

**The Lakewood Township Committee held a Meeting on Thursday, July 2, 2009 in the Lakewood Municipal Building, at 3:00 PM for the Executive Session, and 3:30 PM for the Public Meeting, with the following present:**

**Mayor.....Robert Singer**  
**Deputy Mayor.....Steven Langert**  
**Committee Members.....Menashe Miller**  
**Raymond Coles**  
**Meir Lichtenstein**  
**Municipal Manager.....Frank Edwards**  
**Municipal Attorney.....Lawrence E. Bathgate, II, Esq.**  
**Jan Wouters, Esq.**  
**Municipal Clerk.....Mary Ann Del Mastro**

**ROLL CALL**

**CLOSED SESSION**

**Resolution No. 2009-236 – Adopted.**

**SALUTE TO THE FLAG AND PRAYER**

**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, 2009 and published in the Asbury Park Press on June 3, 2009.**

**ROLL CALL**

**OPEN SESSION**

Motion by Mr. Coles, second by Deputy Mayor Langert, and carried, to open the meeting.

**MOTION TO APPROVE MINUTES OF: 06/18/09**

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

**MOTION TO APPROVE CLOSED SESSION MINUTES: 06/18/09**

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

**PRESENTATIONS - None**

**ORDINANCES FOR DISCUSSION: None**

Mayor Singer advised there is one item that needs to be considered prior to Comments from the Public, as time is of the essence.

Mr. Edwards explained that Resolution No. 5 on the Consent Agenda, which is a Chapter 159 for the approved Administrative Budget for the LDC, and as the fiscal year starts on July 1, they need to have this Resolution voted on in order to meet their payroll, right away. He is requesting that the Committee pull the Resolution from the Consent Agenda, and vote on it first.

Motion by Mr. Coles, second by Mr. Lichtenstein, and carried, to remove Resolution No. 5 from the Consent Agenda.

Mayor Singer additionally explained that this is Urban Enterprise Zone money. They needed to receive the information from the State allowing the Township to insert it in the Budget. This is not local taxpayer dollars. This is the payroll for all the employees who work for the Urban Enterprise Zone, their benefits, etc.

Resolution No. 5:

**5. Resolution authorizing the Insertion of a Special Item of Revenue into the 2009 Municipal Budget for LDC/UEZ Administration, in the amount of \$927,363.00. (Chapter 159 – LDC/UEZ)**

Motion by Mr. Coles, second by Mr. Lichtenstein.

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

**Resolution No. 2009-237 – Adopted.**

**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 Singer opened the meeting to the public.

Rich Orne, Manchester – Representing the Lakewood Township Airport Authority. Commented on the dissolution of the Airport Authority.

Akiva Bergstrom, 900 Vermont Avenue – Commented on the dead trees located on the property next to his home, which he has been advised are dangerous. Provided photos to the Committee. Asked for assistance in resolving the problem.

Mayor Singer requested Mr. Edwards to determine whether it is Township property, and for someone to go out and look at the property. He is located at 900 Vermont Avenue, Block 1051, Lot 45. He provided his name and telephone number to Mr. Edwards.

Mary Ann Allacci, 39 Iriquois Place – Asked about the green stimulus money that came down from the federal government. She understands that Lakewood is in the process,

or has received, over \$600,000 in funds to apply towards an energy efficiency, green resources.....etc. She would like to view the application and plan.

Mayor Singer answered they have not received any funds yet; they are in the process of applying for it. The application had to be in by the end of June. They will be using the funds, approximately \$700,000 to perform an energy audit of all Township Buildings, and they will be using the balance to apply for the installation of solar energy in Township buildings. Mr. Oross is the contact person.

Mr. Edwards added that part of the application is that you get funded to create a plan.

Alice Kelsey, 295B Malvern Court East – Commented on the issue of the homeless, and housing for the homeless.

Gerry Ballwanz, Governors Road – Commented on the visioning workshops with regard to the Plan Endorsement process; Ordinances in connection with the Master Plan; and proposed Green Acres Diversion process.

Bert Albert, Lions Head Woods – Commented on the dissolution of the Airport Authority and the operation of the Airport.

Joyce Blay, NJ News and Views, 1594 Crimson Road, Toms River – Asked for an explanation of Resolutions on UEZ funding.

Mr. Edwards explained Resolution Nos. 5 and 2, in connection with the Administrative Budget for the UEZ.

Mike Kava, 160 North Prospect Road, Jackson – An employee of the Public Works Department; commented with regard to the Resolution and the details of the agreement between the Township and Department of Public Works.

