

The Lakewood Township Committee held a Meeting on Thursday, September 3, 2009 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..... 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

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 January 8, 2009.

ROLL CALL

CLOSED SESSION
Resolution No. 2009-289 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

MOTION TO APPROVE MINUTES OF: 08/20/09
Motion by Mr. Coles, second by Mr. Miller, and carried, to approve the above Minutes.

MOTION TO APPROVE CLOSED SESSION MINUTES: 08/20/09
Motion by Mr. Coles, second by Mr. Miller, and carried, to approve the above Closed Session Minutes.

PRESENTATIONS - S.T.E.P.S.

A presentation was given by Ervin Oross, Director of Community Development, to provide an update with regard to the Township’s Homeless Initiative, which began approximately four months ago. Mike McNeill, STEPS, was present, together with Gina Platino, consultant, to present to the public the progress and efforts made in order to assist the homeless in moving out of the woods. Ms. Platino explained that since they initiated efforts in March, STEPS has identified forty-two individuals in the tent communities, thirty-three are men, nine are women, and none of them are children.

STEPS has since directly assisted twenty-two, leveraging resources such as the Board of Social Services, Special Response, food pantries in the community, the Salvation Army; both in terms of temporary financial assistance and substance abuse treatment in Newark, Gateway Rehab Center and Ocean Mental Health, the Probation Department, medical assistance, financial counseling and budgeting, Medicaid and Social Security, and just recently, the American Red Cross came to STEPS asking what they could do, and they have agreed to provide transportation vouchers to assist the clientele, so they can access the services that are available to them. STEPS work with the homeless has not been limited to the tent community. They handle about thirty fair housing cases per month, and of those cases, about ninety percent of them result in preventing evictions, thereby preventing homelessness. The numbers are really much greater than the twenty-two people they have assisted in the tent communities. Of the twenty-two, fourteen have been housed, and ten are now employed. The presentation continued with regard to their efforts for an intensive case management approach that followed a housing first philosophy, but required them to have the patience to understand that they would work one case, one solution, at a time. She thanked the Township Committee for having that patience because fourteen housed and ten employed is impressive progress.

Ms. Platino continued that they are having some critical issues that she needed to communicate to the Committee and to the public this evening. STEPS has been criticized for continuing to work out of their 14 South Clifton Avenue location. They do so because of the close proximity to the food pantry, St. Mary's Church and Vincent DePauls' Society, and their state certified training lab.

The presentation continued with regard to their continued efforts on behalf of the homeless.

ORDINANCES FOR DISCUSSION – None

Mayor Singer commended the Lakewood Fire Department and Lakewood Police Department on their heroic efforts in containing the recent fire at the Capitol Hotel. He asked that a Resolution be prepared for the Lakewood Fire Commissioners and the Lakewood Police Department, and the companies from the other towns who assisted, thanking them for the wonderful job that they did, and for putting their lives at risk in saving the people from the burning building.

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.

Alice Kelsey, 295B Malvern Court – Commented on the STEPS presentation this evening and the issues of the homeless.

Charlie Cunliffe, 135 Jennifer Drive – Commended the STEPS presentation this evening. Also commented on the Resolution with regard to Somerset PRV, LLC.

Larry Simons, 7 Schoolhouse Court – Commented on the current political campaigns.

Precious Parker – Commented on her homeless situation. As the Township revoked the CO on the home she was renting, she is asking the Township for relocation assistance.

Mayor Singer requested that the Township Attorney look into this matter with the landlord, the County Relocation Assistance Program, and Mr. Saccamanno. Mr. McNeil, of STEPS, will also look into this matter.

James Waters, 1275 Old County Line Road – Advised this is the centennial year of the NAACP. He suggested that certain individuals in Lakewood be recognized.

Mayor Singer requested that a list of the individuals be sent to his office so that Proclamations can be prepared and presented at a future meeting.

Mr. Waters further commented on the Shared Services Agreement Resolutions on the Agenda this evening.

Bill Hobday – Commented on the farm house property on Massachusetts Avenue, south of the Fairways entrance, which has been converted to an educational use.

Gerry Ballwanz, Governors Road – Commented on the Resolution with regard to Somerset PRV.

Mike McNeil, 201 Lincoln Street – Commented on the contract between STEPS and the LRRC, and the amount of the electric bills on the affordable housing units.

Mr. Coles suggested that Mr. McNeil report the addresses of the units directly to the utility company, to check the meters.

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

Mayor Singer advised that the Township has officially received a letter from Linda Solakian, that she is planning to retire within two weeks, which letter was received with regret. Motion by Deputy Mayor Langert, second by Mr. Coles, to receive that letter of retirement.

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

Mayor Singer further advised that there is someone within the department who is certified. They are going to be advertising, both in the Assessor's paper, the League of Municipalities paper, the Asbury Park Press, and on-line, for a Tax Assessor for the Township of Lakewood. He has asked several people to sit on the screening committee,

to make recommendations. Mr. Coles, Deputy Mayor Langert, Salvatore Alfieri, Esq., and Yehuda Shain, have agreed to sit on the committee.

