

The Lakewood Township Committee held a meeting on Thursday, October 17, 2013 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..... Albert D. Akerman
Deputy Mayor..... Steven Langert
Committee Members.....Absent..... Raymond Coles
Meir Lichtenstein
Menashe P. Miller
Interim 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, and published in the Asbury Park Press on October 15, 2013.

ROLL CALL

CLOSED SESSION

Resolution No. 2013-344 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES: None

MOTION TO APPROVE CLOSED SESSION MINUTES: 10/03/13

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

PRESENTATIONS - Ervin Oross – CDBG

Mr. Oross offered the annual presentation and distribution of CDBG funds for public service organizations. Proclamations were also presented to the members of the CDBG Selection Committee for their service.

ORDINANCES FOR DISCUSSION – None

QUALITY OF LIFE

Mayor Akerman reviewed quality of life items from the previous meeting.

With regard to Committeeman Lichtenstein's request for a Stop Ahead Sign at Ninth Street and Monmouth Avenue, Mr. Arrechi advised that there are No Stops at that location to begin with. Committeeman Lichtenstein asked that signs be placed on the side streets, east and west. Mr. Arrechi advised the signs would be installed tomorrow.

With regard to Committeeman Lichtenstein's request for a blinking light during evening hours at Fourteenth Street and Forest Avenue, Mr. Staiger advised he spoke with the traffic consultants and it is not recommended to switch to a blinking light for evening hours. It is currently being monitored by his inspectors and the Police Department.

Committeeman Lichtenstein further advised he has received concerns from some residents about the striping at Fourteenth Street and Forest Avenue. He does not think it is working. The yellow hump should be gone; there should be a little one much further back, and it should allow for stacking at least on the Forest Avenue side heading north, to allow for seven or eight cars. He asked Mr. Staiger to look into it.

Mayor Akerman thanked Mr. Staiger and Mr. Arrechi for taking care of the drainage on North Apple Street.

Mayor Akerman thanked Mr. Saccomanno for taking care of the issue at the site on Vermont Avenue. Mr. Saccomanno advised that Public Works was also involved with taking care of this matter.

Comments from Committee Members on Quality of Life Items:

Committeeman Lichtenstein advised he received a letter from residents of Yale Drive, with questions regarding traffic and speed limits, and their request for traffic calming and possibly the speed board. He gave the letter to the Township Clerk and requested that she forward copies to Engineering and the Police Department for their action.

Committeeman Lichtenstein advised he had spoken to the Chief of Police about a Four Way Stop Sign at Seventh Street and Nolan Place. He requested a recommendation on this matter, so that an Ordinance could be prepared for consideration.

Committeeman Lichtenstein commented that as the Township's traffic congestion builds up, and they are trying to do things like turning signals, and traffic lights, he asked if there is any room for "do not block the box" kind of signage; is it municipal, state, or something they should be looking at for the very congested areas, to remind people to hold off and not roll into the intersection until the car has flowed through. He asked Mr.

Staiger to look into it. Mr. Staiger responded that he will speak to their in-house traffic experts, and also with Public Works as they have the means to provide the striping and signage. He will report back to the Committee.

Committeeman Lichtenstein also advised he received a letter from a condominium association, and they are asking for some street lights to be installed. He requested that their staff evaluate the matter, and look at the existing poles at the site as to what needs to be upgraded, and submit the request to the Township Committee for recommendation. If it is something that the Manager and Police Department feel is something that needs to be upgraded, they will submit the request to JCPL.

Deputy Mayor Langert commented on a previous issue for Mr. Staiger. When you are traveling east on Central Avenue, at certain times of the day, there is a dedicated left turning light onto Route 9 North. What happens is that the traffic is stacking up because people are waiting for the left turn lane, and people who want to go straight at that light are driving down the shoulder. He asked that Mr. Staiger speak with the County about eliminating the shoulder up to Freeman Road, so it could actually be a second lane so they are not driving illegally on the shoulder.

Deputy Mayor Langert asked that Mr. Staiger also speak with the State about the corner of South Clifton Avenue, Clifton Avenue, and State Highway 88. The traffic in the morning coming up Cedarbridge Avenue into the Route 88 intersection is horrendous. You can wait for three or four traffic light cycles to get through that traffic going northbound. He asked if it possible, during certain peak hours, the green signal going north could be extended.

