

AGENDA MARCH 14, 2024
LAKEWOOD TOWNSHIP COMMITTEE MEETING
REGULAR MEETING 5:30 P.M.

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 Star Ledger on January 5, 2024.

(A) ROLL CALL - MEETING BEGINS AT 5:30 P. M. The public is welcome to participate using Cisco's Web-Ex by either phone (audio only) or computer (audio/visual). The Meeting ID#/Password is: 26327963569. The phone number is (408) 418-9388. All participants will be muted upon entry but may participate by using the *3 key on the phone to raise your hand or by clicking the raise hand video button to be recognized via computer. Comments may also be emailed to comments@lakewoodnj.gov. This meeting is viewable/ recorded on Townhall Streams at <https://townhallstreams.com>.

(B) SALUTE TO THE FLAG AND PRAYER

(C) APPROVAL OF MINUTES: Board of Health and Regular Meeting
February 15, 2024

(D) 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.

- (D)1. 2024-0150 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee, Clearing And Restoration, Posted By 124 Locust Developers, LLC In Connection With SD #2069A (Locust St) Block 1081, Lot 4
- (D)2. 2024-0151 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A TCO Performance Guarantee Posted By Torah Education Of America, Inc. In Connection With SP #2333 (West County Line Rd) Block 2, Lots 32, 46, 52 & 53
- (D)3. 2024-0152 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Reducing The Performance Guarantee (First Reduction) Posted By 124 Locust Developers, LLC., In Connection With SD #2069A (Locust St), For Block 1081, Lot 4
- (D)4. 2024-0153 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Portion Of A Performance Guarantee Posted By Kollel Kinyan Torah, Inc./Regency Development Properties, LLC And The Conversion To A Maintenance Guarantee In Connection With SP #2335, (Lakewood New Egypt Rd), Block 251 Lot 1.06

- (D)5. 2024-0154 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted CSR Equity, LLC., In Connection With SP #2305A (Ave Of The States & Blvd Of The Americas) Block 961 Lot 2.10
- (D)6. 2024-0155 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted CSR Equity, LLC., In Connection With SP #2305B (Ave Of The States & Blvd Of The Americas) Block 961 Lot 2.11
- (D)7. 2024-0156 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Reducing The Performance Guarantee (Second Reduction) Posted By Rishon Associates, LLC., In Connection With ZB #3874AA, (Prospect & Cross St) For Block 490, Lots 6, 9 And 41
- (D)8. 2024-0157 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing Fireworks Display By Serpico Pyrotechnics, LLC, And Establishing Traffic Regulations In Connection With The Independence Day Fireworks Display To Be Conducted At Lake Carasaljo For 2024
- (D)9. 2024-0158 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing The Purchase Of Concrete Sidewalk Forms From White Cap LP Pursuant To And In Accordance With P.L. 2011, C.139
- (D)10. 2024-0159 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Execution And Submission Of Statements Of Consent To The NJDEP For TWA Applications
- (D)11. 2024-0160 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Execution Of An Agreement Between Lakewood Township And The Jersey Shore Blue Claws.
- (D)12. 2024-0161 Resolution Township Of Lakewood County Of Ocean State Of New Jersey Authorizing An Emergency Temporary Appropriation For 2024 Budget
- (D)13. 2024-0162 Resolution Of The Township Committee Of The Township Of Lakewood Referring An Amendment To The Article IX ("Zoning Districts And Regulations") Section 18-900 Of The Unified Development Ordinance Of The Revised General Ordinances Of The Township Of Lakewood To The Planning Board For Review
- (D)14. 2024-0163 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing A Cancellation Of Taxes For 2023 Based On A Tax Court Judgment For Block 27 Lot 4.01
- (D)15. 2024-0164 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund A Double Payment On Block 1440 Lot 2.109

(E) ORDINANCES FIRST READING

- (E)16. 2024-007 Ordinance Of The Township Of Lakewood, County Of

Ocean, State Of New Jersey, Authorizing The Private Sale Of An Approximate 2,400 Square Foot Portion Of Block 777 Lot 5, In The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40a:12-1 Et Seq.

- (E)17. 2024-008 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 Sickel Family, LLC, Of 1088 Route 88, Lakewood, NJ, For Facilities Located At 1104 Route 88, Lakewood, At Block 569, Lot 26 And Authorizing The Mayor And/Or His Designee And Township Clerk To Execute Any And All Documents Necessary And Proper To Enter Into A Tax Abatement Agreement

- (E)18. 2024-009 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Article IX ("Zoning Districts And Regulations") Section 18-900 Of The Unified Development Ordinance Of The Revised General Ordinances Of The Township Of Lakewood.

- (F) ORDINANCES SECOND READING: Comments may be made live via Cisco-WebEx; via email up until 11:30 am on the day of the meeting at premeetingcomments@lakewoodnj.gov or during the meeting via comments@lakewoodnj.gov. Please include your name and address for the record.

- (F)19. 2024-005 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 475 Oberlin Owner, LLC, Of 475 Oberlin Avenue, Lakewood, NJ, For Facilities Located At 465 Oberlin Avenue, Lakewood, At Block 1601, Lot 3.02 And Authorizing The Mayor And/Or His Designee And Township Clerk To Execute Any And All Documents Necessary And Proper To Enter Into A Tax Abatement Agreement

- (F)20. 2024-006 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 11-10 (Stopping Or Standing) (Sunset Road)

- (G) MOTION TO APPROVE BILL LIST: March 13, 2024

- (H) PUBLIC COMMENT: Comments may be made live via Cisco-WebEx; via email up until 11:30 am on the day of the meeting at premeetingcomments@lakewoodnj.gov or during the meeting via comments@lakewoodnj.gov. Please include your name and address for the record.

- (I) COMMENTS FROM COMMITTEE MEMBERS

- (J) CLOSED SESSION - IF NECESSARY

(K)

ADJOURNMENT

(D)1.2024-0150

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee, Clearing And Restoration, Posted By 124 Locust Developers, LLC In Connection With SD #2069A (Locust St) Block 1081, Lot 4

WHEREAS, a performance guarantee was heretofore posted with the Township by 124 Locust Developers, LLC in the form of Bond No. S317953 dated March 23, 2018 in the amount of \$157,710.00, with a First Reduction in the amount of \$124,110.00 dated September 18, 2018 issued by NGM Insurance Company, in connection with SD 2069A, Clearing and Restoration, Block 1081, Lot 4; and

WHEREAS, under date of February 21, 2024, the Township Engineer did recommend a release of the performance guarantee aforesaid; and

WHEREAS, the Township Committee has reviewed the recommendation aforesaid and finds the same to be acceptable.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the Performance Guarantee aforesaid be and hereby is released.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer;
 - B. Chief Financial Officer; and
 - C. 124 Locust Developers, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B1081 L4

Engineer Letter B1081 L4

RESOLUTION # 2024-

**RESOLUTION OF THE TOWNSHIP OF
LAKEWOOD, COUNTY OF OCEAN, STATE OF
NEW JERSEY, RELEASING A PERFORMANCE
GUARANTEE, CLEARING AND RESTORATION,
POSTED BY 124 LOCUST DEVELOPERS, LLC IN
CONNECTION WITH SD #2069A (LOCUST ST)
BLOCK 1081, LOT 4**

WHEREAS, a performance guarantee was heretofore posted with the Township by 124 Locust Developers, LLC in the form of Bond No. S317953 dated March 23, 2018 in the amount of \$157,710.00, with a First Reduction in the amount of \$124,110.00 dated September 18, 2018 issued by NGM Insurance Company, in connection with SD 2069A, Clearing and Restoration, Block 1081, Lot 4; and

WHEREAS, under date of February 21, 2024, the Township Engineer did recommend a release of the performance guarantee aforesaid; and

WHEREAS, the Township Committee has reviewed the recommendation aforesaid and finds the same to be acceptable.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the Performance Guarantee aforesaid be and hereby is released.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer;
 - B. Chief Financial Officer; and
 - C. 124 Locust Developers, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024.**

Lauren Kirkman, RMC, CMR
Township Clerk



OFFICE OF THE MUNICIPAL ENGINEER

212 FOURTH STREET
LAKEWOOD, NEW JERSEY 08701
(732) 364-2500 LAKEWOODNJ.GOV

To: Patrick Donnelly, Municipal Manager

February 21, 2024
RVE Job No. 15151836

RECOMMENDATION FOR RELEASE OF PERFORMANCE GUARANTEE
(CLEARING & RESTORATION)

DEVELOPER: 124 Locust Developers, LLC
APPLICATION #: SD 2069A (Locust St)
BLOCK: 1081 **LOT:** 4

A written request has been received for the release of Performance Guarantees (Clearing & Restoration) in regard to the captioned application. Based upon a performance bond estimate by the Township Engineer, the applicant posted a performance guarantee as follows:

1. Performance Guarantee: Bond No. S317953
2. Issued By: NGM Insurance Company
3. Amount: \$157,710.00 Original / \$124,110.00 1st Reduction
4. Date: March 23, 2018 Original/September 18, 2018 (1st Reduction)

The obligor may request either a partial or complete reduction of his performance guarantee upon substantial completion of the required improvements. Remington & Vernick Engineers has inspected all improvements covered by the obligor's written request, and we determined that the bonded items have now been completed. Pursuant to the MLUL, this report should be completed and filed with the Lakewood Township governing body within forty five (45) days of *receipt* of the obligor's request, and the governing body has another forty five (45) days in which to act on the request.