Seeing no one else wishing to be heard, Mayor Singer 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 authorizing the Liquor License Renewal for Rare Hospitality International, Inc. T/A Longhorn Steakhouse, for the year 2009-2010, License No. 1514-33-007-010.  
Resolution No. 2009-238**
- 2. Resolution authorizing and directing the submission of anticipated UEZ assistance, in the amount of \$942,273.00 to the NJ Urban Enterprise Zone Authority. (UEZ – 2010 Administrative Budget)  
Resolution No. 2009-239**
- 3. Resolution accepting a grant from the Hazardous Discharge Site Remediation Fund Public Entity Program through the NJ Economic Development Authority and the Department of Environmental Protection, in the amount of \$41,951.00. (UEZ)  
Resolution No. 2009-240**
- 4. Resolution supporting Redevelopment Study at South Clifton Ave. (Block 123, Lot 27 – UEZ)  
Resolution No. 2009-241**
- 5. Resolution authorizing the Insertion of a Special Item of Revenue into the 2009 Municipal Budget for LDC/UEZ Administration, in the amount of \$927,363.00. (Chapter 159 – LDC/UEZ)  
This Resolution was removed from the Consent Agenda and was voted on previously.**
- 6. Resolution authorizing the Insertion of a Special Item of Revenue into the 2009 Municipal Budget for UEZA 09-17 Job Link Network Year 13, in the amount of \$25,000.00. (Chapter 159 – UEZA)  
Resolution No. 2009-242**
- 7. Resolution authorizing the Sale of Surplus Police Department Property no longer needed for Public Use on an Online Auction Website.  
Resolution No. 2009-243**
- 8. Resolution authorizing the Execution of a Memorandum of Understanding with the Township of Lakewood and the Ocean County Health Department.  
Resolution No. 2009-244**
- 9. Resolution authorizing the execution of an agreement between the Township of Lakewood and IBT Local 97.  
Resolution No. 2009-245**

- 10. Resolution awarding a Contract to and authorizing the Appointment of Leib Klein, Esq. as Public Defender, for the Township of Lakewood pursuant to and in accordance with N.J.S.A. 19:44A-20.4 et. seq. Resolution No. 2009-246**
  
- 11. Resolution awarding a contract to and authorizing the Appointment of Sean D. Gertner, Esq. as Conflict Public Defender for the Township of Lakewood Pursuant to and in accordance with N.J.S.A. 19:44A-20.4 et. seq. Resolution No. 2009-247**

Motion by Mr. Coles, second by Mr. Miller, to approve Resolution Nos. 1 through 4, and 6 through 11 on the Consent Agenda.

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

Mr. Lichtenstein abstained on Resolution No. 1.

**Resolution Nos. 2009-238 through 2009-247 – Adopted.**

#### **ORDINANCE SECOND READING**

**An Ordinance of the Township of Lakewood, in the County of Ocean, State of New Jersey, dissolving the Lakewood Township Airport Authority pursuant to N.J.S.A. 40A:5A-20. (Airport Auth.)**

Read by title only for second reading.

Mayor Singer opened the meeting to the public.

Rich Orne, Manchester, Chairman of the Airport Authority – Commented in opposition to the dissolution of the Airport Authority.

Seeing no one else wishing to be heard, the hearing on this Ordinance was closed to the public.

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

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

**Ordinance No. 2009-29 adopted on second reading.**

#### **ORDINANCE FIRST READING (Second reading and Public Hearing 07/16/09)**

**An Ordinance amending and supplementing an Ordinance entitled "An Ordinance establishing the Annual Minimum and Maximum Salary Ranges for the Office and Positions of Person employed by the Township of Lakewood in**

**the County of Ocean, and State of New Jersey” and providing for an effective date 20 days after publication after final adoption.**

Read by title only for first reading.

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

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

**Ordinance No. 2009-30 adopted on first reading. Second reading and public hearing to be held on July 16, 2009.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of an undersized parcel in the Township of Lakewood, at a Private Sale pursuant to N.J.S.A. 40A:12-1, et. seq. (Block 246, Lot 18 – Dewey Ave. & Sampson Ave.)**

Read by title only for first reading.

The above Ordinance was offered by Deputy Mayor Langert, second by Mr. Lichtenstein.

On Roll Call – Affirmative: Mr. Lichtenstein, Mr. Miller, Deputy Mayor Langert and Mayor Singer.

Negative: Mr. Coles

**Ordinance No. 2009-31 adopted on first reading. Second reading and public hearing to be held on July 16, 2009.**

**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 Block 961.01, Lot 17. (New Hampshire Ave. – Oak St. to Pine St.)**

Read by title only for first reading.

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

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

**Ordinance No. 2009-32 adopted on first reading. Second reading and public hearing to be held on July 16, 2009.**

## **CORRESPONDENCE**

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

## **PARKS AND EVENTS CORRESPONDENCE**

Per attached schedule of eleven (11) items, attached hereto and made a part hereof.

