

The Lakewood Township Committee held a Meeting on Thursday, February 3, 2011, 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.....Steven Langert
Committee Members..... Albert D. Akerman
Raymond Coles
Meir Lichtenstein
Municipal Manager..... Michael Muscillo
Municipal Attorney..... Lawrence E. Bathgate, II, Esq.
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 7, 2011 and published in the Asbury Park Press on January 10, 2011.

ROLL CALL

CLOSED SESSION
Resolution No. 2011-73

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: 01/20/11

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 01/20/11

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

PRESENTATIONS - Honorary Street Name Dedication – “Officer Chris Matlosz”

Presentations were made to the family of slain Police Officer Chris Matlosz, by Mayor Miller, Committeeman Lichtenstein, Chief Lawson and Ptl. Gary Przewoznik, President of the PBA, including the dedication and renaming of Third Street as “Matlosz Way” in honor and in memory of Officer Matlosz. A Motion was offered by Committeeman Akerman, second by Committeeman Coles, and carried, for the renaming of Third Street as “Matlosz Way”.

As there were no comments from the public at this time, the meeting participants proceeded to go outside the Municipal Building for the renaming of Third Street and the unveiling of the street sign for “Matlosz Way”.

Chiefs and Officers from surrounding municipalities were recognized for their support and assistance: Chief Matt Kunz, Jackson PD; Chief Michael Mastronardy, TR PD; Chief Rick Bergquist, Brick PD; Chief William Brase (Ret) and Chief Brian Klimakowski, Manchester PD; Major Annemarie DeAngelo, NJSP for Colonel Rick Fuentes; Lt. Jerry Inhken and Capt. Dave Clayton, Wall Twp. PD; and Chief Ron Carter, Howell PD.

The meeting continued back in the Auditorium, and was called back to order.

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.

Gerry Ballwanz, Governors Road – Commented on the tribute to Officer Chris Matlosz. Also commented on a recent study concerning the Airport. Asked for a synopsis and requested that the report be put on the website.

Mayor Miller referred this matter to Mr. Reinman and Mr. Muscillo.

Mr. Reinman responded that the report is an environmental assessment, and is a required step before being able to do any type of improvements. The projects that have been planned for the Airport, including minor and major improvements for a number of years worth of activities, all have been waiting for this environmental assessment to be completed. It was delayed at several points for a variety of reasons, some monetary, and some due to the question whether or not there were Pine Snakes on the property. All of that required extensive tests and studies to be conducted. The FAA has learned its lessons. They no longer do these giant omnibus type of environmental assessments, they do them piece by piece. The Township was a guinea pig for other places to do better in the future. This one is now complete, and putting it on the website will be an onerous task because it is very thick, with many maps and displays. If anyone wishes to

review it, he encouraged anyone to view it at the Airport, or at the local library. He can speak to the engineers about putting together a synopsis, but he thinks that any type of synopsis would give a short explanation to a very voluminous and monumental work that took all these years to put together. He appreciates the difficulty to get to those locations to view the report, but he encouraged everyone to make the effort. The reports are on file in the Library and at the Airport and people should avail themselves of that opportunity.

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 Mikab Corporation for the replacement of Communication Tower at OEM Building pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq., in the amount of \$78,750.00
Resolution No. 2011-74**
- 2. Resolution authorizing the award of a Professional Services Contract to Remington, Vernick & Vena Engineers, in the amount of \$48,500.00. (Title V Operating Permit – Cross St. Landfill)
Resolution No. 2011-75**
- 3. Resolution authorizing the award of a Professional Services Contract to Remington, Vernick & Vena Engineers, in the amount of \$5,000.00. (Storm Sewer System (MS4) Permit)
Resolution No. 2011-76**
- 4. Resolution granting approval for Fireworks Displays to be held at First Energy Park.
Resolution No. 2011-77**
- 5. Resolution authorizing deed of release of reverter, as to Lenders Bais Tova, Inc.
Resolution No. 2011-78**
- 6. Resolution authorizing Appropriation Reserve Transfers in the 2010 Municipal Budget, in the amount of \$12,100.00
Resolution No. 2011-79**

Motion by Committeeman Coles, second by Deputy Mayor Langert, to approve Resolution Nos. 1 through 6 on the Consent Agenda.

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

Resolution Nos. 2011-74 through 2011-79 – Adopted.

ORDINANCES SECOND READING

Deputy Mayor Langert and Committeeman Lichtenstein recused themselves from discussion and the vote on this Ordinance.

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 of local property taxes to W & M Realty Group, LLC., for facilities located at Block 128, Lot 79, 410 Monmouth Avenue, and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a Tax Abatement agreement. (Abatement – W & M Realty Group, LLC.)

Read by title only for second reading.

Mayor Miller opened the meeting to the public.

Abraham Penzer, Esq., appearing on behalf of W & M Realty Group, LLC, and Mark Chopp, one of the main principals of the building on Fourth Street, came forward.

