor the program.

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 Miller opened the meeting to the public.

Steve Brigham, resident of Tent City – Responded to Deputy Mayor Akerman’s recent comments with regard to the homeless issue.

Minister Steven Brigham, Tent City – Commented on civil rights and the homeless issue.

Rose Ferrara, 12 Stewart Drive, Unit 3, Freehold - volunteer at Tent City – Commented on the homeless issue.

Sylvester Sykes - Commented on the homeless issue.

Alex Libman, resident of Tent City - Commented on the homeless issue.

Dan _____, resident of Tent City – Commented on the homeless issue.

Guy Anthony, recent resident of Tent City (Lives at 210 East Centre Street, Shenandoah, PA) – Came to Lakewood in support of Tent City residents. Commented on the homeless issue.

David Wolfe – Spoke in support of the residents of Tent City, and commented on the homeless issue.

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 Releasing Maintenance Guarantee posted by Silver Polish LLC, in connection with ZB# 3304AA – Sterling Properties (Yomah Inc.), Block 423, Lots 10, 16, and 70-74.
Resolution No. 2014-197**
- 2. Resolution Authorizing the Liquor License Renewal for 2014-2015, to CB Lakewood LLC, t/a Charlie Browns Steakhouse, Liquor License No. 1514-33-018-006.
Resolution No. 2014-198**
- 3. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Jay Prabhu, t/a Rite Liquors, Liquor License No. 1514-44-013-004.
Resolution No. 2014-199**

- 4. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Town & Country Liquors LLC, t/a Wine Academy Superstores, Liquor License No. 1514-44-005-011.
Resolution No. 2014-200**
- 5. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Vadi Wines Inc., t/a Spirits Unlimited Liquor License No. 1514-44-006-008.
Resolution No. 2014-201**
- 6. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Student Government Club Association, Liquor License No. 1514-31-044-001.
Resolution No. 2014-202**
- 7. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Ying Huang, Liquor License No. 1514-33-027-006.
Resolution No. 2014-203**
- 8. Resolution Authorizing a Refund based on a Tax Court Judgment for Block 189.03, Lot 81.01, in the amount of \$1,918.41
Resolution No. 2014-204**
- 9. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Javier Perez-Hernandez, Liquor License No. 1514-33-001-011.
Resolution No. 2014-205**
- 10. Resolution Authorizing Refund of Taxes on Mother lot due to Subdivision, for Block 189.21, Lot 6, in the amount of \$1,186.08.
Resolution No. 2014-206**
- 11. Resolution Authorizing Emergency Temporary Appropriations for the period between the beginning of the Current Fiscal Year and the date of the adoption of the 2014 Budget.
Resolution No. 2014-207**
- 12. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Laketon Associates, Inc., Liquor License No. 1514-33-034-004.
Resolution No. 2014-208**
- 13. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Lakewood Recreation Center LLC, Liquor License No. 1514-33-031-007.
Resolution No. 2014-209**

- 14. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Lake Terrace Manager LLC, Liquor License No. 1514-33-048-001. Resolution No. 2014-210**
- 15. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Ruby Tuesday, Inc., Liquor License No. 1514-33-012-006. Resolution No. 2014-211**
- 16. Resolution Authorizing the Liquor License Renewal for 2014-2015, to MGAR Inc., t/a LOL Bar and Grill, Liquor License No. 1514-32-022-010. Resolution No. 2014-212**
- 17. Resolution Authorizing the Liquor License Renewal for 2014-2015, to S & G Associates Inc., t/a Lakewood Liquors, Liquor License No. 1514-44-011-011. Resolution No. 2014-213**
- 18. Resolution Authorizing the Liquor License Renewal for 2014-2015, to GURU Management, t/a Buy Rite Discount Liquors, Liquor License No. 1514-44-033-008 Resolution No. 2014-214**
- 19. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Strand Ventures, Inc., t/a Strand Theater., Liquor License No. 1514-37-046-001. Resolution No. 2014-215**
- 20. Resolution Authorizing the Liquor License Renewal for 2014-2015, to Square Liquors, Inc., t/a Spirits Unlimited, Liquor License No. 1514-44-021-004 Resolution No. 2014-216**
- 21. Resolution Appointing Edward R. Seeger Jr. as Tax Assessor, for a four-year term. Resolution No. 2014-217**
- 22. Resolution Appointing Effie Pressley as Tax Collector, to a four-year term. Resolution No. 2014-218**
- 23. Resolution Authorizing a 2014 Multi-Jurisdictional All Hazard Mitigation Plan for Ocean County. Resolution No. 2014-219**

