

The Lakewood Township Committee held a Meeting on Thursday, March 1, 2012, 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..... Menashe P. Miller
Deputy Mayor.....Albert D. Akerman
Committee Members..... Raymond Coles
Absent..... Meir Lichtenstein
Steven Langert
Municipal Manager..... Michael Muscillo
Deputy 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 3, 2012 and published in the Asbury Park Press on January 13, 2012.

ROLL CALL

CLOSED SESSION

Resolution No. 2012-109 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 02/16/12

Motion by Committeeman Coles, second by Deputy Mayor Akerman, and carried, to approve the above Minutes.
Committeeman Langert abstained.

MOTION TO APPROVE CLOSED SESSION MINUTES: 02/16/12

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

PUBLIC HEARING: Defeated Fire District Budget

Mayor Miller advised that due to statutory reasons, and the need for five (days) notice, this Public Hearing is postponed to the meeting of March 15, 2012. The Resolution is also removed from tonight's Agenda, and is to be placed on the Agenda for March 15th.

Chairman Michael Dennis, from the Lakewood Fire District, advised they met with Committeeman Lichtenstein, and Deputy Mayor Akerman, to discuss the Fire District Budget, and they came to an agreement that the Fire District Budget would be reduced by \$150,000.00. He extended his thanks for very professional negotiations, and he believes that both sides came away a winner in this matter.

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.

Noreen Gill, 192 Coventry Drive – Commented in opposition to the Resolution requesting the County to release and vacate a portion of Kennedy Boulevard East.

Mr. Wouters explained that Kennedy Boulevard is now controlled by the County; it is a County right-of-way. The Township wants to control that section. The purpose of this Resolution is to go to the County saying that the Township wants the County to give up their right-of-way to the benefit of the Township. The first step in this process is getting the County to vacate their right, and give it back to the Township.

David Drukaroff, 1433 Laurelwood Avenue – Commented on the subject of same-sex marriage.

Baruch Blaustein, 109 Seventh Street – Commented on the subject of same-sex marriage.

Bill Hobday, 30 Schoolhouse Lane – Commented on the Ordinance deleting certain streets from No Stopping, No Standing zones. Advised that the No Stopping, No Standing zone signs have disappeared from Massachusetts Avenue. Asked if there is a map delineating where the signs should be.

Mayor Miller responded that they will reach out to the County to see where the signs should be, and if they have disappeared, they will be replaced.

Gerry Ballwanz, Governors Road – Commented on the Resolution regarding the execution of a new Deed for Block 235, Lot 36. Also commented on the proposed widening of Route 9.

Carl Fink, 146 Enclave Boulevard – Commented on last night’s School Board meeting. They voted to move the Board of Ed Election to November, and would like the Township Committee to back their vote.

Rual Topas, 319 East Seventh Street – Commented on the Resolution regarding the purchase of Block 235, Lot 36, and on the Resolution requesting the County to vacate Kennedy Boulevard East.

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 awarding a contract to Earle Asphalt relative to Pine Street Sidewalk and Traffic Light improvement pursuant to and in accordance with N.J.S.A. 40A:11-1 et. seq.
Resolution No. 2012-110**
- 2. Resolution authorizing Fireworks Display by D&M Fireworks, and establishing Traffic Regulations in connection with the Independence Day Fireworks Display to be conducted at Lake Carasaljo for 2012.
Resolution No. 2012-111**
- 3. Resolution authorizing the Disposal of Public Works small equipment for its value as scrap to Blewett’s Recycling in Howell, New Jersey.
Resolution No. 2012-112**
- 4. Resolution fixing and approving the 2012 Fiscal year Budget of the Lakewood Township Fire District No. 1.
Mayor Miller advised that the above Resolution is removed from the Consent Agenda.**