Mr. Penzer gave a brief synopsis of the project. They are building a five-story building, 6,200 square feet of which will be commercial space, consisting of five retail stores, and four floors of offices. Three floors will be rented out, catering to small businesses, with two conference rooms. The big excitement is that his client is moving his business from New York and will be hiring at least five people immediately, and soon within a year or so, fifteen people, if not more. He is well known in New York and it is a credit to the administration and to the Township Committee that he is moving his business here, to bring business to Lakewood. In that area, there are no requirements for parking. But his client cares, so he bought the lot next door, and there will be sixty-one parking spaces, and four handicap parking spaces, on that lot. Both Lakewood and the Developer will benefit from the additional parking and jobs.

Committeeman Akerman asked how long is the abatement for, and is it on the land or building.

Mr. Penzer answered that it would be for five years, which is statutory. They would pay 100% of the taxes on the land; and on the improvements it is graduated. The first year it is zero on the improvement, then twenty-five, fifty, etc., to the end of five years. The tax abatement program has been in effect in Lakewood for almost forty years.

Gerry Ballwanz, Governors Road – She complained that the building was built so close to the corner, and you can not see around the bend. She asked if the Planning Board approved the adjacent lot to be a parking lot.

Mr. Penzer answered that it has been approved. There are seventy-three parking spaces available.

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 Akerman.

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

Ordinance No. 2011-1 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 of local property taxes to 319 Sunset LLC, for facilities located at Block 345, Lot 9, James Street, and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a Tax Abatement agreement. (Abatement – 319 Sunset LLC)

Read by title only for second reading.

Deputy Mayor Langert and Committeeman Lichtenstein recused themselves from the discussion and the vote on this Ordinance.

Mayor Miller opened the meeting to the public.

Abraham Penzer, Esq., appearing on behalf of the applicant, 319 Sunset LLC – Advised this is a building consisting of 55,800 square feet, with 10,000 square feet of retail, 15,000 square feet of office space on the second level, and the remaining space will be a co-op. The building has sufficient parking and has gotten all approvals. This building will generate between a minimum of one hundred and fifty to two hundred jobs, and will be one of the biggest employers in that area. The completion date is within the next few months. The taxes that it will generate, if the abatement is granted, at the end of the abatement, is almost one million dollars. They spent a great deal of money to build this building. He has been contacted by a number of the tenants who say they want to come to Lakewood. In fact, one is a book store, from New York, who will have a number of employees...ten to fifteen....and he said that the tax abatement clinches the deal. Without the help of the Township Committee, they can not make this happen. They feel this will be a great asset. Also present was Noah Gordon, Manager of Operations, for this project.

Committeeman Akerman commented that he knows there is a lot of noise about these abatements. They have been trying to bring businesses into Lakewood and offer incentives. Sometimes it is a very tough choice. Some say they will build anyway, whether or not the abatement is granted. But one thing they do not want to see is a building like the one at Fourth and Madison, that did not get finished. He understands

that this project had been in the making for years, and it has never been completed. If the Committee grants the abatement, and they finish it in a timely manner, then these properties will be on the tax rolls sooner than later. If the abatement is not granted, and they do not finish it, the Township will never see money out of them. As much as he knows that the public would like to see a few heroes deny these abatements, and he would like to be one of those heroes, he voted in favor of the previous abatement, and he is very much "pro" in granting some of these abatements.

Mayor Miller agreed with Committeeman Akerman's sentiments. The building at Fourth and Madison is a travesty; it has been sitting there vacant and is an eyesore. He asked Mr. Reinman to offer a little insight into the tax abatement process and asked him to explain the benefits to the town.

Committeeman Akerman added that the Township is trying to bring in other businesses, and they are trying to be innovative. Here are two projects that are claiming they will not be able to finish their projects without the help of the Township Committee.

Committeeman Coles added that it is not just a matter of the Developer of the building either. A lot of times it is the businesses that are going into that building that benefit from those tax abatements. Twenty-two years ago, he was lucky enough to get into a building that had a tax abatement, and that was really the difference between starting a business and being able to afford the rent for the space that he needed to grow into, as opposed to getting into something that he could barely afford. He has always been very much in favor of these abatements because of the businesses they help, not necessarily the Developers. It is the businesses that go into these buildings that are the ultimate recipients of these abatements, and that is what they are really trying to do here.

Mr. Reinman advised that the Ordinance lays out very clearly the mechanics of the abatement. The abatement is a central point, and is really the only direct economic incentive that the Township has to attract businesses to Lakewood. This is not an environment in which you have a lot of commercial building happening. And for people to claim that they would do it anyway is disingenuous. If they are going to do it, they are going to do it where the most incentives are. Lakewood brings a set of different incentives, soft incentives, but in terms of hard real dollars, this is the key, and they need to use it. They need to attract more and more companies to come to Lakewood. There is a process they have to go through, not everyone qualifies for an abatement. He feels it is important that people understand that this is not an exemption, it is an abatement. It is a five year program; the first year being zero tax on the improvement....land taxes are always paid, the abatement is only on the improvement. If someone were to take an existing building, and add to it, they could also qualify for an abatement, on the addition, and if they also were in the right zone.