Mr. Staiger responded that for different intersections, depending on the controller that is there, you can have variable timing signals so that the sensors can actually pick up how many vehicles are waiting there and extend that time appropriately. It depends what type of equipment is there, and that would be under the jurisdiction of the DOT.

Deputy Mayor Langert also advised that the green turning arrow from Central Avenue onto Route 9 north, on Sunday mornings, is extremely short. He asked Mr. Staiger to have the State look at what the timing is for that signal, and perhaps it could be extended to be the same length as the rest of the week.

Committeeman Miller gave a follow-up with regard to the three-way stop sign on MLK and Pine. They are still in the study stage. They adopted the Ordinance for the three-way stop sign. It is a trial period, and they have received many phone calls. The ultimate solution would be to put Vine Street through, which is something that the Township is working on. That would take a lot of traffic off of MLK. As far as the intersection of MLK and Pine Street, the three-way stop is not a permanent solution, and they are asking that the public have patience until they figure out what to do.

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 Akerman opened the meeting to the public.

Naftali Reich, 226 Lake Drive Terrace – Commended the Committee on the CDBG grant distributions. Further advised that during the summer months, the Public Works Department built a path along North Lake Drive between Autumn Road and Lake Drive Terrace, which was a good idea as it takes the pedestrians off the street. He is concerned about the method of construction, so as not to destroy trees. He feels that the Township should be concerned about beautification of Lakewood.

Mayor Akerman advised that this matter has been referred to the Manager.

Mordechai _____, 14 Roosevelt Avenue – Commented with regard to the drainage issues in his yard. He wanted to follow up on the status of the repairs.

Mr. Staiger advised that the inspector has looked at the project. The Township has placed a claim on the bond, and the Township has received money from the bond. They need to put the project out to bid to get a contractor to finish up the bonded items.

Committeeman Lichtenstein requested Mr. Staiger to advise him about the bid specifications so he can take a look at it.

Seeing no one else wishing to be heard, Mayor Akerman closed the meeting 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 Canceling Various Grant Receivable and Grant Appropriated Reserve Balances.
Resolution No. 2013-345**

- 2. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2013 Municipal Budget for funding under Project No. UEZ 1013-6, in the amount of \$100,000.00. (Chap. 159 – LDC)
Resolution No. 2013-346**
- 3. Resolution Releasing a Performance Guarantee posted by, New Future Homes LLC, in connection with Application ZB# 3775, Block 131, Lot 6.
Resolution No. 2013-347**
- 4. Resolution Approving the use of additional First Generation Zone Assistance Funds for the "Transit Connect 3" project, in the amount not to exceed \$8,700.00. (LDC – "Transit Connect 3")
Resolution No. 2013-348**
- 5. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2013 Municipal Budget for funding under Transit Connect 3 – First Generation Enterprise Zone Assistance Funds, in the amount not to exceed \$8,700.00. (Chap. 159 – LDC)
Resolution No. 2013-349**
- 6. Resolution Approving the use of "1st Generation Zone Assistance Funds for the "Municipal Services – First Responder, (Chief's Vehicle), in the amount not to exceed \$20,000.00. (LDC- "Municipal Services – First Responder Vehicle)
Resolution No. 2013-350**
- 7. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2013 Municipal Budget for funding under Municipal Services – First Responder (Chief's Vehicle), - First Generation Zone Assistance Funds, in the amount not to exceed \$20,000.00. (Chap. 159 – LDC)
Resolution No. 2013-351**
- 8. Resolution Canceling Taxes and Authorizing a Refund pursuant to N.J.S.A. 54:4-3.32.
Resolution No. 2013-352**
- 9. Resolution Awarding a Contract for the Engineering and Design Services for Handball Courts to Remington & Vernick.
Resolution No. 2013-353**