- 5. Resolution requesting the County of Ocean Release, Extinguish, and Vacate the rights of a portion of a Paper Street known as Kennedy Boulevard East in the Township of Lakewood.
Resolution No. 2012-113**
- 6. Resolution reducing the Performance Guarantee (First Reduction) posted by Benzion Green in connection with SD#1695 (Harvard Street), Block 171, Lots 3, 11, and 19, from \$11,130.00 to \$3,780.00.
Resolution No. 2012-114**
- 7. Resolution releasing the Performance Guarantee posted by Moshe Lankry in connection with SD#1555 (Case Road), Block 16, Lots 1, and 7, in the amount of \$16,896.00.
Resolution No. 2012-115**
- 8. Resolution authorizing the use of Competitive Contracting for Phone Services.
Resolution No. 2012-116**
- 9. Resolution authorizing the use of Competitive Contracting for the repair of Storm Sewer System on Swarthmore Avenue.
Resolution No. 2012-117**
- 10. Resolution authorizing Amendment of June 4, 2009 Resolution regarding Purchase Price for Block 235, Lot 36 and Execution of a New Deed.
Resolution No. 2012-118**
- 11. Resolution releasing the Performance Guarantee posted by Park Avenue Development c/o Ben Weber in connection with SD#1628 (Park Avenue) Block 232, Lot 10, in the amount of \$107,075.00.
Resolution No. 2012-119**
- 12. Resolution authorizing a State Contract Purchase of a 2012 RAM 3500 Truck, in an amount not to exceed \$23,569.00.
Resolution No. 2012-120**
- 13. Resolution awarding Contract Bid to Traveling Tykes, LLC for Paddle Boat Concession at "Lake Carasaljo".
Resolution No. 2012-121**

Motion by Committeeman Coles, second by Deputy Mayor Akerman, to approve Resolution Nos. 1 through 3 and 5 through 13 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Langert (abstained on Resolution No. 7), Deputy Mayor Akerman and Mayor Miller.

Resolution Nos. 2012-110 through 2012-121 – Adopted.

ORDINANCE SECOND READING

An Ordinance of the Township of Lakewood, in the County of Ocean, New Jersey, amending and supplementing Chapter XII (Building and Construction) of the Revised General Ordinances of The Township of Lakewood, 1999, specifically amending Section 12-2 (Base Fees). (Chapter XII – Sec. 12-2)

Read by title only for second reading.

Mayor Miller opened the meeting to the public.

David Drukaroff, 1433 Laurelwood Avenue – Spoke in favor of this Ordinance and the following Ordinance.

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 Langert, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-12 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XV (Rental Housing) of the Revised General Ordinances of the Township of Lakewood, 1999, specifically amending Section 15-3.5 (Certificate of Compliance; Smoke Sensitive Alarm Devices and Carbon Monoxide Detector) and Section 15-3.6 (Vacation of Apartments; Inspection Fee; Exemptions). (Chapter XV – Sec. 15.3-5&6)

Read by title only for second reading.

Mayor Miller 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 Langert, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-13 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVI (Property Maintenance) of the Revised General Ordinances of the Township of Lakewood, 1999, specifically amending Section 16-3.11 (Application Procedure; Fee) (Chapter XVI – Sec. 16-3.11)

Read by title only for second reading.

Mayor Miller 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 Deputy Mayor Akerman, second by Committeeman Coles.

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

Ordinance No. 2012-14 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII of the Revised General Ordinances of the Township of Lakewood, entitled "The Lakewood Township Unified Development Ordinance of 2005", Article XI entitled "Administration", specifically amending Section 18-1102 (Requirement of Permits) (Chapter XVIII – Sec. 18-1102)

Read by title only for second reading.

Mayor Miller 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 Akerman.

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

Ordinance No. 2012-15 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII of the Revised General Ordinances of the Township of Lakewood, entitled "The Lakewood Township Unified Development Ordinance of 2005" specifically, Article II (Definitions), Section 18-200 (Definitions of Terms) to Add the Definition of "Shed". (Chapter XVIII – Sec. 18-200)

Read by title only for second reading.

