

The Lakewood Township Committee held a Meeting on Thursday, February 4, 2010 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..... Steven Langert
Deputy Mayor..... Menashe Miller
Committee Members..... Robert Singer
Raymond Coles
Absent..... Meir Lichtenstein
Municipal Manager..... Frank Edwards
Municipal Attorneys..... 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 1, 2010 and published in the Asbury Park Press on January 6, 2010.

ROLL CALL

CLOSED SESSION
Resolution No. 2010-71 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

MOTION TO APPROVE MINUTES OF: 01/01/10 & 01/14/10
Motion by Deputy Mayor Miller, second by Committeeman Coles, and carried, to approve the above Minutes.

MOTION TO APPROVE CLOSED SESSION MINUTES: 01/14/10
Motion by Committeeman Coles, second by Deputy Mayor Miller, and carried, to approve the above Closed Session Minutes.

PRESENTATIONS: None

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 Langert opened the meeting to the public.

Yehuda Shain, 1140 Forest Avenue – Commented with regard to snow removal, trash pick-ups, street light outages, the Police Department, and the reassessment.

Sam Christopher – Spoke in support of the Lakewood EMS.

Hershel Hershkowitz, 310 Third Street, owner of Toys for Thought, and Chairman of the Downtown Merchants Committee – Commented with regard to recommendations of the Downtown Merchants Committee for the downtown area.

Emmanual Cutler, 100 Woehr Avenue, Apt. 4-I – Commended the Lakewood Police Department, and spoke in support of the Lakewood EMS.

George Leggit, 13 Bayhill Road – Spoke in support of the Lakewood EMS.

Joe DeFalco, 38 Oakmont Road – Spoke in support of the Lakewood EMS.

Larry Simons, 7 Schoolhouse Court – Spoke in support of the Lakewood EMS.

David Drukaroff, 1433 Laurelwood Avenue – Read letter he wrote to the President expressing his views on National Health Insurance.

Margaret Detjen, 39 Summerwinds Drive – Spoke in support of the Lakewood EMS.

Gloria Petrone, Leisure Village East – Spoke in support of the Lakewood EMS.

Marilyn Fontinetta, 1188B Clydebank Court – Spoke in support of the Lakewood EMS.

Ricky Joseph Belitrand, 450 Driver Avenue, Brick – Spoke in support of the Lakewood EMS.

Avrin Sawyer, 1141A Argyle Circle – Spoke in support of the Lakewood EMS.

Judy Shallot, 1122A Argyle Circle – Spoke in support of the Lakewood EMS.

Joseph Kuperwasser, 16 Geffen Drive – Requested a park area in their neighborhood.

Yanky Reisz, 19 Geffen Drive – Requested a park area in their neighborhood. Also commented with regard to the EMS issue.

Myrna Geller, 1276A Shetland Drive – Spoke in support of the Lakewood EMS.

Barbara Eisenberg, Morris Avenue – Spoke in support of the Lakewood EMS. Also commented with regard to snow removal.

Agnes Farmer, 1223A Argyll Circle – Spoke in support of the Lakewood EMS.

Shannon Ortiz, FMBA Local 380, President, Lakewood EMS employee – Submitted an additional 630 signatures on a petition. Also advised that the Lakewood EMS was voted One of The Best for 2009 in the Asbury Park Press Readers Choice Awards.

Ann Richardson, 1870 Lanes Mill Road – Spoke in support of the Lakewood EMS. Stated that they should not buy the garbage cans for \$800,000.00 plus, and retain the Lakewood EMS.

Seeing no one else wishing to be heard, Mayor Langert closed the meeting to the public.

Mayor Langert thanked Rabbi Shain for his comments. Commented with regard to the requested park in the area of Geffen Drive. Further commented on the EMS issue. He advised that it is not an issue that they have taken lightly. It is a very emotional issue. They have been unable to say much on the issue, because they are governed by certain laws. They don't want to say or do anything that can be thrown back at them and be accused of an unfair labor practice. They did discuss the issue with the adult community, Original Leisure Village, and heard their concerns. He read a letter from the Original Leisure Village as a result of that presentation. He advised they are scheduled to speak to the residents of Leisure Village East, Lions Head Woods, and are scheduling presentations at the Enclave, Four Seasons, and the Fairways. The adult communities have legitimate concerns. The Lakewood EMS does a great job, but that is not the issue here. For someone to indicate that the Committee does not care about the safety and security of any resident in town is ludicrous. It pains him to think that someone thinks that they don't. They are looking at other proposals, but have not made a decision. The town is facing a fiscal crisis. There is a 1.3 billion dollar shortfall in this year's State Budget. Lakewood depends on the State for financial aid and does not know where that number is going to be. They are looking at other cost cutting measures. The EMS is not the only department they are looking at. And when the time for that comes about, they will be announcing what, if, and when other cost saving measures will be implemented. There are a lot of questions that need to be answered. Anyone who would like to reach out to him personally, or would like to come to one of the meetings they will be having in one of the adult communities, he invited them to come, and to ask questions. He asked everyone to understand that everyone on the Committee understands their concerns; they have the same questions of their own professionals. If they decide to bring in a private service, and they feel they are not up to the quality or level of service that exists now, they will not do it. There are no other towns in the area that have a paid in-house EMS. Other towns have outside providers. When it comes to advanced life support, the provider will not change. The provider for advanced life support is MONOC. He thanked everyone for their concerns. They are taking them very seriously.