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 releasing Performance Guarantee, posted by Chinuch Labonocs in connection with SP#1884A-New School, Block 189.04, Lot 188, in the amount of \$27,060.00.
Resolution No. 2009-290**
- 2. Resolution of the Township of Lakewood amending Resolution 2009-270 which authorized the submission by the Lakewood Development Corporation to the New Jersey Urban Enterprise Zone Authority for use of available Second Generation Project funding for application as funding for Lakewood Airport Transition from its jurisdiction under Lakewood Township Airport Authority to jurisdiction under the Township of Lakewood (and its assignees), in the amount of \$50,707.00. (UEZ – Airport)
Resolution No. 2009-291**
- 3. Resolution of the Township of Lakewood amending Lakewood Township Resolution #2009-262 (such amendment justified as – the same purpose with an increased scope) in the amount of \$66,000 for submission to the New Jersey Urban Enterprise Zone Authority for UEZ Project funding for Professional Services associated with preparation and submission for Environmental Assessment Phase III. (UEZ – Environment Assessment Phase III)
Resolution No. 2009-292**
- 4. Resolution authorizing the execution of the Ocean County Recycling Center use and Revenue Sharing Agreement with the County of Ocean.
Resolution No. 2009-293**
- 5. Resolution memorializing the action taken by the Township Committee at its August 20, 2009 meeting approving the agreement to release Deed Restriction between the Township of Lakewood and Somerset PRV, LLC and authorizing the Mayor and Township Clerk to sign the agreement.
Resolution No. 2009-294**

- 6. Resolution amending the Professional Services Contract with Michael H. Gluck, Esq. of Gluck, Walrath, LLP, in the amount of \$15,500.00.
Resolution No. 2009-295**
- 7. Resolution authorizing the insertion of a Special Item of Revenue, into the 2009 Municipal Budget for LDC/UEZ Administration, in the amount of \$50,500.00 (Chapter 159 – Blinds to Go)
Resolution No. 2009-296**
- 8. Resolution authorizing a State Contract purchase of Storm Drain Curb Castings, in the amount of \$45,160.00.
Resolution No. 2009-297**
- 9. Resolution authorizing the Municipal Manager to sign Grant Applications. (Helipad and Self-Service Fuel Pump)
Resolution No. 2009-298**
- 10. Resolution reducing the Performance Guarantee posted by Tamarind Developers, LLC, in connection with ZB #3546a, Block 189.03, Lots 184 and 186, to \$133,206.90.
Resolution No. 2009-299**
- 11. Resolution authorizing submission of application to New Jersey Urban Enterprise Zone Authority for Enterprise Zone Assistance Funds, in the amount of \$250,000.00. (UEZ - Supplemental Downtown Parking Phase II)
Resolution No. 2009-300**
- 12. Resolution authorizing the Insertion of a Special Item of Revenue into the 2009 Municipal Budget for Edward Byrne Memorial Justice Assistance Grant, in the amount of \$73,987.00 .
Resolution No. 2009-301**
- 13. Resolution authorizing the execution of a Shared Services Agreement between the Township of Lakewood and Borough of Seaside Heights.
Resolution No. 2009-302**
- 14. Resolution authorizing the execution of a Shared Services Agreement between the Township of Lakewood and Brick Township.
Resolution No. 2009-303**
- 15. Resolution authorizing the execution of a Shared Services Agreement between the Township of Lakewood and Township of Toms River.
Resolution No. 2009-304**

16. **Resolution authorizing the Execution of a Settlement and release Agreement in connection with Lawsuit "In Re Approval of Regional Contribution Agreement between Toms River and Lakewood Township". Resolution No. 2009-305**
17. **Resolution releasing a Performance Guarantee posted by Aaron Mansour in connection with Road Opening Permit #e-041608-04, Block 231, Lots 19.01 and 19.02, in the amount of \$5,080.00. Resolution No. 2009-306**
18. **Resolution authorizing the Township Tax Appeal Attorney to sign Tax Appeal Settlements. Resolution No. 2009-307**
19. **Resolution authorizing Aivar Rannamyae to sign Documents on behalf of the Township Tax Assessor's Office. Resolution No. 2009-308**

Motion by Mr. Coles, second by Mr. Miller, to approve Resolution Nos. 1 through 19 on the Consent Agenda.

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

Resolution Nos. 2009-290 through 2009-308 – Adopted.

ORDINANCE SECOND READING

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter VI (Alcoholic Beverage Control) of the Revised General Ordinances of the Township of Lakewood. (Alcoholic Beverage Control – New Section 6-7 – Employee ID)

Read by title only for second reading.

Mayor Singer 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 Mr. Coles, second by Mr. Lichtenstein.

Mr. Coles advised it was brought to his attention that they do have catering companies who come into town, using existing establishments, and some of those people may be employees of the catering company, but not the establishment serving the alcohol.