I herewith request that the Lakewood Township Committee authorize the Municipal Attorney to prepare the necessary Resolution to **release** the referenced Performance Guarantee.

Should you have any questions or require additional information regarding this matter, please do not hesitate to email me at dominic.cundari@rve.com.

Very truly yours,
Remington & Vernick Engineers, Inc.

Dominic Cundari, P.E.
Assistant Township Engineer

JWS: dmc

cc: Phil Roux, Director of Public Works
Lauren Kirkman, Township Clerk
Steven Secare, Township Attorney
Ocean County Soil Conservation District
John N. Ernst, P.E., P.P., Ocean County Engineer
124 Locust Developers, LLC – 742 Ocean Avenue, Lakewood, NJ 08701

(D)2.2024-0151

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A TCO Performance Guarantee Posted By Torah Education Of America, Inc. In Connection With SP #2333 (West County Line Rd) Block 2, Lots 32, 46, 52 & 53

WHEREAS, a TCO performance guarantee was heretofore posted with the Township by Torah Education of America, Inc. in the form of Bond No. 621-102395-7 dated October 7, 2022, issued by The United States Fire Insurance Company, in the amount of \$357,210.00, in connection with SP 2333, Block 2, Lots 32, 46, 52 & 53; and

WHEREAS, under date of March 6, 2024, the Township Engineer did recommend a release of the TCO performance guarantee aforesaid; and

WHEREAS, the Township Committee has reviewed the recommendation aforesaid and finds the same to be acceptable.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the TCO Performance Guarantee aforesaid be and hereby is released.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer;
 - B. Chief Financial Officer; and
 - C. Torah Education of America, Inc

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B2 L32, 46, 52 & 53

Engineer Letter B2 L32, 46, 52 & 53

RESOLUTION # 2024-

**RESOLUTION OF THE TOWNSHIP OF
LAKEWOOD, COUNTY OF OCEAN, STATE OF
NEW JERSEY, RELEASING A TCO
PERFORMANCE GUARANTEE POSTED BY
TORAH EDUCATION OF AMERICA, INC. IN
CONNECTION WITH SP #2333 (WEST COUNTY
LINE RD) BLOCK 2, LOTS 32, 46, 52 & 53**

WHEREAS, a TCO performance guarantee was heretofore posted with the Township by Torah Education of America, Inc. in the form of Bond No. 621-102395-7 dated October 7, 2022, issued by The United States Fire Insurance Company, in the amount of \$357,210.00, in connection with SP 2333, Block 2, Lots 32, 46, 52 & 53; and

WHEREAS, under date of March 6, 2024, the Township Engineer did recommend a release of the TCO performance guarantee aforesaid; and

WHEREAS, the Township Committee has reviewed the recommendation aforesaid and finds the same to be acceptable.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the TCO Performance Guarantee aforesaid be and hereby is released.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer;
 - B. Chief Financial Officer; and
 - C. Torah Education of America, Inc

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024.**

Lauren Kirkman, RMC, CMR
Township Clerk



OFFICE OF THE MUNICIPAL ENGINEER

212 FOURTH STREET
LAKEWOOD, NEW JERSEY 08701
(732) 364-2500 LAKEWOODNJ.GOV

To: Patrick Donnelly, Municipal Manager

March 6, 2024
RVE Job No. 151511200

RECOMMENDATION FOR RELEASE OF TCO PERFORMANCE GUARANTEE

DEVELOPER: Torah Education of America, Inc

APPLICATION NUMBER: SP 2333 (West County Line Rd)

BLOCK: 2 **LOT:** 32, 46, 52 & 53

A Certificate of Occupancy has been issued for this project and the Temporary Certificate of Occupancy (TCO) guarantee is no longer needed. Based upon a TCO performance bond estimate by the Township Engineer, the applicant posted a TCO performance guarantee as follows:

1. Performance Guarantee: Bond No. 621-102395-7
2. Issued By: United States Fire Insurance Company
3. Amount: \$357,210.00
4. Date: October 7, 2022

Remington & Vernick Engineers has inspected all improvements covered by the TCO guarantee, and we determined that the bonded items have now been completed. Pursuant to the MLUL, this report should be completed and filed with the Lakewood Township governing body within forty five (45) days of *receipt* of the obligor's request, and the governing body has another forty five (45) days in which to act on the request.

I herewith request that the Lakewood Township Committee authorize the Municipal Attorney to prepare the necessary Resolution to ***release*** the referenced TCO Performance Guarantee.

Should you have any questions or require additional information regarding this matter, please do not hesitate to email me at jeffstaiger@lakewoodnj.gov.

Very truly yours,

Remington & Vernick Engineers, Inc.

Jeffrey W. Staiger, P.E., P.P., C.M.E.
Township Engineer

JWS: slf

cc: Lauren Kirkman, Township Clerk
Steven Secare, Township Attorney
Torah Education of America, Inc – 112 Hollywood Avenue, Lakewood, NJ 08701
(zev@builderssupreme.com)

(D)3.2024-0152

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Reducing The Performance Guarantee (First Reduction) Posted By 124 Locust Developers, LLC., In Connection With SD #2069A (Locust St), For Block 1081, Lot 4

WHEREAS, a performance guarantee was heretofore posted with the Township by 124 Locust Developers, LLC, in the form of Bond No. S319804 issued by NGM Insurance Company, dated August 17, 2018, in the amount of \$1,124,201.91, in connection with a project known as SP #2069A, Block 1081, Lot 4 and

WHEREAS, under date of February 21, 2024, the Township Engineer did recommend the First Reduction of the performance guarantee aforesaid; and

WHEREAS, the Township Committee has reviewed the recommendations aforesaid, and finds the same to be acceptable.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the performance guarantee aforesaid be and hereby is reduced from \$1,124,201.91 to \$337,075.64. This reduction is achieved as follows, the Public Improvement Guarantee is reduced from \$1,098,810.00 to \$329,640.00 and the Safety and Stabilization Guarantee is reduced from \$25,391.91 to \$7,435.64, until the remaining improvements are constructed. This reduction is the maximum allowable by law, until the remaining improvements are constructed.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer
 - B. Chief Financial Officer
 - C. 124 Locust Developers, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B1081 L4

Engineer Letter B1081 L4

RESOLUTION # 2024-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY
OF OCEAN, STATE OF NEW JERSEY, REDUCING THE
PERFORMANCE GUARANTEE (FIRST REDUCTION) POSTED
BY 124 LOCUST DEVELOPERS, LLC., IN CONNECTION WITH
SD #2069A (LOCUST ST), FOR BLOCK 1081, LOT 4**

WHEREAS, a performance guarantee was heretofore posted with the Township by 124 Locust Developers, LLC, in the form of Bond No. S319804 issued by NGM Insurance Company, dated August 17, 2018, in the amount of \$1,124,201.91, in connection with a project known as SP #2069A, Block 1081, Lot 4 and

WHEREAS, under date of February 21, 2024, the Township Engineer did recommend the First Reduction of the performance guarantee aforesaid; and

WHEREAS, the Township Committee has reviewed the recommendations aforesaid, and finds the same to be acceptable.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the performance guarantee aforesaid be and hereby is reduced from \$1,124,201.91 to \$337,075.64. This reduction is achieved as follows, the Public Improvement Guarantee is reduced from \$1,098,810.00 to \$329,640.00 and the Safety and Stabilization Guarantee is reduced from \$25,391.91 to \$7,435.64, until the remaining improvements are constructed. This reduction is the maximum allowable by law, until the remaining improvements are constructed.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer
 - B. Chief Financial Officer
 - C. 124 Locust Developers, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024.**

Lauren Kirkman RMC, CMR
Township Clerk



OFFICE OF THE MUNICIPAL ENGINEER

212 FOURTH STREET
LAKEWOOD, NEW JERSEY 08701
(732) 364-2500 LAKEWOODNJ.GOV

To: Patrick Donnelly, Municipal Manager

February 21, 2024
RVE Job No. 15151836

REDUCTION OF PERFORMANCE GUARANTEE – FIRST REDUCTION

DEVELOPER: 124 Locust Developers, LLC
APPLICATION #: SD 2069A (Locust St)
BLOCK: 1081 **LOT:** 4

A written request has been received for the reduction of Performance Guarantees in regard to the captioned application. Based upon a performance bond estimate by the Township Engineer, the applicant posted a performance guarantee as follows:

- Performance Guarantee: Bond No. S319804
- Issued By: NGM Insurance Company
- Amount: \$1,124,201.91
- Date: August 17, 2018

The obligor may request either a partial or complete reduction of the performance guarantee upon substantial completion of the required street improvements. Remington & Vernick Engineers has inspected the constructed improvements covered by the obligor's request, and we have attached a Bond Reduction spreadsheet dated **February 13, 2024** indicating the amount of the bonded items now completed. Pursuant to the MLUL, this report should be completed and filed with the Lakewood Township governing body within forty five (45) days of *receipt* of the obligor's request, and the governing body has another forty five (45) days in which to act on the request.