Committeeman Coles advised that it was a County project and recommendation that recyclables be co-mingled; therefore the necessity for purchasing the new garbage cans.

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 authorizing the cancellation of old outstanding checks appearing on the records of The Municipal Court and closing Bank of America Bail Account.
Resolution No. 2010-72**
- 2. Resolution authorizing Appropriation Reserve Transfers in the 2009 Municipal Budget, in the amount of \$226,146.00.
Resolution No. 2010-73**
- 3. Resolution amending the 2010 Temporary Appropriations Budget, in the amount of \$133,424.50.
Resolution No. 2010-74**
- 4. Resolution authorizing and directing the Lakewood Development Corporation to execute any and all documents relation to facilitating the project, "Zone Boundary Modifications 2010". (UEZ – Zone Boundary Modifications)
Resolution No. 2010-75**
- 5. Resolution authorizing the Liquor License Renewal for Ebony Maze Productions, LLC, for the years 2008-2009, and 2009-2010, License No. 1514-33-024-006.
Resolution No. 2010-76**
- 6. Resolution authorizing participation in the Safe and Secure Communities Program of The State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice. (Safe & Secure Program)
Resolution No. 2010-77**
- 7. Resolution authorizing the renewal of the Interlocal Services Agreement for Animal Control Services with the Ocean County Board of Health. (Animal Control)
Senator Singer removed the above Resolution from the Consent Agenda.**
- 8. Resolution authorizing the execution of an Agreement between the State of New Jersey Department of Transportation and Municipality of**

**Lakewood Township. (Pavement rehab on Rte. 88 – Police as Traffic Directors)
Resolution No. 2010-78**

- 9. Resolution authorizing The Township of Lakewood Tax Collector to Refund Tax Sale Redemptions.
Resolution No. 2010-79**
- 10. Resolution authorizing an agreement with New Jersey Housing and Mortgage Finance Agency for the Live Where You Work Program.
Resolution No. 2010-80**
- 11. Resolution authorizing the issuance of a Duplicate Tax Sale Certificate pursuant to Chapter 99 of the Public Laws of 1997.
Resolution No. 2010-81**
- 12. Resolution reducing the Performance Guarantee (First Reduction) posted by Cedar Holdings, LLC in connection with SP# 1897, Block 536, Lot 75.04, from \$181,160.00 to \$54,348.00.
Resolution No. 2010-82**
- 13. Resolution reducing the Performance Guarantee (First Reduction) posted by Julian Blumenthal in connection with ZB# 3700, Block 420.01, Lots 1.01, 21, and 22, from \$29,550.00 to \$17,840.00.
Resolution No. 2010-83**
- 14. Resolution releasing a Performance Guarantee posted by David Flam in connection with SD# 1610, Block 248.02, Lots 31-34.
Resolution No. 2010-84**
- 15. Resolution awarding a contract to Diamond Construction for the construction of North Lake Drive walkway, pursuant to and in accordance with N.J.S.A. 40A:11-1 et seq., in an amount not to exceed \$84,000.00. (North Lake Drive Walkway)
Resolution No. 2010-85**
- 16. Resolution amending the Downtown Lakewood Township Traffic and Circulation Study relating to the Priority of Installation of Traffic Signals on Forest Avenue. (Traffic Signals – Forest Ave.)
Resolution No. 2010-86**
- 17. Resolution authorizing the sale of found or recovered personal property unclaimed after six months on an Online Auction Website.
Resolution No. 2010-87**

**18. Resolution appointing a member to The Lakewood Heritage Commission. (Barbara Stephenson)
Resolution No. 2010-88**

Motion by Committeeman Coles, second by Deputy Mayor Miller, to approve Resolution Nos. 1 through 6 and 8 through 18 on the Consent Agenda.

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

Resolution Nos. 2010-72 through 2010-88 – Adopted.

Resolution No. 7 which was removed from the Consent Agenda was discussed and acted upon as follows:

7. Resolution authorizing the renewal of the Interlocal Services Agreement for Animal Control Services with the Ocean County Board of Health. (Animal Control)

Motion by Committeeman Coles, second by Deputy Mayor Miller.

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

Abstain: Committeeman Singer

Resolution No. 2010-89 – Adopted.

ORDINANCE SECOND READING

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI (Traffic) of the Code of the Township of Lakewood. (Sec. 11-3.4 – No Parking – E. 4th. St. Westerly of Ridge 4th.)

Read by title only for second reading.

Mayor Langert 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 Singer.

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

Ordinance No. 2010-1 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI (Traffic) of the Code of the Township of Lakewood. (Sec. 11-19 – Handicap Parking – South side of 11th. St.)

Read by title only for second reading.

Mayor Langert 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 Miller.

