

The Lakewood Township Committee held a Meeting on Thursday, December 17, 2015 in the Lakewood Municipal Building at 5:30 PM for the Workshop/Executive Session, and 7:30 PM for the Public Meeting, with the following present:

Mayor.....Albert D. Akerman
Deputy Mayor.....Absent.....Menashe P. Miller
Committee Members.....Raymond Coles
Michael J. D’Elia
Meir Lichtenstein
Municipal Manager.....Thomas Henshaw
Municipal Attorney.....Steven Secare, Esq.
Municipal Clerk.....Kathryn Cirulli

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, and published in the Asbury Park Press on January 8, 2015 and revised by e-mail on December 14, 2015.

ROLL CALL

CLOSED SESSION
Resolution No. 2015-439

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION
Motion by Committeeman D’Elia, second by Committeeman Lichtenstein, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: December 3, 2015
Motion by Committeeman Lichtenstein, second by Committeeman D’Elia, and carried, to approve the above Minutes. Committeeman Coles abstained.

MOTION TO APPROVE WORKSHOP AND CLOSED SESSION MINUTES: December 3, 2015
Motion by Committeeman D’Elia, second by Committeeman Lichtenstein, and carried, to approve the above Closed Session Minutes. Committeeman Coles abstained.

PRESENTATIONS – POLICE PROMOTIONS AND AWARDS

Chief Lawson presented the Police Promotions and Awards, per Awards Presentation Brochure, attached hereto and made a part hereof.

ORDINANCES FOR DISCUSSION - None

PUBLIC COMMENT

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 Akerman opened the meeting to the public.

David Drukaroff, 1433 Laurelwood Avenue – Commented on the subject of freedom of religion.

Walt Lucas – Provided information sheets to Committee members. Requested the vacation of a paper street known as Poplar Street. Also suggested an area to be rezoned strictly for housing purposes, and no schools.

Vivian Knight – She invited the media and press here tonight in order to set the record straight with regard to her previous request for a nativity scene at Town Square. It was not her intent to take down the Menorah. It was her intent for the nativity to be put up, which is still her intent. She asked if a nativity would be put up next year, and offered to pay for it.

Mayor Akerman responded that they would have to discuss and review the matter with Committee Members.

Harold Hershkowitz, 1496 Cedar Row – Responded to the matter of the holiday display at Town Square. Also commented on a building at Fourth Street and Madison Avenue, stating that it does not have any approvals and is operating illegally. Asked Committee members if they are aware of it.

Mr. Secare advised Committee members not to answer that question, because although Mr. Hershkowitz raises some valid points, the matter is pending before the Construction Board of Appeals.

Mr. Hershkowitz argued that the local municipality has the total right to evict them as they do not have a CO. He referred to an e-mail that was sent to the Code Enforcement Office indicating that they are breaking the law, and the Code Enforcement Office should take the appropriate action. At a recent merchant meeting, the Inspector present had advised that he was allowing them back into the building for a three (3) month period. It has now been almost a year since that meeting, and at that meeting it was stated that if they continue to park illegally in the municipal parking lots, taking parking spaces away from businesses, that the three (3) month period will be rescinded immediately. The three (3) month period went by, but nobody wanted to complain, even though they were still parking in the municipal parking lot. But after the three (3) months were over, the Code Enforcement Office was advised that the merchants want the building closed down. And they were continually ignored. He was advised that if any one merchant complains that it is affecting their business, appropriate action would be

taken. He is now taking the place of all of the merchants, and he is going to say he is the merchant that is complaining, and demanding that the building be shut down. If it is not shut down immediately, he is going to get all the affected merchants together and they are going to file a class action lawsuit. And this, as opposed to a lawsuit about a nativity scene, is a real lawsuit. And it can cause a lot of issues. He does not mean to threaten, and he is not a litigious person, but he does not like to see merchants being stolen from. This is absolute theft. This individual built a building without approvals, and he knew exactly what he was doing. And it has to be stopped immediately.

Bill Hobday, 30 Schoolhouse Lane – Commented on the holiday display matter.

Fred Rush, 2023 Madison Avenue – Commented on the Police promotions. Complained about the intersection of Fourth Street and Clifton Avenue, where the parking spaces are too close to the intersection, and he almost was involved in accident. He does not think that parking should be permitted there, and requested that the Traffic Engineers look at the area and do a study.

Mayor Akerman responded that they will have Traffic and Safety look into it.

Dr. Rush further commented on the holiday display matter.

Anthony Caparale – Advised he wrote a letter to the Committee on the subject of taxes, and properties that he feels should be taxable.