I herewith request that the Lakewood Township Committee authorize the Municipal Attorney to prepare the necessary Resolution to **reduce** the referenced Performance Guarantee **from \$1,124,201.91 to \$337,075.64**. This reduction is achieved as follows, the Public Improvement Guarantee is reduced from \$1,098,810.00 to \$329,640.00 and the Safety and Stabilization Guarantee is reduced from \$25,391.91 to \$7,435.64, until the remaining improvements are constructed. This reduction is the maximum allowable by law, until the remaining improvements are constructed.

Should you have any questions or require additional information regarding this matter, please do not hesitate to email me at dominic.cundari@rve.com.

Very truly yours,
Remington & Vernick Engineers, Inc.

Dominic Cundari, P.E.
Assistant Township Engineer

JWS: dmc

cc: Lauren Kirkman, Township Clerk
Steve Secare, Township Attorney
124 Locust Developers, LLC – 742 Ocean Avenue, Lakewood, NJ 08701

(D)4.2024-0153

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Portion Of A Performance Guarantee Posted By Kollel Kinyan Torah, Inc./Regency Development Properties, LLC And The Conversion To A Maintenance Guarantee In Connection With SP #2335, (Lakewood New Egypt Rd), Block 251 Lot 1.06

WHEREAS, a performance guarantee was heretofore posted with the Township by Kollel Kinyan Torah, Inc./Regency Development Properties, LLC in the form of Check #1243 issued by Lakeland Bank dated August 10, 2020 in the amount of \$34,610.00, in connection with a project known as SP#2335, Block 251 Lot 1.06; and

WHEREAS, under date of January 24, 2024, the Township Engineer did recommend the release of \$17,290.00 of the cash performance guarantee aforesaid and the retention of \$17,320.00 as a cash Maintenance Guarantee; and

WHEREAS, the Township Committee has reviewed the recommendations aforesaid and finds the same to be acceptable.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That \$17,290.00 of the cash performance guarantee aforesaid be and hereby is released.
2. That \$17,320.00 of the cash performance guarantee be retained and converted to a Cash Maintenance Guarantee, to be held until the end of the two-year maintenance period ending February 2025.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer
 - B. Chief Financial Officer
 - C. Kollel Kinyan Torah, Inc./Regency Development Properties, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B251 L1.06
Engineer Letter B251 L1.06

RESOLUTION # 2024-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY
OF OCEAN, STATE OF NEW JERSEY, RELEASING A
PORTION OF A PERFORMANCE GUARANTEE POSTED BY
KOLLEL KINYAN TORAH, INC./REGENCY DEVELOPMENT
PROPERTIES, LLC AND THE CONVERSION TO A
MAINTENANCE GUARANTEE IN CONNECTION WITH SP
#2335, (LAKEWOOD NEW EGYPT RD), BLOCK 251 LOT 1.06**

WHEREAS, a performance guarantee was heretofore posted with the Township by Kollel Kinyan Torah, Inc./Regency Development Properties, LLC in the form of Check #1243 issued by Lakeland Bank dated August 10, 2020 in the amount of \$34,610.00, in connection with a project known as SP#2335, Block 251 Lot 1.06; and

WHEREAS, under date of January 24, 2024, the Township Engineer did recommend the release of \$17,290.00 of the cash performance guarantee aforesaid and the retention of \$17,320.00 as a cash Maintenance Guarantee; and

WHEREAS, the Township Committee has reviewed the recommendations aforesaid and finds the same to be acceptable.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That \$17,290.00 of the cash performance guarantee aforesaid be and hereby is released.
2. That \$17,320.00 of the cash performance guarantee be retained and converted to a Cash Maintenance Guarantee, to be held until the end of the two-year maintenance period ending February 2025.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer
 - B. Chief Financial Officer
 - C. Kollel Kinyan Torah, Inc./Regency Development Properties, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**

Lauren Kirkman RMC, CMR
Township Clerk



OFFICE OF THE MUNICIPAL ENGINEER

212 FOURTH STREET
LAKEWOOD, NEW JERSEY 08701
(732) 364-2500 LAKEWOODNJ.GOV

To: Megan Nixon, Supervisor of accounts

January 24, 2024
RVE Job No. 151511225

CONVERSION OF CASH PERFORMANCE TO MAINTENANCE GUARANTEE

DEVELOPER: Kollel Kinyan Torah, Inc./Regency Development Properties, LLC

APPLICATION #: SP 2335 (Lakewood New Egypt Rd)

BLOCK: 251 **LOT:** 1.06

On February 16, 2023, the Lakewood Township Committee conditionally resolved to release the Developer's Performance Guarantee in accordance with the recommendations outlined in our February 1, 2023 memorandum. The resolution was contingent upon specific conditions, including the developer's obligation to post a Maintenance Guarantee.

Enclosed is a letter from the applicant requesting the Township to withhold the Maintenance Guarantee amount from the original cash Performance Guarantee. Since the Developer initially deposited \$34,610.00 in cash, and the Maintenance Guarantee amount is \$17,320.00, I recommend that the Township release the difference (\$17,290.00) and retain the remaining amount until the conclusion of the two-year maintenance period, ending in February of 2025.

Should you have any questions or require additional information regarding this matter, please do not hesitate to email me at jeffstaiger@lakewoodnj.gov.

Very truly yours,
Remington & Vernick Engineers, Inc.

Jeffrey W. Staiger, P.E., P.P., C.M.E.
Township Engineer

Enclosure
JWS: slf

Cc: Lauren Kirkman, Township Clerk, w/ Maintenance Guarantee Form
Phil Roux, Director of Public Works
Regency Development Properties, LLC – 315 Monmouth Avenue, Suite 208, Lakewood, NJ 08701
(tmanne@rdnj.net)

(D)5.2024-0154

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted CSR Equity, LLC., In Connection With SP #2305A (Ave Of The States & Blvd Of The Americas) Block 961 Lot 2.10

WHEREAS, a performance guarantee was heretofore posted with the Township by CSR Equity, LLC., in the form of a Bond #CT024287 dated May 28, 2019 in the amount of \$26,020.00 with a Reduction to \$13,920.00 on January 5, 2023 issued by First Indemnity of America Insurance Company, in connection with SP #2305A, Block 961, Lot 2.10 and,

WHEREAS, under date of March 6, 2024, the Township Engineer did recommend a release of the performance guarantee aforesaid;

WHEREAS, the Township Committee has reviewed the recommendation aforesaid and finds the same to be acceptable;

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the performance guarantee aforesaid, be and hereby is released contingent upon the applicant posting a two-year Maintenance Guarantee in the amount of \$13,860.00 (15% of the original construction cost).
2. The Applicant shall provide a letter from a Licensed Land Surveyor certifying that the monuments shown on the Filed Map have been set, where applicable.
3. The Applicant shall provide a proof of title transfer for properties dedicated to the Township as per the Board approval.
4. The Applicant shall provide proof of filing and recording of the various easements along with a deed of dedication containing a metes and bounds description of all easements, along with two (2) paper prints, as per 18.705.A (only required if not shown on the filed and recorded plat).
5. As per 18-705.A, the Applicant shall provide “as-built” plans and profiles of streets. Said plans shall comply with the requirements of section 18-705.A, which includes but is not limited to showing elevations as constructed and reference bench marks. As well as showing elevations of inverts of manholes and catch basins and elevations of inlet gratings and manhole rims for the storm drainage system and also locations of sanitary sewer, laterals dimensioned from main and reference dimensions to “T” or “V” connections from manholes.
6. The Applicant shall provide proof of filing and recording of Stormwater Maintenance Manual, which has been approved by this office.
7. The Applicant shall maintain a balance of \$5,353.49 in the Engineering Inspection Escrow Account, after outstanding invoices are paid, to defray continued inspection and bond administration services during the remainder of the maintenance periods.