Mayor Miller asked if the town would lose anything that it was getting up until now.

Mr. Reinman answered, not at all. On the contrary, this is the way to attract new revenues to the town, and they need commercial ratables. It is important to understand

that every one of these applications gets reviewed by him, as well as other in the Economic Development department, and the Tax Assessor. It is an exhaustive process before they recommend approval. And they are granted where they see it is necessary to bring the businesses to the town. It means jobs, it means ratables, and it is critical to the town. He encouraged everyone to spend some time in the Industrial Park. There are poachers from down south, knocking on doors trying to attract people, and dangling all types of incentives trying to get them to move to other places in the State, and even to the southern States. It is difficult to compete. If someone is so inclined as to bring new businesses to Lakewood, new ratable, new economic growth, this is a simple thing to do. He urged the Committee to not move away from this. To deny an application like this, with the jobs and the revenue it will bring.....it is counter culture to what Lakewood is saying, and that is that Lakewood is friendly to business.

Harold Hershkowitz, 1496 Cedar Row – Commented that both of these properties, he feels that neither of them were attracted to Lakewood as has been proposed by Mr. Reinman. They were built because someone had a piece of land, and wanted to make money with that land. That is not something that you give a tax abatement for. Tax abatements are usually given for something that is bringing something to the town that is not there already. There are hundreds of empty commercial spaces in Lakewood and surrounding areas. Commercial real estate is dead for the next twenty years. To give a tax abatement, just because someone found themselves having a hard time building something, is not the norm. The norm is to give a tax abatement when someone comes and says there is a distressed area of town that is crime ridden, falling apart, and an eyesore, and they fix that area up, that is when you give a tax abatement. He does not mean to sound like sour grapes, but he did not have the "chutzpah" (?).....he took a crack house across the street, and was paying two thousand dollars in taxes a year. He made it into something that he believes is something that the Township can be proud of. He now pays fifteen thousand dollars a year in taxes. It was making a lot more money as a crack house, than a toy store. He did not have the guts to ask for a tax abatement on that house, and he does not see how these people should have the guts to ask for a tax abatement on two eyesores. You put a strip mall in the middle of a residential area; that it not something to be proud of.

Mr. Hershkowitz further asked Mr. Penzer what book store he is talking about that is moving there. There is already a book store in the downtown area; he is just opening a second location. That is not called bringing business into the town.

Mr. Penzer responded that he did not recall the name of the book store.

Mr. Hershkowitz continued that this is not something that normally a town would give a tax abatement for. As far as the Fourth and Madison building being empty, it is in the middle of being built. It is still in the process of being built, they ran into some problems. There is one simple solution if they can not finish building it. It is called a wrecking ball, which is what he thinks should be done with that building. Because ten years ago, if he had owned that property and put up a six foot fence, they would have been told to take it down. The only reason that building went up is because certain

people got their hands on the Master Plan, and they changed the zoning in this town. Again, if that building can't be built, it is a shame, but there is a solution, and that is called a wrecking ball. It is just that simple.

Mr. Reinman offered a point of information. Most of these abatements are calculated into the initial plan before they ever come to build. This is not somebody coming in distressed, who is saying I can't make it happen at the end. Typically the case is right up front, when they are assessing what the opportunity is, what it is going to cost them to build, they are looking at the overall economic picture, and a tax abatement is in the discussion from the beginning. So if the town is going to take an anti-business approach and say no, we do not want you to come here, don't come here looking for abatements at the end of your process, or don't come here talking to us before hand, that is one thing. But as long as the town is pro-business, he thinks they need to keep it that way.

Mayor Miller asked Mr. Penzer for some clarification on the statements that were made.

Mr. Penzer stated there is a book store, and the book store is from New York, and he receives calls from New York. It happens to be a Hebrew book store, but they have not moved in. He will not be cross examined; he can say that a book store has called him, he calls constantly, and says that the tax abatement is a factor of him coming to Lakewood. If Mr. Hershkowitz does not like it, he apologizes. His client has a tenant, and the tenant calls him constantly. And that is his representation to the Committee.

Noreen Gill, 192 Coventry Drive – She is objecting to Mr. Penzer not giving a name or address of a company that they are willing to give a tax abatement to. There are so many empty stores in Lakewood, in shopping centers. Why aren't they used first, and they are given the tax abatement. She feels there are too many abatements.

Mr. Reinman responded that they can not grant abatements for people to move into existing buildings. Those buildings are on the tax rolls, and they are paying taxes. For the town to abate those taxes would actually be rolling back the revenues of this town and would be the worst thing they can do. What they are trying to do is to encourage people to build, and bring in new things, and that is the statute. It is not something that is done on a whim of this Committee. They are using the five year tax abatement; they are not going outside of the standard rules of the abatements. It is all about new development, not the old.

Joyce Blay, NJ News and Views, 1594 Crimson Road, Toms River – Asked the Committee for the percentage of the taxes that were collected in 2010, and the year end surplus for 2010.