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

Ordinance No. 2010-2 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the conveyance and execution of a Deed of Utility Easement and Overhead Utility Easement with respect to a portion of Lot 2.02, Block 961.01. (Oak St. to Pine St.)

Read by title only for second reading.

Mayor Langert 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 Miller.

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

Ordinance No. 2010-3 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 II (Definitions) of the Revised General Ordinances of the Township of Lakewood. (Article II, Section 1 18-200 B)

Read by title only for second reading.

Mayor Langert opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.

Mr. Wouters advised that this Ordinance needs substantial revisions. The amended Ordinance is on this evening's Agenda for First Reading.

The above Ordinance, No. 2010-4, died due to lack of Motion.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, establishing the Salaries and Positions of Persons employed by the Township of Lakewood in the County of Ocean, State of New Jersey, for certain employees of Local 71, Policemen's Benevolent Association.

Read by title only for second reading.

Mayor Langert 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 Miller.

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

Ordinance No. 2010-5 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 02/18/10)

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XII entitled Building and Construction of the Code of the Township of Lakewood. (Chapter 12 Sub-Section 12-2.1 – Construction Permit Fee)

Read by title only for first reading.

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

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

Ordinance No. 2010-6 adopted on first reading. Second reading and public hearing to be held on February 18, 2010.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI (Traffic) of the Code of the Township of Lakewood. (Chap. XI Section 11-6 – One-Way Streets – Lexington Ave.,)

Read by title only for first reading.

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

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

Mayor Langert asked Mr. Wouters to refer this Ordinance to the Downtown Merchants Committee, and obtain their input prior to the second reading of the Ordinance.

Ordinance No. 2010-7 adopted on first reading. Second reading and public hearing to be held on February 18, 2010.

An Ordinance of the Township of Lakewood County of Ocean, State of New Jersey, amending and supplementing Chapter III (Police Regulations), Section 3-11 (False Alarms) of the Code of the Township of Lakewood. (Chap. III, Section-11.3 – Violations/False Alarms)

Read by title only for first reading.

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

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

Ordinance No. 2010-8 adopted on first reading. Second reading and public hearing to be held on February 18, 2010.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Tax Collector to cancel any and all Taxes, Penalties,

Interest due, by NJ Center for Judaic Studies, on Block 27, Lot 10, pursuant to and in accordance with N.J.S.A. 54:4-3.6c.

Read by title only for first reading.

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

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

Ordinance No. 2010-9 adopted on first reading. Second reading and public hearing to be held on February 18, 2010.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Tax Collector to cancel any and all Taxes, Penalties, Interest due, by Shalom Torah Centers, on Block 33, Lot 6, pursuant to and in accordance with N.J.S.A. 54:4-3.6c.

Read by title only for first reading.

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

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

Ordinance No. 2010-10 adopted on first reading. Second reading and public hearing to be held on February 18, 2010.

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. (Article II, Section 1 18-200 B - Definitions)

Read by title only for first reading.

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

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

Ordinance No. 2010-11 adopted on first reading. Second reading and public hearing to be held on February 18, 2010.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter III (Police Regulations) of the revised General Ordinances of the Township of Lakewood with New Article 3.15 (No Solicitation of Employment). (Chapter III, Section 3-15 – No Solicitation of Employment)

Read by title only for first reading.

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

Deputy Mayor Miller advised that he is favor of this Ordinance because it will increase the quality of life in the downtown area; however, he wants to be assured that it does not disrupt the downtown, and does not disrupt those who are coming there to shop or to do otherwise, and that they do not have the same problem they had last time.

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

Ordinance No. 2010-12 adopted on first reading. Second reading and public hearing to be held on February 18, 2010.

PARKS AND EVENTS CORRESPONDENCE

As per schedule of fourteen (14) picnic requests, attached hereto and made a part hereof.

Motion by Committeeman Coles, second by Deputy Mayor Miller, and carried, to approve the above correspondence items.

Mayor Langert did not vote on Item No. 6.

MOTION TO APPROVE BILL LIST OF: 02/02/10

Motion by Committeeman Coles, second by Deputy Mayor Miller.

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

Negative: Committeeman Singer

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Deputy Mayor Miller advised they had the Reorganization Meeting for the Complete Count Committee for the census. Lakewood will not this time be a HTC (Hard to Count) Zone. They are making progress and are working very diligently and plan to move forward. This week, they also had the Reorganization Meeting for the Veterans Advisory Committee; he asked if anyone is a vet and would like to join, they have vacancies on the committee.

Mayor Langert thanked everyone for coming out this evening, and announced the formation of a Search Committee to find a replacement for Township Manager Frank Edwards, who is retiring as of June 30, 2010. The Search Committee will consist of Mayor Langert, Committeeman Coles, Frank Edwards, Jan Wouters, Esq., Anthony Ross, Maureen Murnane, Moshe Gleiberman, Ben Heineman.

Mr. Edwards advised they have received forty-one applications so far.

ADJOURNMENT

Motion by Committeeman Coles, second by Deputy Mayor Miller, and carried, to adjourn the meeting. Meeting adjourned at 8:45 PM.