- 10. Resolution Releasing the Maintenance Guarantee posted by, Shmuel Friedman, in connection with Application SD# 1683 (Cushman Street), Block 430, Lots 9 and 54.
Resolution No. 2013-354**
- 11. Resolution Authorizing a Refund based on a State Tax Appeal, Block 1604, Lot 12.01, in the amount of \$2,299.00.
Resolution No 2013-355**
- 12. Resolution Authorizing the Renewal of Towing Licenses for the Year 2013-2014.
Resolution No. 2013-356**
- 13. Resolution Authorizing a Refund based on a Tax Court Judgment, Block 52, Lot 3, in the amount of \$11,540.98.
Resolution No. 2013-357**
- 14. Resolution Authorizing a Refund based on a Tax Court Judgment, Block 1605, Lot 5, in the amount of \$8,641.50.
Resolution No. 2013-358**
- 15. Resolution Authorizing the Purchase of Energy Generation Services for Public use on an Online Auction Website.
Resolution No. 2013-359**
- 16. Resolution Establishing a "Complete Streets" Policy.
Resolution No. 2013-360**
- 17. Resolution Releasing a Performance Guarantee Posted by Zebra Holdings Inc., in connection with Application SP# 1950 (NPGS Supermarket First Street), Block 122, Lot 2.01.
Resolution No. 2013-361**
- 18. Resolution Releasing the Performance Guarantee posted by Pinchos Wolhendler in connection with Application SD# 1848, (Spruce Street Minor Subdivision), Block 778.06, Lot 59 and posting New Original Performance Guarantee.
Resolution No. 2013-362**

Motion by Committeeman Miller, second by Committeeman Lichtenstein, to approve Resolution Nos. 1 through 18 on the Consent Agenda.

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

Resolution Nos. 2013-345 through 2013-362 – Adopted.

Committeeman Miller advised that one of the Resolutions that was adopted this evening was to renew Towing Licenses. He asked that the Attorney provide him with a copy of the Ordinance for towing. He has a few bills that he would like to look over to make sure that the public is being billed properly. As there have been revisions to the Ordinance, he wants to make sure that the Towers are in compliance with what they are charging the public.

ORDINANCE SECOND READING

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Public Sale of New Lot 12.01 in Block 119, 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.

Read by title only for second reading.

Mayor Akerman advised it was his understanding that this Ordinance was for a two story maximum building, for parking reasons.

Mayor Akerman opened the meeting to the public.

Joyce Blay, NJ News and Views, 1594 Crimson Road, Toms River – Asked if the Township Committee has conducted a study to determine how many additional parking spaces are needed at the municipal building parking lot once this commercial structure is extended. Also how many parking spaces will be lost once public sale of this property is held.

Mayor Akerman advised that the idea of this sale is to limit it to two stories, and to limit it to the business that will be occupying it. Therefore, whichever business buys it will not generate that many parking spots, so hopefully there will not be an increase in spaces needed because of this business.

Ms. Blay asked why the Township Committee has not asked the Planning Board for input with regard to the need for additional parking or for relocation of the garbage receptacles that are located in that area prior to selling it.

Committeeman Miller responded that the Township Committee decides whether or not to sell a piece of property. As to the relocation of the receptacles for garbage, that will be decided by the Planning Board in conjunction with the Department of Public Works.

Mr. Wouters advised that the relocation of the garbage receptacles will be determined when the purchaser of the property applies for site plan approval for whatever will be put up on the property.

Yaakov Wenger, 224 Lincoln Street – Commented on some of the conditions of the sale.

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 Lichtenstein, second by Deputy Mayor Langert, for discussion.

Committeeman Lichtenstein stated there were some questions brought up about the parking. Although it is not in conjunction with this building, he believes they have a plan in place to increase the parking in the municipal parking lot regardless what is done with this lot. Regardless of whether or not this lot is sold, he thinks they are looking at more spaces along the Inspection Department building, and along the curb on Fourth Street opposite the County Building. It is important to know that there will be parking added regardless of what happens with this lot.

Mayor Akerman asked Mr. Wouters if it would be considered a material change to take out the words "at least" and put in "maximum" at No. 8.

Mr. Wouters responded that the intention at the start was that it would be limited to a two-story building. He thinks that is just correcting the intent of the Ordinance; it is not a material change.

Mayor Akerman asked that the Motion be amended to make the above change.

Committeeman Lichtenstein stated he would amend his Motion to say that it will be a maximum of two stories.

Deputy Mayor Langer suggested they take out the words "at least", and this way it would say....."obtaining approvals to erect a two story....."

Committeeman Lichtenstein stated he would amend his Motion to say a maximum of two.

A second to the Motion was offered by Committeeman Miller.

Mr. Wouters explained that the intent of this Ordinance is not for them to build a one-story building. The intent, as he has understood it from the start, was for them to build a two-story building....not three....not one....but two. So the purpose of the amendment was to emphasize the fact that it is supposed to be a two-story building, and they can not go any higher than two stories.

Committeeman Lichtenstein amended his Motion to say that it should read....a two story building, and to be clear at the sale as to exactly what they are buying.