Mayor Miller advised that Ms. Blay's questions do not pertain to this item.

Ms. Blay stated it is related to this Ordinance because the town is going to lose revenue, so she is asking if the town has any surplus.

Mayor Miller repeated that they are not going to lose revenue. They are absolutely not losing what they have had until now. He asked Mr. Reinman to again explain the process.

Mr. Reinman again explained the tax abatement process. It is an inaccuracy to say they are losing revenue. This revenue did not exist before. Like he said before, if they were to grant abatements for existing buildings, and actually roll-ball the revenue they were going to collect; that would be losing revenue. This is creating revenue. This is economic development. This is what you have to do to bring businesses to town, and have it grow.

Mayor Miller asked if any amount that the Township has been collecting on that property in previous years, is that going down. Is the town losing....is the town getting any less money on that property?

Mr. Reinman answered no, that you could not possibly.

As to Ms. Blay's question with regard to the audit, Mayor Miller advised that Mr. Muscillo would get the information to her.

Samuel Silver, 1 Mulberry Lane – Stated he has nothing against abatements, as it is the policy for starting a business, but he is in the credit card processing business, and he has clients that have advised that their revenue has gone down over the past few years. They have businesses in town, and their revenue is going down. He won't be against the abatement, because that is part of the rules, but suggested the reassessment of other businesses....if they are giving abatements to new business, how about consulting the other businesses and asking if they are feeling any pain because the new businesses are coming to town. Before a new abatement is granted, to new people, there are a lot of struggling businesses and struggling homeowners who can not pay their taxes....before they start building new businesses, they have to consider mowing down the businesses that already existing in town. Many existing businesses are struggling terribly. When you bring in new businesses, it may look nice and may attract more people, and they may be creating new jobs, but they are also closing down old jobs.

Mr. Silver also asked if the town will be picking up the garbage at this site.

Mr. Penzer answered that they pay for private pick-up.

Alice Kelsey, 295-B Malvern Court East – Stated that in today's present economic climate in Lakewood, they need all opportunities to seek to increase their tax revenue, rather than decrease it. She asked that until they arrive at such time that they do not have to talk about laying off town employees, that they have a moratorium, not a cancellation,

but a moratorium on tax abatements so that they have a source to increase the revenue for this town, because they desperately need it.

Uvgeny Matvienko, 166 Main Street – Owns a transportation business on Main Street. Commented on this project, and advised that there were a lot of people from the neighborhood that were against it; they did not like the idea, because there is no parking. He has nothing against the abatements, but he feels that everyone has to pay their share.

Gerry Ballwanz, Governors Road – Regarding the process of asking for and granting a tax abatement, she recalls that a business would come to the Township Committee and it seemed they were planning on doing this...they had not already begun the construction. And now there are entities that have already started construction, and maybe can not finish it, and they are coming in at this point in time. She asked when is the appropriate time, according to the statute, as to when a business can come in and ask the Township for a tax abatement. And is this really the appropriate time for them to be coming in since they are almost completed.

Committeeman Coles stated that the statute says that you have to apply for an abatement within thirty (30) days of a Certificate of Occupancy being issued. They can come in at the very beginning or they can come in the day before the CO is issued. As long as you come in during that time period, the Township Committee can legally hear the request for the abatement.

Due to all the false information, and the inaccuracies, Mayor Miller asked Mr. Reinman to again address the issue.

Mr. Reinman again explained the tax abatement procedures. It is important to understand, that in each of these cases, the land can not be exempted, abated, etc., from taxes. The land taxes have been paid, are being paid, and will be paid. The abatement is for the improvement only. The premise is that this will not get built, and these businesses will not come, and these jobs will not be created if they do not put out an incentive to help them.

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 Akerman.

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

Ordinance No. 2011-2 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 IX (Zoning Districts and Regulations), Section 18-903 R

(Corporate Campus/Stadium Support Zone B-6), of the Revised General Ordinances of the Township of Lakewood 1999. (Chapter XVIII, Section 18-903R Corporate Campus/Stadium Support Zone B-6)

Read by title only for second reading.

Mayor Miller opened the meeting to the public.

Mr. Wouters explained this is an amendment to the existing Ordinance in the B-6 zone to allow a new use, which is for facilities for the collection, recycling and processing of organic waste. This is an exciting new concept that Mr. Reinman is going to speak about. He asked that the record reflect that on Tuesday night, both he and Mr. Reinman, and representatives of Organic Diversion, the company that is considering coming to Lakewood, appeared before the Lakewood Planning Board, and they made a presentation as to this particular use, and based on that presentation, the Planning Board did in fact recommend, by letter dated February 2, 2011, that the amendment be adopted, and that it is beneficial and in conformance with the Master Plan of the town. He thinks it would be appropriate at this time for Mr. Reinman to introduce and describe what the proposal is and then the representatives of the company will make a short presentation.