24. **Resolution Releasing a Performance Guarantee posted by Benzion Harnik, in connection with Application SD# 1638 – Minor Subdivision, Block 223, Lot 93.
Resolution No. 2014-220**
25. **Resolution Releasing Performance Guarantee posted by Yeshiva Ohr Moshe Inc., in connection with Application SP# 1982, Block 159, Lot 13.
Resolution No. 2014-221**
26. **Resolution Authorizing the Liquor License Renewal for 2014-2015, to Kokes Fairways LLC, t/a Eagle Ridge Golf Club, Liquor License No. 1514-33-025-009.
Resolution No. 2014-222**
27. **Resolution Authorizing and Approving the “Business to Business Networking Initiative”, in the amount of \$5,000.00.
Resolution No. 2014-223**
28. **Resolution Authorizing the Modification of Deed Restriction for Block 1085, Lot 4.
Resolution No. 2014-224**
29. **Resolution for Assessor’s Correction-Cancel 2014 taxes on Block 423.13, Lot 1; Block 423.14, Lot 10.01; and Block 423.14, Lot 10.61.
Resolution No. 2014-225**
30. **Resolution Authorizing Fireworks Display by Serpico Pyrotechnics, LLC and Establishing Traffic Regulations in connection with the Independence Day Fireworks Display.
Resolution No. 2014-226**

Motion by Committeeman Coles, second by Committeeman Lichtenstein, to approve Resolution Nos. 1 through 30 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles (abstained on Resolution No. 19), Committeeman Lichtenstein (abstained on Resolution Nos. 1, 14, 15 and 18), Committeeman Langert (abstained on Resolution No. 26), Deputy Mayor Akerman, and Mayor Miller.

Resolution Nos. 2014-197 through 2014-226 – Adopted.

At this time, Mayor Miller left the meeting due to a previous family commitment. The Gavel was passed to Deputy Mayor Akerman to run the remainder of the meeting.

ORDINANCE SECOND READING

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII (Unified Development Ordinance) of the Revised General Ordinances of the Township of Lakewood, 1999, specifically Section 18-1019 (Digital Billboards) (Chap. XVIII, Sec. 18-1019 – Digital Billboards)

Read by title only for second reading.

Deputy Mayor Akerman 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 and Deputy Mayor Akerman.

Ordinance No. 2014-31 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:21-1 et seq. Granting Abatement to Local Property Taxes to Condor Jackson, LLC, for facilities located at Block 57, Lot 1 and Authorizing the Mayor and Township Clerk to Execute any and All Documents necessary and proper to enter into a Tax Abatement Agreement. (Tax Abatement – Condor Jackson LLC)

Read by title only for second reading.

Deputy Mayor Akerman opened the meeting to the public.

Joyce Blay, NJ News and Views, 311 Floral Way, Toms River – Asked if anyone was present to make a presentation with regard to this Tax Abatement.

She was advised that someone was present.

Ms. Blay responded that she will wait until after the presentation to ask her questions.

The Attorney for Condor Jackson, LLC, Samuel Brown, Esq., 450 West Kennedy Boulevard, came forward and advised he was present to answer any questions.

Committeeman Coles asked Mr. Brown to give a brief overview of the project details.

Mr. Brown explained that the project is an office building, which was erected on West Kennedy Boulevard across from the Shop-Rite Plaza. It was a dilapidated home prior to them developing that piece of property. The building encompasses several businesses, including his own law firm. It houses the Higher Education Management and other related businesses, and also a well known accountant in town who has several

employees. In total, there are in excess of forty (40) employees in the building, who have been employed as a result of this building.

Committeeman Langert asked who are the principals of Condor Jackson LLC.

Mr. Brown responded that the principals are himself and Moshe Weisberg, who is the principal of the Higher Education Management, and its related businesses.

Ms. Blay asked why this project is receiving a tax abatement, and what is the surplus that the Township is reporting currently and at the end of 2013.

Committeeman Coles responded that the Township has offered tax abatements for industrial and commercial abatements for many years. Twenty five years ago, when he went into business, he was a recipient of an abatement when he moved into a new building. It was one of the things that enabled his business to get off the ground. It is an incentive for the kind of development they want to see in town, and an incentive for new companies to locate in Lakewood. It gives them an opportunity to establish themselves and get going over the course of five years, without having the full tax burden on them. He has always been in favor of the abatement process, when the concept is a good one that will bring future employment to Lakewood, as well as give those companies the opportunity to get started.

Ms. Blay was advised that her other question regarding surplus was not relevant to this Ordinance, and is a question for the public portion of the meeting.

Mr. Reinman offered to explain the budget information to Ms. Blay after the meeting.

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 Langert.

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

Ordinance No. 2014-39 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:21-1 et seq. Granting Abatement to Local Property Taxes to Bais Rivka Rochel, for facilities located at Block 160, Lot 1.01 and Authorizing the Mayor and Township Clerk to Execute any and All Documents necessary and proper to enter into a Tax Abatement Agreement. (Tax Abatement – Bais Rivka Rochel)

Read by title only for second reading.