Seeing no one else wishing to be heard, Mayor Akerman 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 of the Township of Lakewood, County of Ocean, State of New Jersey, Amending Resolution No. 2015-425 to Authorize a Purchase of 1836 Recycling Containers Through the National IPA Cooperative in Accordance With N.J.S.A. 34:6.2: Et Seq. (Toter, LLC)
Resolution No. 2015-440**
- 2. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing Appropriation Reserve Transfers in the 2015 Municipal Budget.
Resolution No. 2015-441**

3. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing a Refund of Taxes for 2015 Pursuant to N.J.S.A. 54:4-3.30 Et Seq. (Block 524.01 Lot 24)
Resolution No. 2015-442**
4. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Tax Collector to Refund a Double Payment (Block 548.05 Lot 14)
Resolution No. 2015-443**
5. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Tax Collector to Refund a Payment Erroneously Paid. (Block 251.01 Lot 32)
Resolution No. 2015-444**
6. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing a Refund of Taxes for 2015 Pursuant to N.J.S.A. 54:4-3.30 Et Seq. (Block1587 Lot 1196.02 QC100B)
Resolution No. 2015-445**
7. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Execution of an Agreement with Ocean County for the Electrical Current to be Provided for the Traffic Signal Located at the Intersection of Cedar Bridge Avenue (County Road #5) and Shenandoah Drive.
Resolution No. 2015-446**
8. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing a Performance Guarantee Posted by Condor Jackson, LLC, in Connection with SP #1851A, Block 57, Lot 1
Resolution No. 2015-447**
9. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Reducing the Performance Guarantee, Second Reduction, Posted by Brookview Construction, LLC, in Connection with SD #1680, Block 175, Lot 99
Resolution No. 2015-448**
10. **Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing the Maintenance Guarantee Posted by Congregation Chanichei Hayeshivos in Connection with SOP #1906, Block 248.17, Lot 6.01
Resolution No. 2015-449**

**11. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing a Performance Posted by Avallone Partners, LLC, in connection with SP #1890B, Phase 3, Block 1601, Lot 3
Resolution No. 2015-450**

Motion by Committeeman Coles, second by Committeeman Lichtenstein, to approve Resolution Nos.1 through 11 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman D’Elia and Mayor Akerman.

Resolution Nos. 2015-440 through 2015-450 – Adopted.

ORDINANCES SECOND READING

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing, Extinguishing and Vacating the Rights of the Public of a Portion of a Paper Street known as Powell Avenue, in the Township of Lakewood
Read by title only for second reading.

Mayor Akerman 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 Lichtenstein.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman D’Elia and Mayor Akerman.

Ordinance No. 2015-74 adopted on second reading.

An Ordinance of the Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing the Public Sale of Block 1106 Lot 1 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 second reading.

Mayor Akerman opened the meeting to the public.

Bill Hobday, 30 Schoolhouse Lane – Asked that a property location be placed on the Ordinance so that the location is evident to the public.

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

Ordinance No. 2015-75 died on second reading due to lack of Motion.

An Ordinance of the Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing the Private Sale of Block 1087 Lot 2, in the Township Of Lakewood, County of Ocean, State of New Jersey, At Private Sale Pursuant to N.J.S.A. 40A:12-1, Et Seq.

Read by title only for second reading.

Mayor Akerman 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 Lichtenstein.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman D’Elia and Mayor Akerman.

Ordinance No. 2015-76 adopted on second reading.

An Ordinance of the Township Of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XI Entitled “Traffic” of the Revised General Ordinances of the Township of Lakewood, Specifically Section 11-21 (“Multiple Stop Intersections”), Subsection 11-21.1 (“Four Way Stops”).

Read by title only for second reading.

Mayor Akerman 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 Lichtenstein, second by Committeeman D’Elia.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman D’Elia and Mayor Akerman.

Ordinance No. 2015-77 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Amending and Supplementing Chapter XVI of the Revised General Ordinances of the Township of Lakewood, 1999, entitled “Property Maintenance”, Specifically by the Addition of a New Section 16-5, to be entitled “Regulating the Care, Maintenance, Security and Upkeep of the Exterior of Vacant or Abandoned Residential Properties on Which a Summons and Complaint in a Foreclosure Action has Been Filed”

Read by title only for second reading.

Mayor Akerman 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 D’Elia.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman D’Elia and Mayor Akerman.

Ordinance No. 2015-78 adopted on second reading.

An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Execution Of A Lease Agreement By And Between The Township Of Lakewood And Mikor Hatorah School.

Read by title only for second reading.

Mayor Akerman 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 Lichtenstein, second by Committeeman D’Elia.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman D’Elia and Mayor Akerman.

Ordinance No. 2015-79 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Public Sale of Block 1135 Lot 1, Block 1142 Lot 1, Block 1143 Lot 1 and Lot 9, Block 1150 Lot 1 and Block 1151 Lot 1, 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 second reading.

Mayor Akerman 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 Lichtenstein.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman D’Elia and Mayor Akerman.

Ordinance No. 2015-80 adopted on second reading.

CORRESPONDENCE - None

MOTION TO APPROVE BILL LIST OF: December 16, 2015

Motion by Committeeman Coles, second by Committeeman Lichtenstein, to approve the above Bill List.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman D’Elia and Mayor Akerman.

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Committeeman Lichtenstein wished everyone a happy holiday season and a Happy New Year.

Committeeman Coles wished everyone happy holidays.

Committeeman D’Elia wished everyone happy holidays.

Mayor Akerman wished everyone happy holidays.

ADJOURNMENT

Motion by Committeeman Lichtenstein, second by Committeeman D’Elia, and carried, to adjourn the meeting. Meeting adjourned at 8:35 PM.