Mr. Reinman explained that the current Ordinance has some very specific approved uses, and this is one that was not included, and they are looking to have it included today, so that they can continue their negotiations and discussions with Organic Diversion. For Lakewood, this is an exciting first step to bring new types of companies to the Industrial Park, to bring green energy companies, companies that are environmentally conscious, companies that will bring jobs, ratables, and a high profile for Lakewood to create a magnet force to attract more and more companies. Companies like this have been shown to attract a set of companies around them that want to take advantage of the resource and the facility that they offer. They have a number of companies that he hopes to make presentations soon that are in the process of getting their pre-approvals from the State, as this company has been through.

Mr. Reinman continued that he has been to sessions at the DEP and the County with members of this team. There is consensus and excitement about what they are talking about bringing. This is technology that is proven, and is in over thirty locations throughout Europe and other places. This will be the first of its kind in the northeast, and the most impressive installation of its kind in the U.S. to date. The technology is fantastic, and the solution is wonderful.

Mr. Reinman introduced Rocco D'Antonio to begin their short presentation to describe what they are doing.

Mr. Rocco D'Antonio advised that he is the founder of Organic Diversion. They are a commercial food waste recycling company, and they are proposing to build one of the first indoor, totally enclosed food waste to renewable energy facility in North America. They started their company approximately two years in the commercial collection business, and have been striving to understand how to collect organic waste and do it

efficiently. What they really want to do is to find the most effective way to process the material. Trying to recycle organic waste is nothing new; it has been done around the country, but it is very problematic because most of what is done is outdoor composting. There have been some problems in the State with handling organic waste outdoors. So what they did was they combed the country and actually the world looking for the best technology to provide not only the highest value of the organic material, but more importantly, to come up with a business model and the technology that can be integrated into a community and not become a nuisance neighbor. Unlike most waste recycling operations where always bigger is better, they subscribe to the European model, which is to build very small, very regionalized facilities, that can be integrated into the community and bring value by increasing the recycling rates by taking that problematic material that emits greenhouse gases at the landfill in Ocean County, and converting it into class one renewal energy, provide thermal heat, and also provide high quality compost, which is becoming more popular around the country. They have done this in an enclosed environment, and if you look at their building it is very different than any other recycling center or waste operation that you may see. What they wanted to do was to make sure it was aesthetically pleasing and something that you would be proud to put in a community and to go to work every day. The result of their work is a thirty million dollar, world class facility. It is two technologies, one provides the energy component, and the other recycles the bi-product of the energy component, which is composting. Both technologies are new to them, but are not new in general. The energy portion of this is the technology of choice for the processing of organic waste throughout Europe. It has over a ten year operating history. There are several hundred facilities, and they are building more and more every year. The composting side of their operation has a twenty year history without interruption. Unlike many compost facilities that have had problems and have been shut down, this technology has operated for twenty years, uninterrupted, indoors in Europe and the United States. In fact, it has actually gotten awards through the Department of Public Works in Europe and in the States for its efficiency and its integration into the communities.

Mr. D'Antonio continued that this facility is considered to be world class, and they have been getting a very favorable response from all the communities they have talked to in New Jersey. They are not looking to build one, but are looking to build multiple smaller facilities to serve a small geographic region within the State. They certainly can produce a lot of jobs. They are looking at construction jobs, transportation jobs, and plant jobs. They will provide taxes. This is a very expensive facility, a thirty million dollar installation, and it is going to provide ratables to the town, especially in a time where people are not investing that kind of money in any type of facility, and it is certainly an asset to the community. This will certainly help in attracting new businesses, especially green technology businesses. This is going to be one of the first of its kind, world class, not only in the United States, but throughout the world. You will certainly be in the spotlight on the national level, and other companies will see what you have done here, to bring technology companies, and you will certainly be able to attract more. You will also be able to provide low disposal costs to businesses. The subject of trash disposal came up this evening, and it is not cheap. Their rates are significantly less than standard fees. You have food processing in the area, you have colleges, restaurants,

and their disposal costs will come down, as will the cost of energy. They supply their energy to third party users, and their rates are cheaper than any other high volume commercial rate that you can find in the State. Even though they are at a very low point in the market rate, they are still more competitive than the third party markets. It is really an asset to the community that it can be integrated and provide value to all of the residents.

Mr. D'Antonio continued that unlike most companies that want to get into renewable energy, they did not just in get in on a whim. They went at this from the very beginning. They wanted to learn how to separate organic material from the restaurants, from the colleges, from the food processors, and do it efficiently. So they spent most of their time learning how to do that because they want to be able to start at the source of generation which is going to be a at prep table in a kitchen or a restaurant. They started with that model, perfected it and moved through to collection, which they perfected, and now they have perfected their model for converting that material into renewable energy and compost. They are one of the only companies in the country that have built this integrated model. As to collection, they spent a lot of time just designing a vehicle to transport material. They knew if they were going to bring it into Lakewood, or any other town, they had to do it cleanly and efficiently. They knew that a standard trash truck or front loader was not going to work, so they spent considerable time designing a special vehicle made from stainless steel, that they know is not going to leak, that when they pick up material from a hospital, that they do not leave a mess behind, and they are not making a mess going through the town, and they are not going to make a mess when they get to their facility. They handle pharmaceutical research labs that are absolutely pristine. They can not take a chance of making a mess. When they leave a facility, everything is clean, they do not leak and do not make a mess, and they do not leave an odor behind. This is all part of their model to make sure they are not a nuisance neighbor when they move into a community.