8. The Applicant shall provide a final release letter from Ocean County Soil Conservation District.

9. The Township Clerk shall forward a certified copy of the Resolution to the following:

- a. Township Engineer;
- b. Chief Financial Officer
- c. CSR Equity, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B961 L2.10

Engineer Letter B961 L2.10

RESOLUTION # 2024-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, RELEASING A PERFORMANCE GUARANTEE
POSTED CSR EQUITY, LLC., IN CONNECTION WITH SP #2305A (AVE OF THE STATES &
BLVD OF THE AMERICAS) BLOCK 961 LOT 2.10**

WHEREAS, a performance guarantee was heretofore posted with the Township by CSR Equity, LLC., in the form of a Bond #CT024287 dated May 28, 2019 in the amount of \$26,020.00 with a Reduction to \$13,920.00 on January 5, 2023 issued by First Indemnity of America Insurance Company, in connection with SP #2305A, Block 961, Lot 2.10 and,

WHEREAS, under date of March 6, 2024, the Township Engineer did recommend a release of the performance guarantee aforesaid;

WHEREAS, the Township Committee has reviewed the recommendation aforesaid and finds the same to be acceptable;

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the performance guarantee aforesaid, be and hereby is released contingent upon the applicant posting a two-year Maintenance Guarantee in the amount of \$13,860.00 (15% of the original construction cost).
2. The Applicant shall provide a letter from a Licensed Land Surveyor certifying that the monuments shown on the Filed Map have been set, where applicable.
3. The Applicant shall provide a proof of title transfer for properties dedicated to the Township as per the Board approval.
4. The Applicant shall provide proof of filing and recording of the various easements along with a deed of dedication containing a metes and bounds description of all easements, along with two (2) paper prints, as per 18.705.A (only required if not shown on the filed and recorded plat).
5. As per 18-705.A, the Applicant shall provide “as-built” plans and profiles of streets. Said plans shall comply with the requirements of section 18-705.A, which includes but is not limited to showing elevations as constructed and reference bench marks. As well as showing elevations of inverts of manholes and catch basins and elevations of inlet gratings and manhole rims for the storm drainage system and also locations of sanitary sewer, laterals dimensioned from main and reference dimensions to “T” or “V” connections from manholes.
6. The Applicant shall provide proof of filing and recording of Stormwater Maintenance Manual, which has been approved by this office.
7. The Applicant shall maintain a balance of \$5,353.49 in the Engineering Inspection Escrow Account, after outstanding invoices are paid, to defray

continued inspection and bond administration services during the remainder of the maintenance periods.

8. The Applicant shall provide a final release letter from Ocean County Soil Conservation District.
9. The Township Clerk shall forward a certified copy of the Resolution to the following:
 - a. Township Engineer;
 - b. Chief Financial Officer
 - c. CSR Equity, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024.**

Lauren Kirkman RMC, CMR
Township Clerk



OFFICE OF THE MUNICIPAL ENGINEER

212 FOURTH STREET
LAKEWOOD, NEW JERSEY 08701
(732) 364-2500 LAKEWOODNJ.GOV

To: Patrick Donnelly, Municipal Manager

March 6, 2024
RVE Job No. 151511099

RECOMMENDATION FOR RELEASE OF PERFORMANCE GUARANTEE

DEVELOPER: CSR Equity, LLC
APPLICATION #: SP 2305A (Ave of the States & Blvd of the Americas)
BLOCK: 961 **LOT:** 2.10

A written request has been received for the release of Performance Guarantees in regard to the captioned application. Based upon a performance bond estimate by the Township Engineer, the applicant posted a performance guarantee as follows:

1. Performance Guarantee: Bond No. CT024287
2. Issued By: First Indemnity of America Insurance Company
3. Amount: \$26,020.00 Original / \$13,920.00 1st Reduction
4. Date: May 28, 2019 Original / January 5, 2023 1st Reduction

The obligor may request either a partial or complete reduction of his performance guarantee upon substantial completion of the required improvements. Remington & Vernick Engineers has inspected all improvements covered by the obligor's written request, and we determined that the bonded items have now been completed. Pursuant to the MLUL, this report should be completed and filed with the Lakewood Township governing body within forty five (45) days of *receipt* of the obligor's request, and the governing body has another forty five (45) days in which to act on the request.

As per the approval the stormwater management system upstream of transition manholes #1 and #2 (on-site) shall be owned and maintained by the the individual lot owners. Everything downstream, and including transition manholes #1 and #2 (Blvd. of the Americas right-of-way) shall be owned and maintained by the Township of Lakewood.

I herewith request that the Lakewood Township Committee authorize the Municipal Attorney to prepare the necessary Resolution to **release** the referenced Performance Guarantee. The release should be subject to

- 1) Posting a two-year Maintenance Guarantee in the amount of \$13,860.00 (15% of the original construction cost), with attached Maintenance Bond Form;
- 2) Provide a letter from a Licensed Land Surveyor certifying that the monuments shown on the Filed Map have been set, where applicable.
- 3) Provide proof of title transfer for properties dedicated to the Township as per the Board approval.
- 4) Provide proof of filing and recording of the various easements along with a deed of dedication containing a metes and bounds description of all easements, along with two (2) paper prints, as per 18-705.A. (ONLY REQUIRED IF NOT SHOWN ON THE FILED AND RECORDED PLAT)
- 5) As per 18-705.A "as-built" plans and profiles of the streets. Said plans shall comply with the requirements of section 18-705.A, which includes but is not limited to showing elevations as

constructed and reference bench marks. As well as showing elevations of inverts of manholes and catch basins and elevations of inlet gratings and manhole rims for the storm drainage system and also locations of sanitary sewer, laterals dimensioned from main and reference dimensions to "T" or "V" connections from manholes.

- 6) Provide proof of filing and recording of Stormwater Maintenance Manual, which has been reviewed and approved by this office.
- 7) Maintenance of a \$5,353.49 balance in the Engineering Inspection Escrow Account, after outstanding invoices are paid, to defray continued inspection and bond administration services during the remainder of the maintenance periods.
- 8) Provide a final release letter from Ocean County Soil Conservation District.

Should you have any questions or require additional information regarding this matter, please do not hesitate to email me at dominic.cundari@rve.com.

Very truly yours,
Remington & Vernick Engineers, Inc.



Dominic Cundari, P.E.
Assistant Township Engineer

Enclosure:

1. Maintenance Bond Form

JWS: dmc

cc: Phil Roux, Director of Public Works
Lauren Kirkman, Township Clerk
Steven Secare, Township Attorney
Ocean County Soil Conservation District
John N. Ernst, P.E., P.P., Ocean County Engineer
CSR Equity, LLC – 410 Monmouth Avenue, Suite 120, Lakewood, NJ (mark@choppholdings.com)

(D)6.2024-0155

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted CSR Equity, LLC., In Connection With SP #2305B (Ave Of The States & Blvd Of The Americas) Block 961 Lot 2.11

WHEREAS, a performance guarantee was heretofore posted with the Township by CSR Equity, LLC., in the form of a Bond #CT024286 dated May 28, 2019 in the amount of \$27,660.00 which was increased to \$50,600.00 for TCO on July 28, 2021 with a First Reduction to \$27,660.00 on February 2, 2022, with a Second Reduction in the amount of \$21,830.00 on January 5, 2023 issued by First Indemnity of America Insurance Company, in connection with SP #2305B, Block 961, Lot 2.11 and,

WHEREAS, under date of March 6, 2024, the Township Engineer did recommend a release of the performance guarantee aforesaid;

WHEREAS, the Township Committee has reviewed the recommendation aforesaid and finds the same to be acceptable;

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the performance guarantee aforesaid, be and hereby is released contingent upon the applicant posting a two-year Maintenance Guarantee in the amount of \$19,600.00 (15% of the original construction cost).
2. The Applicant shall provide a letter from a Licensed Land Surveyor certifying that the monuments shown on the Filed Map have been set, where applicable.
3. The Applicant shall provide a proof of title transfer for properties dedicated to the Township as per the Board approval.
4. The Applicant shall provide proof of filing and recording of the various easements along with a deed of dedication containing a metes and bounds description of all easements, along with two (2) paper prints, as per 18.705.A (only required if not shown on the filed and recorded plat).
5. As per 18-705.A, the Applicant shall provide “as-built” plans and profiles of streets. Said plans shall comply with the requirements of section 18-705.A, which includes but is not limited to showing elevations as constructed and reference bench marks. As well as showing elevations of inverts of manholes and catch basins and elevations of inlet gratings and manhole rims for the storm drainage system and also locations of sanitary sewer, laterals dimensioned from main and reference dimensions to “T” or “V” connections from manholes.
6. The Applicant shall provide proof of filing and recording of Stormwater Maintenance Manual, which has been approved by this office.
7. The Applicant shall maintain a balance of \$5,672.15 in the Engineering Inspection Escrow Account, after outstanding invoices are paid, to defray continued inspection and bond administration services during the remainder of the maintenance periods.