Motion by Mr. Coles, second by Mr. Miller, and carried, to approve the above Correspondence, and Parks and Events Correspondence.

Mr. Edwards advised that as to Correspondence Item #3, a request has been made for the use of the Auditorium on Saturdays, four times during the year, and he is requesting

that the Township not charge him. The Township has to bring in a custodian to open the building, for seven hours. The applicant was informed that, based on Mr. Franklin's calculation, it would cost approximately \$240.00 per day for them to have the Auditorium opened on a Saturday, and that is basically for personnel.

Mayor Singer stated that is the rule. If you are not going to charge for the use of the room, people would request to open the room every weekend. This is taxpayer's money, and if you want to use the room on a Saturday, when the building is closed, the Township has to bring in someone to open the room, and lock it up after the event; the Township has to charge for the use. All Committee members were in agreement. He must be charged for the use of the Auditorium on a Saturday.

The Township Clerk read a letter into the record with regard to the resignation of Rev. Gary Stiegler, as a Chaplain to the Lakewood Police Department, and member of the CDBG Selection Committee.

Motion by Mr. Coles, second by Deputy Mayor Langert, and carried, to receive the above correspondence with regret. The Township Clerk was directed to forward a copy of the letter to the Chief of Police, and that a Proclamation be prepared in recognition of Rev. Stiegler's service to the Township of Lakewood.

**MOTION TO APPROVE BILL LIST OF: 06/30/09**

Motion by Mr. Coles, second by Mr. Miller, to approve the above Bill List.

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

**Bill List approved.**

**COMMENTS FROM COMMITTEE MEMBERS**

Mr. Lichtenstein invited everyone to attend the fireworks display this evening at Lake Carasaljo, and wished everyone a happy holiday.

Mr. Miller and Mr. Coles wished everyone a happy holiday.

Deputy Mayor Langert advised that he was bothered by a message he had received from a constituent insinuating that the Township was having the fireworks celebration this evening, July 2<sup>nd</sup>, as an accommodation to a certain segment of the population, as opposed to having it on July 4<sup>th</sup>. Even if that was true, and he asked Mr. Franklin about it, he said that this was the only open date. There are other towns that are having their fireworks this evening also, such as Jackson and Brick. There are towns that are having fireworks tomorrow night, July 3<sup>rd</sup>, and there are towns that are having fireworks on

Sunday night, July 5<sup>th</sup>. He looked in the Asbury Park Press, at the community calendar, and many towns have fireworks on nights other than July 4<sup>th</sup>. So, for people to go around saying that special accommodations have been, it bothered him. He is sorry he had to bring it up. But he wished everyone a very happy 4<sup>th</sup> of July.

Mayor Singer also stated that the Township has the fireworks display on this date because the price is half price, since it is not held on the 4<sup>th</sup> of July. And honestly, if it was not half price, the Township would not have fireworks this year. He thanked the Public Works Department, Mr. Franklin, and Mr. Edwards, for their work on the festivities.

Mayor Singer also commented with regard to the homeless situation. He feels there is a need to stop the growth of the camps in the woods. It is a safety and a health issue. He is working with Rev. Steve because he wants it to come to a conclusion that is satisfactory to everyone involved.

Mayor Singer further commented with regard to the dissolution of the Airport Authority, so that everyone has an understanding about the Airport. There is no question about the fact that the Airport was successful in bringing in many grants to the Township, and he thanked Mr. Albert for his work. The Airport will remain open; they will expand the facilities. They will use federal and state dollars, not local dollars, to operate it. They are going after additional grants. They are going to improve it, and certainly it will be a benefit to the community. And they have done this because, financially, the Township could not continue to fund it. This was a way to save the Airport, because an item such as that would most likely be slashed from next year's budget, which would mean there would be no Airport money. He has always been a proponent of the Airport; he believes in the Airport and its mission. And that was his position on this issue.

Mayor Singer also stated that he hopes they have the money for fireworks next year, but there is no guarantee. They are working on next year's budget, now. And it should be understood, you can not work on a budget January 1<sup>st</sup>, and make any cuts, and get the full benefit of a year. You must make those cuts on January 1<sup>st</sup> to get the full benefit. So therefore, they must start working on the budget, now, so when that time comes around, they have an idea of what cuts they may have to make, and the benefit of it. And that is a very tough decision.

Mayor Singer further commented with regard to the contract agreement with Public Works.

Mayor Singer wished everyone a happy and safe 4<sup>th</sup> of July, and hopes to see everyone at the fireworks this evening.

## **ADJOURNMENT**

Motion by Mr. Coles, second by Mr. Miller, and carried, to adjourn the meeting. Meeting adjourned at 4:26 PM.