Mr. D'Antonio continued with an explanation of the layout of their building, showing displays and pictures. It is approximately 150,000 square feet, and is broken down into a few sections. There is the energy portion of the business, truck bays for unloading which is indoors, a mixing area, composting and storage. Everything that they do is within four walls, nothing is done outside, in a special purpose building designed to handle organic waste. They went to great lengths to make sure they would be a good neighbor in New Jersey. Every step of the process was designed to do just that, minimizing any potential for odor or nuisance. There are very few facilities in the United States that are actually unloading indoors. It is an added expense, and nobody does it. They have truck bays that are designed to bring the vehicles in. They have a series of high speed doors, the trucks back in to the loading dock, and the doors close before the doors to the facility open. This facility is under negative pressure which means it is a vacuum which actually draws air in, so when the door opens up, nothing can go out. Truck emissions can not go out. Everything is drawn in and that air is recyclable. This portion of the building is about eight feet lower than the rest of the building, it is a pit area, and is that way by design. They also have a catwalk that goes over the top of the truck area with a power washer. Once that truck is tipped, it is rinsed out so it is cleaner

than when it came in. It is a very sanitary and efficient process without any material being tracked down the street. The mixing area is large, and it is where they take yard and food waste and they are blended together. It is water tight, there are no drains where liquid can seep out, and is also under negative pressure, which means they are drawing air in, into an air exchange unit, and recycling the air. The material that is deposited that day is immediately mixed and brought into the digestion area where they create the energy. There are a series of reinforced concrete garages. They are roughly twenty three feet wide by one hundred feet deep by fifteen feet tall, and have a sealed door, which is air tight, water tight, and gas tight. Once the material is brought in, that door is shut, and it is absolutely air tight. It is heated to one hundred and four degrees. They create their own heat inside, and in that chamber, in a span of twenty eight days, they break down the material and extract the energy content which is the gas. If you leave yard waste outside, and it gives off that odor, that gas, they are actually capturing the gas in that area and during the process, they are breaking down all the compounds that can create odor. During that twenty eight day cycle, they are removing all the gas content, and they are putting it into a vacuum, into a gas bag, which they use to run their engines. This technology was designed to go into heavily populated areas, and be able to handle waste in an efficient manner. Ninety percent of the odor causing compounds are destroyed in this process. The chambers are reinforced concrete, and is

also in negative air. The doors automatically lock and they can only be opened with a computer. That gas runs a series of engines which produce electricity and thermal energy. When that process is done, all that material is moved into the composting area, and is put into sealed garages with an aeration fan and exhaust fan. All the air that they are recycling from the other part of the building is filtered through that compost and actually filters the air and they bring the temperatures up to create composting.

Mr. D'Antonio stated that with the technology that they have, the operations as planned, the building design, their trucking and transportation, all is designed to be integrated into the community for the processing of organic waste, which produces renewable energy and composting in a clean and efficient manner.

Mayor Miller opened the meeting to the public.

Noreen Gill, 192 Coventry Drive – Stated she was impressed; that this is the best thing that has come into this community in a long time, and he deserves a tax abatement. She is proud that this company has chosen Lakewood.

Alice Kelsey, 295B Malvern Court East – Asked if this is the first facility in the northeast.

Mr. D'Antonio answered this would be the first of its kind in North America.

Mrs. Kelsey asked where the plant in the pictures is located.

Mr. D'Antonio answered that it was a rendering of their proposed facility, and the actual pictures were of the European facilities.

Mrs. Kelsey asked who from Lakewood has seen one of these models in reality.

Mr. D'Antonio answered that no one from Lakewood accompanied them to Europe. They had representatives from a County in southern New Jersey tour the facilities and their recommendation was that they want one in their community. They have a site in development in South Jersey as well.

Mrs. Kelsey recommended that they have someone from Lakewood physically go and see something like this, before they commit to anything, as marvelous as it sounds. She also asked how much one of the garbage trucks would cost, and how many would Lakewood need.

Mr. D'Antonio answered that the cost of a truck is close to \$250,000.00. Lakewood is not buying the trucks; they buy the trucks.

Mrs. Kelsey asked if they would be going residential to collect this, or just to institutions, such as colleges and universities.

Mr. D'Antonio answered they go business to business....hospitals, restaurants, supermarkets, food processors, corporate campuses, to anyone who serves food, and are throwing material away and burying it in a landfill; they are their customers.

Mrs. Kelsey confirmed it would never be residential as they foresee it in Lakewood.

Mr. D'Antonio answered no. But there are some pilot programs around the country. They are a business to business company.

Gerry Ballwanz – Stated it does sound like a good idea. She suggested it might also be a good idea for the Committee to see if there have been problems over in Europe; if there are any negativities that could be caught before it gets over here. She asked where in the Industrial Park is this being proposed for.