8. The Applicant shall provide a final release letter from Ocean County Soil Conservation District.

9. The Township Clerk shall forward a certified copy of the Resolution to the following:

- a. Township Engineer;
- b. Chief Financial Officer
- c. CSR Equity, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B961 L2.11

Engineer Letter B961 L2.11

RESOLUTION # 2024-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, RELEASING A PERFORMANCE GUARANTEE
POSTED CSR EQUITY, LLC., IN CONNECTION WITH SP #2305B (AVE OF THE STATES &
BLVD OF THE AMERICAS) BLOCK 961 LOT 2.11**

WHEREAS, a performance guarantee was heretofore posted with the Township by CSR Equity, LLC., in the form of a Bond #CT024286 dated May 28, 2019 in the amount of \$27,660.00 which was increased to \$50,600.00 for TCO on July 28, 2021 with a First Reduction to \$27,660.00 on February 2, 2022, with a Second Reduction in the amount of \$21,830.00 on January 5, 2023 issued by First Indemnity of America Insurance Company, in connection with SP #2305B, Block 961, Lot 2.11 and,

WHEREAS, under date of March 6, 2024, the Township Engineer did recommend a release of the performance guarantee aforesaid;

WHEREAS, the Township Committee has reviewed the recommendation aforesaid and finds the same to be acceptable;

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the performance guarantee aforesaid, be and hereby is released contingent upon the applicant posting a two-year Maintenance Guarantee in the amount of \$19,600.00 (15% of the original construction cost).
2. The Applicant shall provide a letter from a Licensed Land Surveyor certifying that the monuments shown on the Filed Map have been set, where applicable.
3. The Applicant shall provide a proof of title transfer for properties dedicated to the Township as per the Board approval.
4. The Applicant shall provide proof of filing and recording of the various easements along with a deed of dedication containing a metes and bounds description of all easements, along with two (2) paper prints, as per 18.705.A (only required if not shown on the filed and recorded plat).
5. As per 18-705.A, the Applicant shall provide “as-built” plans and profiles of streets. Said plans shall comply with the requirements of section 18-705.A, which includes but is not limited to showing elevations as constructed and reference bench marks. As well as showing elevations of inverts of manholes and catch basins and elevations of inlet gratings and manhole rims for the storm drainage system and also locations of sanitary sewer, laterals dimensioned from main and reference dimensions to “T” or “V” connections from manholes.
6. The Applicant shall provide proof of filing and recording of Stormwater Maintenance Manual, which has been approved by this office.

7. The Applicant shall maintain a balance of \$5,672.15 in the Engineering Inspection Escrow Account, after outstanding invoices are paid, to defray continued inspection and bond administration services during the remainder of the maintenance periods.
8. The Applicant shall provide a final release letter from Ocean County Soil Conservation District.
9. The Township Clerk shall forward a certified copy of the Resolution to the following:
 - a. Township Engineer;
 - b. Chief Financial Officer
 - c. CSR Equity, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024.**

Lauren Kirkman RMC, CMR
Township Clerk



OFFICE OF THE MUNICIPAL ENGINEER

212 FOURTH STREET
LAKEWOOD, NEW JERSEY 08701
(732) 364-2500 LAKEWOODNJ.GOV

To: Patrick Donnelly, Municipal Manager

March 6, 2024
RVE Job No. 15151099

RECOMMENDATION FOR RELEASE OF PERFORMANCE GUARANTEE

DEVELOPER: CSR Equity, LLC
APPLICATION #: SP 2305B (Avenue of the States & Blvd of the Americas)
BLOCK: 961 **LOT:** 2.11

A written request has been received for the release of Performance Guarantees in regard to the captioned application. Based upon a performance bond estimate by the Township Engineer, the applicant posted a performance guarantee as follows:

1. Performance Guarantee: Bond No. CT024286
2. Issued By: First Indemnity of America Insurance Company
3. Amount: \$27,660.00 (increased to \$50,600.00 for TCO) Original /
\$27,660.00 1st Reduction / \$21,830.00 2nd Reduction
4. Date: May 28, 2019; July 28, 2021; February 2, 2022; Jan. 5, 2023

The obligor may request either a partial or complete reduction of his performance guarantee upon substantial completion of the required improvements. Remington & Vernick Engineers has inspected all improvements covered by the obligor's written request, and we determined that the bonded items have now been completed. Pursuant to the MLUL, this report should be completed and filed with the Lakewood Township governing body within forty five (45) days of *receipt* of the obligor's request, and the governing body has another forty five (45) days in which to act on the request.

As per the approval the stormwater management system upstream of transition manholes #1 and #2 (on-site) shall be owned and maintained by the the individual lot owners. Everything downstream, and including transition manholes #1 and #2 (Blvd. of the Americas right-of-way) shall be owned and maintained by the Township of Lakewood.

I herewith request that the Lakewood Township Committee authorize the Municipal Attorney to prepare the necessary Resolution to **release** the referenced Performance Guarantee. The release should be subject to

- 1) Posting a two-year Maintenance Guarantee in the amount of \$19,600.00 (15% of the original construction cost), with attached Maintenance Bond Form;
- 2) Provide a letter from a Licensed Land Surveyor certifying that the monuments shown on the Filed Map have been set, where applicable.
- 3) Provide proof of title transfer for properties dedicated to the Township as per the Board approval.
- 4) Provide proof of filing and recording of the various easements along with a deed of dedication containing a metes and bounds description of all easements, along with two (2) paper prints, as per 18-705.A. (ONLY REQUIRED IF NOT SHOWN ON THE FILED AND RECORDED PLAT)

- 5) As per 18-705.A "as-built" plans and profiles of the streets. Said plans shall comply with the requirements of section 18-705.A, which includes but is not limited to showing elevations as constructed and reference bench marks. As well as showing elevations of inverts of manholes and catch basins and elevations of inlet gratings and manhole rims for the storm drainage system and also locations of sanitary sewer, laterals dimensioned from main and reference dimensions to "T" or "V" connections from manholes.
- 6) Provide proof of filing and recording of Stormwater Maintenance Manual, which has been reviewed and approved by this office.
- 7) Maintenance of a \$5,672.15 balance in the Engineering Inspection Escrow Account, after outstanding invoices are paid, to defray continued inspection and bond administration services during the remainder of the maintenance periods.
- 8) Provide a final release letter from Ocean County Soil Conservation District.

Should you have any questions or require additional information regarding this matter, please do not hesitate to email me at dominic.cundari@rve.com.

Very truly yours,
Remington & Vernick Engineers, Inc.



Dominic Cundari, P.E.
Assistant Township Engineer

Enclosure:

1. Maintenance Bond Form

JWS: dmc

cc: Phil Roux, Director of Public Works
Lauren Kirkman, Township Clerk
Steven Secare, Township Attorney
Ocean County Soil Conservation District
John N. Ernst, P.E., P.P., Ocean County Engineer
CSR Equity, LLC – 410 Monmouth Avenue, Suite 120, Lakewood, NJ (mark@choppholdings.com)

(D)7.2024-0156

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Reducing The Performance Guarantee (Second Reduction) Posted By Rishon Associates, LLC., In Connection With ZB #3874AA, (Prospect & Cross St) For Block 490, Lots 6, 9 And 41

WHEREAS, a performance guarantee was heretofore posted with the Township by Rishon Associates, LLC., in the form of Bond #621-100057-5, issued by United States Fire Insurance Company dated June 18, 2019 in the amount of \$1,848,660.00 with a 1st Reduction on December 21, 2021 to \$986,136.63, and a safety and stabilization guarantee in the form of Bond #S321044, issued by NGM Insurance Company dated February 6, 2019 in the amount \$44,407.73 with a 1st Reduction on December 21, 2021 to \$21,166.63 in connection with a project known as ZB #3874AA Block 490, Lots 6, 9 AND 41, and

WHEREAS, under date of March 6, 2024, the Township Engineer did recommend the Second Reduction of the performance guarantee aforesaid; and

WHEREAS, the Township Committee has reviewed the recommendations aforesaid, and finds the same to be acceptable.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the total amount of the Performance Guarantee aforesaid be and hereby is reduced from \$1,848,660.00 to \$616,087.60 of the original Performance Guarantee. This reduction is achieved as follows for Bond 621-100057-5 is reduced from \$1,848,660.00 to \$602,880.00, which the Public Improvement Performance Guarantee is reduced from \$1,779,690.00 to \$533,910.00 and the Perimeter Buffer Guarantee shall remain at \$68,970.00, and the Safety and Stabilization Guarantee S321044 is reduced from \$44,407.73 to \$13,207.60 until the remaining improvements are constructed.