Mr. Wouters answered that this Ordinance will not cover the catering companies. This is just for license holders under licenses issued by the municipality.

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

Ordinance No. 2009-46 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 09/24/09)

An Ordinance of the Township of Lakewood, County of Ocean, State of New

Jersey, vacating a portion of a Public Right of Way located along Case Road adjoining Block 21, Lot 4. (Vacation portion Case Road)

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Mr. Miller.

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

Ordinance No. 2009-47 adopted on first reading. Second reading and public hearing to be held on September 24, 2009.

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 to local property taxes to Site Consultants, L.P. for facilities located at Block 386, Lot 17.02, Prospect Street Industrial Zone and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a Tax Abatement Agreement. (Abatement – Site Consultants, L.P.)

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Mr. Miller.

Mr. Lichtenstein asked if there will be a presentation on this Ordinance.

Mayor Singer answered that the applicant will be requested to be present on second reading of the Ordinance to give a presentation.

On Roll Call- Affirmative: Mr. Lichtenstein, Mr. Coles, Mr. Miller, and Mayor Singer.

Not Voting: Deputy Mayor Langert.

Ordinance No. 2009-48 adopted on first reading. Second reading and public hearing to be held on September 24, 2009.

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 to local property taxes to Cedar Holdings, LLC, for facilities located at Block 536, Lot 75.04, and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a Tax Abatement Agreement. (Abatement – Cedar Holdings, LLC)

Read by title only for first reading.

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

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

Negative: Mr. Lichtenstein

Ordinance No. 2009-49 adopted on first reading. Second reading and public hearing to be held on September 24, 2009.

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 to local property taxes to 418 Clifton Ave., LLC, for facilities located at Block 93, Lot 12, and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a Tax Abatement Agreement. (Abatement – 418 Clifton Ave., LLC)

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Mr. Miller.

On Roll Call – Affirmative: Mr. Lichtenstein, Mr. Coles, Mr. Miller and Mayor Singer.
Not Voting: Deputy Mayor Langert.

Ordinance No. 2009-50 adopted on first reading. Second reading and public hearing to be held on September 24, 2009.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, repealing Section 18-805 G (Flag Lots) of the Revised General Ordinances of the Township of Lakewood and adopting new Section 18-805 G (Flag Lots)

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Mr. Lichtenstein.

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

Ordinance No. 2009-51 adopted on first reading. Second reading and public hearing to be held on September 24, 2009.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XX (Streets and Sidewalks), Section 20-1.5 (Permit Fees) of the Revised General Ordinances of the Township of Lakewood.

(Chapter XX – Section 20-1.5 Permit Fees)

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Mr. Miller.

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

Ordinance No. 2009-52 adopted on first reading. Second reading and public hearing to be held on September 24, 2009.

An Ordinance of the Township of Lakewood County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII of the Code of the Township of Lakewood entitled The Lakewood Township Unified Development Ordinance of 2006. (Chapter XVIII – 18-902.H)

Read by title only for first reading.

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

Mr. Lichtenstein advised he understands there is a need for an Ordinance such as this.

He has not had the opportunity to review it. He knows that the Planner is still looking at it, and he assumes that by voting on this, it will be sent to the Planning Board, as well.

Deputy Mayor Langert answered yes, they are sending it to the Planning Board.

Mr. Lichtenstein stated he is not sure how he feels about the Ordinance, but he certainly does not have a problem moving it up to the Planner and the Planning Board for review, and then back to the Committee.

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

Ordinance No. 2009-53 adopted on first reading. Second reading and public hearing to be held on September 24, 2009.

CORRESPONDENCE

Per list of four (4) correspondence items attached hereto and made a part hereof.

PARKS AND EVENTS CORRESPONDENCE

Per schedule of four (4) requests, attached hereto and made a part hereof.

Motion by Mr. Coles, second by Mr. Miller, and carried, to approve Correspondence Items 1 through 4, and picnic requests 1 through 4.

MOTION TO APPROVE BILL LIST OF: 09/01/09

Motion by Mr. Coles, second by Deputy Mayor Langert, 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. Miller advised that one of the correspondence items is for the enactment of temporary handicap parking spaces near Ahavat Shalom. He stated it is important that when they do that, it is important in the interim, between the two separate times, that the signs should be covered. Last year there was an issue with it. He asked Mr. Edwards to request the Chief and Public Works to be aware of the two separate times, that the signs should be covered or put up at the two separate times, so they do not have the same issue as last year.

Mr. Lichtenstein commented on the recent fire at the Capital Hotel. He commended the Fire Department, EMS and the Police Department, who all did a good job in containing the fire, and getting the people out of the burning building very quickly.

Deputy Mayor Langert also commended the Police and Fire Departments. He also recognized the employees who work in the Tax Assessor's office for their hard work on the tax appeals this year.

ADJOURNMENT

Motion by Mr. Lichtenstein, second by Mr. Miller, and carried, to adjourn the meeting.
Meeting adjourned at 9:18 PM.