Mr. Reinman answered that it is proposed in an area on New Hampshire, outside of the Public Works facility.

Harold Hershkowitz – Stated this is a great idea, and is something that would warrant a tax abatement. He asked if this facility is being built instead of the one in Gloucester, or before that one.

Mr. D'Antonio answered it is in addition to that facility.

Mr. Hershkowitz asked if they would be built at the same time.

Mr. D'Antonio answered they were not sure of the development timing.

Mr. Hershkowitz asked how many trucks would be coming in.

Mr. D'Antonio answered approximately twenty five trucks.

Mr. Hershkowitz repeated it is a great idea, and commended Mr. Reinman on doing such a great job in bringing them here.

Uvgeny Matvienko – Stated it is a magnificent project. It is a great thing for Lakewood.

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 Committeeman Coles, for purposes of discussion.

Committeeman Lichtenstein thanked Mr. Reinman for bringing this company to Lakewood. He asked who regulates this type of company. Obviously the town is not equipped to regulate that they are actually washing down the trucks. Who is the regulating agency for this type of company?

Mr. D'Antonio answered they are governed by the State of New Jersey, Department of Environmental Protection, who issues most of the permits. They are the ultimate governing body.

Committeeman Lichtenstein asked if they do annual or bi-annual visits.

Mr. D'Antonio advised they drop by unannounced.

Committeeman Lichtenstein asked if there is an emergency at a plant like this, do they work with the local Fire Department. Is there a HazMat team, is there a commercial HazMat team that responds. He is curious to know who responds, and is there notification to surrounding businesses.

Mr. D'Antonio answered that there are no hazardous materials on site. They are dealing with extracting gas to run a reciprocating engine. It is really very similar to running an engine to take the gas off the landfill, but on a much smaller scale. The entire process is computer controlled, and there are notifications if there is a leak, or a problem. They get notified, and if it is something of a serious nature, they would be in touch with the local authorities. That would be part of their operations plan, and they would work with the Township prior to their opening.

Committeeman Lichtenstein suggested that before they open, if they could take the time to call the Fire Chief and Police Chief and let them understand what is coming in. They are used to dealing with the Industrial Park, but this is a new concept, and they may not understand the process without being trained in it.

Mr. Wouters added that this use is regulated by the Department of Environmental Protection. Not only is it regulated, but it is permitted on several levels. In order to operate the facility they have to become part of the Ocean County Waste Management Plan. All that is being done tonight is approving the concept of the use. That is the first step. Once they go through the permitting process, the Committee will also be adopting an Ordinance that will regulate the operation and development of this site, which will include things such as all of the safety issues, and the site plan issues....parking... all of that has to be developed once they move past this particular step.

Committeeman Akerman advised that he went with Mr. Reinman to a DEP meeting for Organic Diversion, and someone from the DEP told him, off the record, that you would have more to worry about emissions coming out of your kitchen than what would come out of this building. If you know the regulations in Germany and in other European countries, you would not be too concerned.

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

Ordinance No. 2011-3 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 11-17 (Bus Stops Designated) and Schedule XV (Bus Stops) of the Revised General Ordinances of the Township of Lakewood, 1999; Bus Stop Lanes Mill Road. (Chapter XI, Section 11-17 – Bus Stops)

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 Langert.

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

Ordinance No. 201-4 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 02/16/11)

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of Lots 9 and 10 in Block 89, commonly known as 18 Clifton Avenue and 12 Clifton Avenue, respectively, 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 first reading.

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

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

Ordinance No. 2011-5 adopted on first reading. Second reading and public hearing to be held on February 16, 2011.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Execution of a Deed of Easement with respect to a fifty (50) foot wide Utility Easement over and through portions of Powell Avenue, Clinton Avenue, and Gates Avenue, all unimproved roads and Block 1159, Lots 30 & 35. (MUA – Utility Easement)

Read by title only for first reading.

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

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

Ordinance No. 2011-6 adopted on first reading. Second reading and public hearing to be held on February 16, 2011.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter IV (General Licensing), Section 4-2.6, (License Fees), License Fee Schedule in the Revised General Ordinances of the Township of Lakewood 1999, specifically adding a Motor Vehicle Card Fee. (Chapter IV, Sec. 4-2.6 - Motor Vehicle Card fee for Limousines)

Read by title only for first reading.

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

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

Negative: Committeeman Coles

Ordinance No. 2011-7 adopted on first reading. Second reading and public hearing to be held on February 16, 2011.

Deputy Mayor Langert asked Mr. Wouters, with regard to the following Ordinance, as the Ordinance on for first reading is to amend the Board of Trustees on the LDC from thirteen plus two alternates, to seven members, if the LDC were to come back and ask for nine members, would that be considered a material change that on second reading they would have to bring it back for first reading.

Mr. Wouters answered that he believes so.

Deputy Mayor Langert continued that he received a call before the meeting from the Chairman of the LDC who said there has been some discussion and they would like to have some input as to whether they should go for seven members or nine members. He asked that they hold off on first reading of this Ordinance until the next meeting.