Mayor Miller 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 Langert, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-16 adopted on second reading.

Mayor Miller re-opened the meeting for Comments from the Public, out of courtesy to a member of the Lakewood Township Board of Education.

Carl Fink – Wanted to make the Committee aware that the State’s hard date is March 7, 2012, to make the Resolution. The soft date was February 28th, which the Board of Education conformed with. After much review, and conversation, when the Board of Ed re-evaluated their moves, they believe this move will bring Lakewood completely together. It is much better for a town, coming together, than just a segment of the population. There would be thousands of votes, rather than four thousand votes. He urged the Committee to back this move, and if by any chance they are misled by anyone from the Board of Education, these are the facts. And the Resolution can be changed, and has been changed, in other districts also.

ORDINANCE FIRST READING (Second reading and Public Hearing 03/15/12)

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Private Sale of Block 1077.05, Lot 4, 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 Langert, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-17 adopted on first reading. Second reading and public hearing to be held on March 15, 2012.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Private Sale of Block 495, Lot 1, 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 Deputy Mayor Akerman, second by Committeeman Coles.

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

Ordinance No. 2012-18 adopted on first reading. Second reading and public hearing to be held on March 15, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the exchange of certain lands within the Township of Lakewood, in particular, the Township of Lakewood to acquire Block 1154, Lot 7, Block 1154, Lot 10, Block 1143, Lot 9, plus additional consideration, and the Township of Lakewood to convey Block 433, Lot 3, as part of an exchange of lands pursuant to N.J.S.A. 40A:12-16, 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 Langert, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-19 adopted on first reading. Second reading and public hearing to be held on March 15, 2012.

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, amending Section 11-10, Stopping or Standing, specifically, Section 11-10.1, Stopping or Standing Prohibited. (Chap. XI, Sec. 11-10)

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 Langert, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-20 adopted on first reading. Second reading and public hearing to be held on March 15, 2012.

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, amending Section 11-18, (One Way Streets) and amending Section 11-23.1 (Right Turn Only) (Chap. XI, Sec. 11-18; and Sec. 11-23.1 – North Lake Drive)

Read by title only for first reading.

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

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

Ordinance No. 2012-21 adopted on first reading. Second reading and public hearing to be held on March 15, 2012.

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, amending Section 11-13, (Parking Prohibited at All Times on Certain Streets) and amending Section 11-14 (Parking Prohibited During Certain Hours on Certain Streets). (Chap. XI, Sec. 11-13; and Sec. 11-14 – E. Eleventh St. North)

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 Langert, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-22 adopted on first reading. Second reading and public hearing to be held on March 15, 2012.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the execution of a Fifty Year Lease Agreement by and between the Township of Lakewood, and the Lakewood Historical Society, Inc., for Kuser Hall in Pine Park. (Historical Society Lease)

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 Langert, Deputy Mayor Akerman and Mayor Miller.

Ordinance No. 2012-23 adopted on first reading. Second reading and public hearing to be held on March 15, 2012.

CORRESPONDENCE – PARKS AND EVENTS

Per schedule of thirteen (13) requests attached hereto and made a part hereof.

Motion by Committeeman Coles, second by Deputy Mayor Akerman, and carried, to approve the above parks/events requests.

Mayor Miller noted that a request for an event is not included in the package, and is date stamped March 1, 2012; it was sent directly to the Chief of Police for approval.

MOTION TO APPROVE BILL LIST OF: 02/28/12

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

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Committeeman Langert commented with regard to the upcoming holidays, and urged sensible decisions and precautions for everyone's safety.

Mayor Miller reminded everyone about the Memorial Day Parade, and invited all to participate and attend.

ADJOURNMENT

Motion by Committeeman Coles, second by Committeeman Langert, and carried, to adjourn the meeting. Meeting adjourned at 8:27 PM.