Deputy Mayor Akerman asked if anyone was present to give a presentation on this Tax Abatement Ordinance.

As no one was present, Deputy Mayor Akerman asked for a Motion to carry this Ordinance to the next meeting.

Motion by Committeeman Coles, second by Committeeman Langert, that the above Ordinance be carried to June 26th.

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

Second reading and public hearing on Ordinance No. 2014-40 carried to the meeting of June 26th, 2014.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Public Sale of Block 430, Lot 16, in the Township of Lakewood, County of Ocean, State of New Jersey, at Open Public Sale pursuant to N.J.S.A. 40A:12-1 et seq. (Public Land Sale – Blk. 430, Lot 16)

Read by title only for second reading.

Deputy Mayor Akerman 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.

Committeeman Langert confirmed that the sales price is \$750,000.00.

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

Ordinance No. 2014-41 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Private Sale and Conveyance of Block 830, Lot 44 lying within the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:12-21 (1), et seq. to New Jersey Hand, Inc., a New Jersey Non-Profit Corporation. (Private Land Sale – Blk. 830, Lot 44 – NJ Hand)

Read by title only for second reading.

Deputy Mayor Akerman 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 Langert.

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

Ordinance No. 2014-42 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI (Traffic), Section 11-10.1 (Stopping or Standing Prohibited) of the Revised General Ordinances of the Township of Lakewood 1999. (Chap. XI, Sec. 11-10.1 – No Stopping/Standing)

Read by title only for second reading.

Deputy Mayor Akerman opened the meeting to the public.

Tracy Tift, Pasadena Street – Advised that No Stopping and Standing is a good idea. Asked if they could get that on some residential streets as well. Because coming out of his development, sometimes cars that are parked on Pasadena and Red Oak block the side of the road, and you actually have to pull out into the traffic in order to see.

Committeeman Langert suggested that he speak to a Committeeman after the meeting and make the request that his development be reviewed.

Committeeman Lichtenstein also advised that Public Works can mark the intersections to see if it is within Title 39 regulations, and they can send the Police out to look at the intersection.

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 Langert, second by Committeeman Coles.

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

Ordinance No. 2014-43 adopted on second reading.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Acquisition of certain properties in Fee Simple, by Conveyance or the Exercise of Eminent Domain for the Construction of Affordable Housing in the Township of Lakewood.

Read by title only for second reading.

Deputy Mayor Akerman opened the meeting to the public.

Joyce Blay, NJ News and Views, 311 Floral Way, Toms River – Asked if this Ordinance is an act of condemnation, and if so, why.

Mr. Wouters explained that it is a condemnation action, but he wanted to make sure it is understood that it actually is the exercise of eminent domain. This is vacant property that the Township owns that has some title issues. It is property that they had planned to give to NJ Hand for affordable housing, and when the title search was run, it was determined there were some title issues, and the best way to clear the title issues was to go through the process of obtaining the property by eminent domain, so that is what this is.

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 and Deputy Mayor Akerman.

Ordinance No. 2014-44 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 06/26/14)

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter VIII, (Parks, Playgrounds, and Recreation Areas), with New Section 8-15 (use of Ball Fields by Out-of-Town Groups and Organized Leagues), of the Revised General Ordinances of the Township of Lakewood, 1999. (Chap. VIII, Sec. 8-15 – Out-of-Town/Organized Leagues)

Read by title only for first reading.

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

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

Ordinance No. 2014-46 adopted on first reading. Second reading and public hearing to be held on June 26, 2014.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVIII of the Lakewood Township Unified Development Ordinance of 2005, Section 18-901 B (Map and Interpretation). (Chap. XVIII, Sec. 18-901 – Map and Interpretation - Blk. 1086, Lot 22)

Read by title only first reading.

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

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

Ordinance No. 2014-47 adopted on first reading. Second reading and public hearing to be held on June 26, 2014.

CORRESPONDENCE

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

PARKS/EVENTS CORRESPONDENCE

Per schedule of twenty-five (25) park/events correspondence items, attached hereto and made a part hereof.

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

Committeeman Langert requested that Item No. 21 be forwarded to the Manager for further review and investigation as there are many dates requested, and he wants to make sure it is not interfering with any other event. As long as the dates are open and available, he has no problem with it, but he would like to Manager to do a little more investigation.

Committeeman Lichtenstein amended his Motion, as long as it is conditional;
Committeeman Coles amended his second to the Motion.

MOTION TO APPROVE BILL LIST OF: 06/10/14

Motion by Committeeman Lichtenstein, second by Committeeman Langert.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS - None

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Committeeman Langert, and carried,
to adjourn the meeting. Meeting adjourned at 8:43 PM.