Committeeman Coles added that if there is going to be discussion at the LDC about this, the next meeting is not until the beginning of March.

Deputy Mayor Langert answered that he understands but those members are hold-overs.

Committeeman Coles added if the LDC wants to discuss going above, he thinks the LDC should discuss it, not just a small portion of the LDC.

Deputy Mayor Langert agreed.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter II, (Administration), Article XXI (Lakewood Development Corporation), Section 2-96.3 (Appointment to Board of Trustees; Terms) of the Revised General Ordinances of the Township of Lakewood, 1999. (Chapter II, Sec. 2-96.3 – LDC)

Motion by Deputy Mayor Langert, second by Committeeman Akerman, that the above Ordinance be tabled.

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

Ordinance tabled.

CORRESPONDENCE

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

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

MOTION TO APPROVE BILL LIST OF: 02/01/11

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

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Committeeman Lichtenstein asked for the Committee's support to implement an Employee of the Month Program. He outlined the program and asked for their support to forward it to the Manager to formulate the program. His thoughts are that department heads and employees would have an opportunity to submit something in writing to the Manager about why they feel that someone in their department should be Employee of the Month. The other is a form to be submitted by citizens. He asked that the Manager's Office draw up the form. There would be a box in the Manager's Office where the forms could be submitted. He would also ask that the form is made available on the website so that people can mail it in or drop it off in the Manager's Office. He

also asked that a committee be formed, consisting of the Mayor and Manager, and every month another rotating department head, to consider these applications and decide who will be the Employee of the Month. And possibly, in recognition of this Employee of the Month, present them a plaque down in the lobby, a parking space, and perhaps posting the plaque on the website, and a Proclamation from the Mayor and Township Committee. That would be his recommendation, and he asked to submit it to the Manager.

Mayor Miller agreed, and it will certainly improve moral, and they should move forward with it.

Committeeman Akerman commended the Committee members on the renaming of Third Street.

Deputy Mayor Langert commended Mayor Miller on the professional way he handled the situation with the fallen Officer. He believes that Lakewood owes him a thank you for the professional and wonderful way in which he handled the entire situation.

Deputy Mayor Langert continued that Lakewood also owed Mayor Miller a tremendous debt of gratitude and thank you for the work he did on the Complete Count Committee. Other towns lost residents or did not gain as much because the counting in their town was not as efficient as it could have been. Because of his diligence and his work and the work of the Committee, Lakewood beat the estimates. The census figures today show that Lakewood is the seventh largest municipality in the State. They are a thousand people ahead of Toms River. He is sure that that thousand came because of the personal dedication of Mayor Miller, making sure that everyone got counted. They are the largest municipality, population-wise in Ocean County. It is a great feat for Lakewood to be able to say that Mayor Miller is the Mayor of the largest town in Ocean County, and he thinks that only good things can come from this. The people are here whether they are counted or not, and Mayor Miller's diligence in making sure they got counted will give Lakewood the recognition that has been lacking, and that they deserve from County and State Officials. Lakewood should no longer be shorted on what they get from the State and from the County, by way of help, by way of projects, by way of road projects, and by way of school and state aid. He believes they need to use this information to the benefit of all of Lakewood. And that comes directly from the result of the hard work of Mayor Miller and the Complete Count Committee.

Mayor Miller thanked Deputy Mayor Langert for his kind words.

Deputy Mayor Langert further commended the Economic Development Office in Lakewood. He took a lot of heat for recommending Mr. Reinman for a job. He is happy that Mr. Reinman brought Organic Diversion here tonight; usually they do not have such a presentation when they are contemplating a use change in an Ordinance. He thought it was important for the Committee to hear it. He thanked Mr. Reinman for bringing them here tonight. He personally will be a lot happier and satisfied when they get the check from them for the land they are going to buy from the Township and they start

paying ratables on a thirty million dollar facility. The Committee certainly appreciates his diligence over the months that he spent helping them through the DEP process, in order to get them permitted and ultimately up and running. He is hoping that the deal goes through, and Organic Diversion will come to Lakewood. They are hoping to see other types of alternative, green, cutting edge technology out of their office.

Mr. Bathgate added that Lakewood is not just the largest municipality in Ocean County, it is the largest municipality in Monmouth or Ocean County. It is also the largest city in all of South Jersey. It is the largest city south of the Raritan River. It is larger than Trenton, it is larger than Camden, it is larger than New Brunswick, and it is larger than any other city from Monmouth County all the way across the State, and all the way to the South to Cape May. And that is a significant distinction. He agrees with the Deputy Mayor's comments that Mayor Miller's efforts in making sure that they counted as many people they could find was terrific.

Mayor Miller thanked Deputy Mayor Langert for presenting the census numbers to the public. He also thanked Mr. Reinman for this evening's presentation and educating everyone on this company, and educating everyone on the tax abatement process.

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Committeeman Coles, and carried, to adjourn the meeting. Meeting adjourned at 9:50 PM.