2. That the Township Clerk shall forward a certified copy of this Resolution to the following:

- A. Township Engineer
- B. Chief Financial Officer; and
- C. Rishon Associates, LLC.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B490 L6, 9 & 41

Engineer Letter B490 L6, 9 & 41

RESOLUTION # 2024-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY
OF OCEAN, STATE OF NEW JERSEY, REDUCING THE
PERFORMANCE GUARANTEE (SECOND REDUCTION) POSTED
BY RISHON ASSOCIATES, LLC., IN CONNECTION WITH ZB
#3874AA, (PROSPECT & CROSS ST) FOR BLOCK 490, LOTS 6, 9
AND 41**

WHEREAS, a performance guarantee was heretofore posted with the Township by Rishon Associates, LLC., in the form of Bond #621-100057-5, issued by United States Fire Insurance Company dated June 18, 2019 in the amount of \$1,848,660.00 with a 1st Reduction on December 21, 2021 to \$986,136.63, and a safety and stabilization guarantee in the form of Bond #S321044, issued by NGM Insurance Company dated February 6, 2019 in the amount \$44,407.73 with a 1st Reduction on December 21, 2021 to \$21,166.63 in connection with a project known as ZB #3874AA Block 490, Lots 6, 9 AND 41, and

WHEREAS, under date of March 6, 2024, the Township Engineer did recommend the Second Reduction of the performance guarantee aforesaid; and

WHEREAS, the Township Committee has reviewed the recommendations aforesaid, and finds the same to be acceptable.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the total amount of the Performance Guarantee aforesaid be and hereby is reduced from \$1,848,660.00 to \$616,087.60 of the original Performance Guarantee. This reduction is achieved as follows for Bond 621-100057-5 is reduced from \$1,848,660.00 to \$602,880.00, which the Public Improvement Performance Guarantee is reduced from \$1,779,690.00 to \$533,910.00 and the Perimeter Buffer Guarantee shall remain at \$68,970.00, and the Safety and Stabilization Guarantee S321044 is reduced from \$44,407.73 to \$13,207.60 until the remaining improvements are constructed.

2. That the Township Clerk shall forward a certified copy of this Resolution to the following:

- A. Township Engineer
- B. Chief Financial Officer; and
- C. Rishon Associates, LLC.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**

Lauren Kirkman, RMC, CMR
Township Clerk



OFFICE OF THE MUNICIPAL ENGINEER

212 FOURTH STREET
LAKEWOOD, NEW JERSEY 08701
(732) 364-2500 LAKEWOODNJ.GOV

To: Patrick Donnelly, Municipal Manager

March 6, 2024
RVE Job No. 151511076

**REDUCTION OF PERFORMANCE GUARANTEE AND SAFETY AND
STABILIZATION GUARANTEE – SECOND REDUCTION**

DEVELOPER: Rishon Associates, LLC
APPLICATION NUMBER: ZB 3874AA (Prospect & Cross St)
BLOCK #: 490 **LOT(S) #:** 6, 9 & 41

A written request has been received from Baron Builders for the reduction of Performance Guarantees in regard to the captioned application. Based upon a performance bond estimate by the Township Engineer, the applicant posted a performance guarantee as follows:

1. Performance Guarantee: Bond No. 621-100057-5
2. Issued by: United States Fire Insurance Company
3. Amount of Guarantee: Original \$1,848,660.00; Reduction #1 \$986,136.63
4. Date of Bond: Original June 18, 2019; Reduction #1 December 21, 2021

The safety and stabilization guarantee is identified as follows:

1. Performance Guarantee: Bond No. S321044
2. Issued by: NGM Insurance Company
3. Amount of Guarantee: Original \$44,407.73; Reduction #1 \$21,166.63
4. Date of Bond: Original February 6, 2019; Red. #1 December 21, 2021

The obligor may request either a partial or complete reduction of the performance guarantee upon substantial completion of the required street improvements. Remington & Vernick Engineers has inspected the constructed improvements covered by the obligor's request, and we have attached a Bond Reduction spreadsheet dated **December 21, 2021** indicating the amount of the bonded items now completed. Pursuant to the MLUL, this report should be completed and filed with the Lakewood Township governing body within forty five (45) days of *receipt* of the obligor's request, and the governing body has another forty five (45) days in which to act on the request.

I herewith request that the Lakewood Township Committee authorize the Municipal Attorney to prepare the necessary Resolution to **reduce** the referenced performance guarantee **from \$1,848,660.00 to \$616,087.60**. This reduction is achieved as follows the Bond 621-1000575 is reduced from \$1,848,660 to \$602,880 (*Public Improvement Performance Guarantee is reduced, from \$1,779,690.00 to \$533,910.00, and the Perimeter Buffer Guarantee shall remain at \$68,970.00*), and the Safety and Stabilization Guarantee S321044 is reduced from \$44,407.73 to \$13,207.60, until the remaining improvements are constructed.

Furthermore it is noted that this office has not yet received approval from the Fire Department for this project and proof that title 39 has been granted. These incomplete items need to be addressed by the applicant.

Should you have any questions or require additional information regarding this matter, please do not hesitate to email me at jeffstaiger@lakewoodnj.gov.

Very truly yours,

Remington & Vernick Engineers, Inc.

A handwritten signature in blue ink, appearing to read 'J. Staiger', is positioned above the printed name.

Jeffrey W. Staiger, P.E., P.P., C.M.E.
Township Engineer

JWS: jws

cc: Lauren Kirkman, Township Clerk
Steve Secare, Township Attorney (*via email*)
Rishon Associates, LLC – 305 Main Street, Lakewood, NJ 08701 (nuchem@baronbuilders.com)

(D)8.2024-0157

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing Fireworks Display By Serpico Pyrotechnics, LLC, And Establishing Traffic Regulations In Connection With The Independence Day Fireworks Display To Be Conducted At Lake Carasaljo For 2024

WHEREAS, there will be an Independence Day fireworks display at Lake Carasaljo on Sunday, July 7, 2024; and

WHEREAS, the firm of Serpico Pyrotechnics, LLC is awarded the Contract to perform the fireworks display at Lake Carasaljo in the amount of \$16,068.; and

WHEREAS, the Lakewood Township Police Department believes that a temporary emergent condition will exist due to the fireworks display, and has requested that the Township Committee authorize special traffic regulations for the Independence Day fireworks display; and,

WHEREAS, the Township Committee has reviewed the recommendation aforesaid and believes the same is in the best interest of the public safety and welfare.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and/or Deputy Mayor are hereby authorized to execute and the Township Clerk to attest to a Contract for the fireworks display aforesaid with Serpico Pyrotechnics, LLC, said Contract not to exceed the sum of \$16,068.00 account number 4-01-30-420-420-289 ADVG/CIVIC DISP.FIREWORKS with the anticipated term of this contract for the aforementioned purchase is from the date of award, that date being Marh 14, 2024; and
2. That the Independence Day fireworks display at Lake Carasaljo scheduled for Sunday, July 7, 2024 be and hereby is authorized.
3. That due to the Independence Day fireworks display at Lake Carasaljo, on Sunday, July 7, 2024, the Lakewood Township Police Department is hereby authorized to enforce the following special traffic regulations:

The following streets shall be designated as One-Way streets between the hours of 5:00 P.M. to 10:30 P.M. on Sunday, July 7, 2024:

North Lake Drive Westbound Only From Route 9 to 5th Street
Private Way Northbound Only From 2nd Street to 5th Street
2nd Street Eastbound Only From Private Way to
Forest Avenue; and,

The following street shall be closed between the hours of 6:00 P.M. and 10:30 P.M.:
South Lake Drive Between Sunset Road and Gobar Court

4. In the event of a rain date, the aforesaid special traffic regulations shall be enforced

on that date. Said rain date shall be set forth as agreed by both parties.