Deputy Mayor Langert offered a second to the Motion.

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

Ordinance No. 2013-65, as amended, adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter III (Police Regulations) Section 3-27 (Prohibiting Open Fires of the Revised General Ordinances of the Township of Lakewood, 1999.

Read by title only for second reading.

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 Lichtenstein, second by Committeeman Miller, for discussion.

Committeeman Lichtenstein advised that he met with the Fire Commissioners a little while ago and they said that perhaps an even better solution to allowing propane was to allow only battery operated heaters. He is not sure what that means. He believes they should pass this regulation the way it is now so that they have it, with the understanding that they may decide to rescind this Ordinance at the next meeting, and change the Ordinance to be for battery operated heaters, if it is in fact a feasible solution. If it is not, then they should let the Ordinance stand as it is. He believes that this Ordinance, for now, eliminates the wood burning stoves at Tent City that have so many people uncomfortable and sick in the area.

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

Ordinance No. 2013-66 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 11/07/13)

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI, (Traffic), Section 11-11 (Parking Time Limited on Certain Streets), of the Revised General Ordinances of the Township of Lakewood 1999. (Chap. XI, Sec. 11-11 – Park Place)

Read by title only for first reading.

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

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

Ordinance No. 2013-67 adopted on first reading. Second reading and public hearing to be held on November 7, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI, (Traffic), Section 11-20 (Stop Intersections) of the Revised General Ordinances of the Township of Lakewood 1999. (Chap. XI, Sec. 11-20 – 3 Way Stop-Lexington Ave. & First St.)

Read by title only for first reading.

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

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

Ordinance No. 2013-68 adopted on first reading. Second reading and public hearing to be held on November 7, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI, (Traffic), of the Revised General Ordinances of the Township of Lakewood 1999, Specifically Section 11-35, (Handicapped Parking on Streets). (Chap. XI, Sec. 11-35 – Handicap Parking)

Read by title only for first reading.

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

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

Ordinance No. 2013-69 adopted on first reading. Second reading and public hearing to be held on November 7, 2013.

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. (Chap. XVIII, Sec. 18-200B – Public Street)

Read by title only for first reading.

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

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

Negative: Deputy Mayor Langert

Ordinance No. 2013-70 adopted on first reading. Second reading and public hearing to be held on November 7, 2013.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Change of a Street Name in Accordance with N.J.S.A. 40:67-1(K).

Read by title only for first reading.

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

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

Ordinance No. 2013-71 adopted on first reading. Second reading and public hearing to be held on November 7, 2013.

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

Read by title only for first reading.

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

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

Ordinance No. 2013-72 adopted on first reading. Second reading and public hearing to be held on November 7, 2013.

CORRESPONDENCE

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

PARKS AND EVENTS CORRESPONDENCE

Per schedule of three (3) picnic/event requests, attached hereto and made a part hereof.

Motion by Committeeman Lichtenstein (abstained on United Healthcare correspondence item), second by Committeeman Miller, and carried, to approve the above correspondence items.

MOTION TO APPROVE BILL LIST OF: 10/15/13

Motion by Committeeman Lichtenstein, second by Committeeman Miller.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Committeeman Lichtenstein commented on today's incident at the Industrial Park, where there was a chemical issue and thirty-four people were transported to the hospital. The Township's EMS Department, working in conjunction with Brick, and the Township's Haz Mat Teams, and all emergency responders and Police Department, and the other towns that came to support Lakewood, all did a fantastic job and it was good to see people working together like that.

Committeeman Miller commented on this mass casualty incident. He complimented Committeeman Lichtenstein, as Liaison to Emergency Services, for his involvement in establishing and putting together the training for this type of incident.

Committeeman Miller further advised that he met this week with a Veterans groups and he is looking to expand the Lakewood Veterans Advisory Committee. They would like to do additional events, in addition to the Memorial Day Parade, so they are looking for additional members to join the Lakewood Veterans Advisory Committee.

Deputy Mayor Langert commented on the bad press that Lakewood gets. But something really good happened in Lakewood and that was Officer Sean Doyle saving a young boys life recently. At the end of the year the Chief of Police will commend him, but he suggested that at the next Committee meeting, he would like to invite the young boy and his father, and the women who was involved with giving CPR, and Officer Doyle, and invite the press also to attend this presentation.

ADJOURNMENT

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