5. That the Township Clerk shall forward a certified copy of this resolution to the following:

- A. Director of Public Safety;
- B. Director of Public Works;
- C. Lakewood Township Police Department Traffic Safety Officer.
- D. Serpico Pyrotechnics, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution

RESOLUTION # 2024-157

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING FIREWORKS DISPLAY BY SERPICO
PYROTECHNICS, LLC, AND ESTABLISHING TRAFFIC
REGULATIONS IN CONNECTION WITH THE
INDEPENDENCE DAY FIREWORKS DISPLAY TO BE
CONDUCTED AT LAKE CARASALJO FOR 2024.**

WHEREAS, there will be an Independence Day fireworks display at Lake Carasaljo on Sunday, July 7, 2024; and

WHEREAS, the firm of Serpico Pyrotechnics, LLC is awarded the Contract to perform the fireworks display at Lake Carasaljo in the amount of \$16,068.; and

WHEREAS, the Lakewood Township Police Department believes that a temporary emergent condition will exist due to the fireworks display, and has requested that the Township Committee authorize special traffic regulations for the Independence Day fireworks display; and,

WHEREAS, the Township Committee has reviewed the recommendation aforesaid and believes the same is in the best interest of the public safety and welfare.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and/or Deputy Mayor are hereby authorized to execute and the Township Clerk to attest to a Contract for the fireworks display aforesaid with Serpico Pyrotechnics, LLC, said Contract not to exceed the sum of \$16,068.00 account number 4-01-30-420-420-289 ADVG/CIVIC DISP.FIREWORKS with the anticipated term of this contract for the aforementioned purchase is from the date of award, that date being March 14, 2024; and

2. That the Independence Day fireworks display at Lake Carasaljo scheduled for Sunday, July 7, 2024 be and hereby is authorized.

3. That due to the Independence Day fireworks display at Lake Carasaljo, on Sunday, July 7, 2024, the Lakewood Township Police Department is hereby authorized to enforce the following special traffic regulations:

The following streets shall be designated as One-Way streets between the hours of 5:00 P.M. to 10:30 P.M. on Sunday, July 7, 2024:

North Lake Drive
Private Way
2nd Street

Westbound Only
Northbound Only
Eastbound Only

From Route 9 to 5th Street
From 2nd Street to 5th Street
From Private Way to
Forest Avenue; and,

The following street shall be closed between the hours of 6:00 P.M. and 10:30 P.M.:

South Lake Drive Between Sunset Road and Gobar Court

4. In the event of a rain date, the aforesaid special traffic regulations shall be enforced on that date. Said rain date shall be set forth as agreed by both parties.

5. That the Township Clerk shall forward a certified copy of this resolution to the following:

- A. Director of Public Safety;
- B. Director of Public Works;
- C. Lakewood Township Police Department
Traffic Safety Officer.
- D. Serpico Pyrotechnics, LLC

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Township Committee of said Township at its meeting held on **March 14, 2024.**

Lauren Kirkman, RMC, CMR
Township Clerk

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Peter O'Reilly, Chief Financial Officer for the Township of Lakewood, do hereby certify that no amount shall be chargeable or certified until such time as the services are ordered or rendered. Prior to incurring the liability by placing the order or receiving the services, the certification of available funds account number 4-01-30-420-420-289 ADVG/CIVIC DISP.FIREWORKS shall be issued as part of the purchase order or other such document.

Peter O'Reilly, Chief Financial Office

(D)9.2024-0158

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing The Purchase Of Concrete Sidewalk Forms From White Cap LP Pursuant To And In Accordance With P.L. 2011, C.139

WHEREAS, the Township of Lakewood is in need of concrete sidewalk forms and wishes to procure same through Sourcewell, a National Cooperative vendor, pursuant to the provisions of P.L. 2011, c.139; and

WHEREAS, an explanation has been submitted as to why the Township had to consider the National Cooperative in this instance, as per Local Finance Notice 2012-10, and that all additional documentation necessary for a National Coop purchase is in the file; and

WHEREAS, White Cap, LP at 6250 Brook Hollow Pkwy. Suite 100 Norcross, GA 30071, is the awardee of Sourcewell contract, RFP #091422-WCP for this acquisition; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the CFO has certified that there are sufficient and available funds not to exceed \$2,000 in account # 4-01-26-290-290-20J for the aforesaid purchase. The term of the contract shall be from the date of the award, March 14, 2024 until the satisfactory delivery of the aforementioned.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey authorizes Mayor Raymond Coles to enter into a contract with White Cap, LP.

BE IT FURTHER RESOLVED that the Township Attorney shall forward a certified copy of this Resolution to the following:

- A. Municipal Manager
- B. Chief Financial Officer
- C. Purchasing Agent
- D. White Cap, LP

-

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

Cost:

TBD

Budget Line Item:

TBD

ATTACHMENTS:

Description

Resolution

RESOLUTION # 2024-158

RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF CONCRETE SIDEWALK FORMS FROM WHITE CAP LP PURSUANT TO AND IN ACCORDANCE WITH P.L. 2011, C.139

WHEREAS, the Township of Lakewood is in need of concrete sidewalk forms and wishes to procure same through Sourcewell, a National Cooperative vendor, pursuant to the provisions of P.L. 2011, c.139; and

WHEREAS, an explanation has been submitted as to why the Township had to consider the National Cooperative in this instance, as per Local Finance Notice 2012-10, and that all additional documentation necessary for a National Coop purchase is in the file; and

WHEREAS, White Cap, LP at 6250 Brook Hollow Pkwy. Suite 100 Norcross, GA 30071, is the awardee of Sourcewell contract, RFP #091422-WCP for this acquisition; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the CFO has certified that there are sufficient and available funds not to exceed \$2,000 in account # 4-01-26-290-290-20J for the aforesaid purchase. The term of the contract shall be from the date of the award, March 14, 2024 until the satisfactory delivery of the aforementioned.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey authorizes Mayor Raymond Coles to enter into a contract with White Cap, LP.

BE IT FURTHER RESOLVED that the Township Attorney shall forward a certified copy of this Resolution to the following:

- A. Municipal Manager
- B. Chief Financial Officer

C. Purchasing Agent
D. White Cap, LP

CERTIFICATION

I, Lauren Kirkman, Township Deputy Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on March 14, 2024.

Lauren Kirkman, RMC, CMR
Township Clerk

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Peter O'Reilly, Chief Financial Officer of the Township of Lakewood, do hereby certify that no amount shall be chargeable or certified until such time as goods or services are ordered or rendered. Prior to incurring the liability by placing any order for goods or services, the certification of available funds shall be issued as part of the filed copy of the purchase order or other such document.

Peter O'Reilly, Chief Financial Officer

(D)10.2024-0159

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Execution And Submission Of Statements Of Consent To The NJDEP For TWA Applications

WHEREAS, there is a need to apply for Treatment Works Approvals (TWA) from the State of New Jersey, Department of Environmental Protection ("NJDEP") in connection with various projects in the Township of Lakewood; and,

WHEREAS, the Township of Lakewood is desirous of authorizing Mayor Raymond G. Coles to sign all applications in connection with same for the NJDEP which may be required.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, hereby authorizes Mayor Raymond G. Coles and/or his designee to execute and the Clerk to attest to the Statements of Consent for TWA Applications and Form WQM-003 as well as cause for the submission of same to the NJDEP for the following projects:

- #18271 – Joe Parker Duplexes, Block 189.03, Lot 181-183
- #24019 – Miller Road, Block 7, Lots 48 & 56
- #22384 - Helburg Shul, Block 11.12, Lot 28

BE IT FURTHER RESOLVED that a certified copy of this Resolution be appended to any such application as needed.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution

RESOLUTION #2024-159

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION AND
SUBMISSION OF STATEMENTS OF CONSENT TO THE NJDEP FOR
TWA APPLICATIONS**

WHEREAS, there is a need to apply for Treatment Works Approvals (TWA) from the State of New Jersey, Department of Environmental Protection (“NJDEP”) in connection with various projects in the Township of Lakewood; and,

WHEREAS, the Township of Lakewood is desirous of authorizing Mayor Raymond G. Coles to sign all applications in connection with same for the NJDEP which may be required.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, hereby authorizes Mayor Raymond G. Coles and/or his designee to execute and the Clerk to attest to the Statements of Consent for TWA Applications and Form WQM-003 as well as cause for the submission of same to the NJDEP for the following projects:

- **#18271 – Joe Parker Duplexes**, Block 189.03, Lot 181-183
- **#24019 – Miller Road**, Block 7, Lots 48 & 56
- **#22384 - Helburg Shul**, Block 11.12, Lot 28

BE IT FURTHER RESOLVED that a certified copy of this Resolution be appended to any such application as needed.

CERTIFICATION

I, Lauren Kirkman, Clerk of the Township of Lakewood, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee of said Township at a meeting held on **March 14, 2024.**

Lauren Kirkman, RMC, CMR
Township Clerk

(D)11.2024-0160

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Execution Of An Agreement Between Lakewood Township And The Jersey Shore Blue Claws.

WHEREAS, the Lakewood Township's Department of Emergency Medical Services ("EMS") is licensed as an ambulance service and complies with all vehicle and crew requirements and is authorized by the New Jersey State Department of Health to provide basic life support ambulance and medical care services to the residents of Lakewood Township; and

WHEREAS, the Jersey Shore Blue Claws ("JSBC") is a minor-league baseball team with its stadium situated within the Township of Lakewood; and

WHEREAS, JSBC and EMS desire to document their understanding with regard to the services to be provided to attendees of a JSBC game during home games at the stadium; and

WHEREAS, the Township Attorney has reviewed the proposed form JSBC-EMS Agreement, and has approved the form as submitted.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and/or Deputy Mayor or their designee are authorized to execute and the Township Clerk to attest to the form Agreement between the JSBC and EMS as approved by the Township Attorney.
2. That the Township Clerk shall forward a certified copy of this Resolution to the all parties of interest.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution

RESOLUTION #2024-

**RESOLUTION OF THE TOWNSHIP OF
LAKEWOOD, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING THE EXECUTION
OF AN AGREEMENT BETWEEN LAKEWOOD
TOWNSHIP AND THE JERSEY SHORE BLUE
CLAWS.**

WHEREAS, the Lakewood Township's Department of Emergency Medical Services ("EMS") is licensed as an ambulance service and complies with all vehicle and crew requirements and is authorized by the New Jersey State Department of Health to provide basic life support ambulance and medical care services to the residents of Lakewood Township; and

WHEREAS, the Jersey Shore Blue Claws ("JSBC") is a minor-league baseball team with its stadium situated within the Township of Lakewood; and

WHEREAS, JSBC and EMS desire to document their understanding with regard to the services to be provided to attendees of a JSBC game during home games at the stadium; and

WHEREAS, the Township Attorney has reviewed the proposed form JSBC-EMS Agreement, and has approved the form as submitted.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and/or Deputy Mayor or their designee are authorized to execute and the Township Clerk to attest to the form Agreement between the JSBC and EMS as approved by the Township Attorney.
2. That the Township Clerk shall forward a certified copy of this Resolution to the all parties of interest.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Township Committee of said Township at its meeting held on **March 14, 2024.**

Lauren Kirkman, RMC, CMR
Township Clerk

(D)12.2024-0161

Resolution Township Of Lakewood County Of Ocean State Of New Jersey Authorizing An Emergency
Temporary Appropriation For 2024 Budget

ATTACHMENTS:

Description

Resolution Emerg Temp Budget 3-14-24

temp budget attachment 3/24/24

RESOLUTION # 2024-

**RESOLUTION TOWNSHIP OF LAKEWOOD
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING AN EMERGENCY TEMPORARY
APPROPRIATION FOR 2024 BUDGET**

WHEREAS emergent conditions have arisen with the respect of payment of bills in number accounts and no adequate provision has been made in the year 2024 temporary budget for aforesaid purposes; and

WHEREAS, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes of the above mentioned; and

WHEREAS, the total temporary emergency resolutions adopted in the Year 2024 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$65,344,493.75 for the current fund; and

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood in the County of Ocean and the State of New Jersey on this 14th day of March 2024 authorize said amounts; and

BE IT FURTHER RESOLVED that, the Township Clerk shall forward a certified copy of this Resolution to the following:

- A. Chief Financial Officer
- B. DLGS

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024.**

Lauren Kirkman, RMC, CMR
Township Clerk

Township of Lakewood
Temporary Budget Increase
March 14, 2024

<u>Appropriation</u>	s & w	o/e	total
Office of the Manager	233,000.00	8,200.00	241,200.00
Governing Body	64,500.00	50,000.00	114,500.00
Office of the Clerk	65,000.00	37,500.00	102,500.00
Department of Human Resources	84,000.00	87,500.00	171,500.00
Purchasing Department	11,000.00	49,500.00	60,500.00
Municipal Support Services		13,500.00	13,500.00
Financial Administration	65,000.00	26,000.00	91,000.00
Audit Services		22,000.00	22,000.00
Computer Center	14,000.00	137,000.00	151,000.00
Collection of Taxes	50,000.00	24,000.00	74,000.00
Assessment of Taxes	86,000.00	80,500.00	166,500.00
Legal Services and Costs		209,000.00	209,000.00
Liquidation of Tax Title Liens and Foreclosed Prop		10,000.00	10,000.00
Engineering Services and Costs		339,000.00	339,000.00
Department of Economic Development	28,000.00	5,000.00	33,000.00
Civil Rights Commission		350.00	350.00
Advisory Board on Disability		400.00	400.00
Tourism Advisory Committee		850.00	850.00
Veteran's Advisory Committee		8,000.00	8,000.00
Planning Board		17,000.00	17,000.00
Zoning Board		18,000.00	18,000.00
Liability Insurance		40,000.00	40,000.00
Workers Compensation Insurance		0.00	0.00
Group Insurance Plan for Employees		4,500,000.00	4,500,000.00
Health Insurance Waivers		70,000.00	70,000.00
Police	5,385,000.00	600,000.00	5,985,000.00
Emergency Management Services	21,000.00	28,000.00	49,000.00
Emergency Medical Technicians	303,000.00	37,000.00	340,000.00
Municipal Prosecutor		28,000.00	28,000.00
Road Repairs and Maintenance	571,000.00	165,000.00	736,000.00
Snow Removal		100,000.00	100,000.00
Street Cleaning	40,000.00	9,000.00	49,000.00
Department of Public Works	380,000.00	130,000.00	510,000.00
Shade Tree Commission	10,000.00	2,000.00	12,000.00
Garbage & Trash Removal	515,000.00	120,000.00	635,000.00
Recycling	245,800.00	55,000.00	300,800.00
Public Buildings and Grounds	107,000.00	75,000.00	182,000.00
Automotive Mechanics	325,000.00		325,000.00
Municipal Garage		85,000.00	85,000.00
Condo Trash Removal		235,000.00	235,000.00
Board of Health		800.00	800.00
Cross Street Landfill		4,000.00	4,000.00
Environmental Commission		500.00	500.00
Animal Control	45,000.00	33,000.00	78,000.00
Relocation Assistance Program		1,800.00	1,800.00
Senior and Social Services		105,000.00	105,000.00
Lakewood Community Services		13,000.00	13,000.00
Solutions to End Poverty (NJSA 40:23-8.19)		31,500.00	31,500.00
Lakewood Search and Rescue		13,200.00	13,200.00
Recreation		9,500.00	9,500.00
Community Center	9,000.00		9,000.00
Parks & Playgrounds	220,000.00	46,200.00	266,200.00
Celebration of Public Events		4,500.00	4,500.00
Lakewood Airport		13,200.00	13,200.00
Lakewood Public Transportation	100,000.00	50,000.00	150,000.00
Accumulated Leave Absenses		65,000.00	65,000.00
State Uniform Construction Code Official	439,000.00	110,000.00	549,000.00

Property Maintenance Code	12,600.00		12,600.00
Electricity		136,500.00	136,500.00
Street Lighting		429,000.00	429,000.00
Telephone		50,400.00	50,400.00
Water		18,000.00	18,000.00
Natural Gas		35,000.00	35,000.00
Gasoline		370,000.00	370,000.00
Landfill Disposal Costs		1,575,000.00	1,575,000.00
Recycling Tax		63,000.00	63,000.00
Social Security		533,000.00	533,000.00
Defined Contribution Retirement Program		2,700.00	2,700.00
Municipal Court	80,000.00	37,000.00	117,000.00
Public Defender		22,400.00	22,400.00
Svcs Apt Trash Reimb		165,000.00	165,000.00
UEZ 2024-1 Administration & Project Management		115,000.00	115,000.00
	9,508,900.00	11,475,500.00	20,984,400.00

(D)13.2024-0162

Resolution Of The Township Committee Of The Township Of Lakewood Referring An Amendment To The Article IX ("Zoning Districts And Regulations") Section 18-900 Of The Unified Development Ordinance Of The Revised General Ordinances Of The Township Of Lakewood To The Planning Board For Review

WHEREAS, the Township Committee wishes to amend Section 18-900 "Zoning Districts and Regulations"; and

WHEREAS, the Township Committee desires to forward the Proposed Amendment as set forth in EXHIBIT A (the "Proposed Amendment") along with the Ordinance entitled: AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE IX ("ZONING DISTRICTS AND REGULATIONS") SECTION 18-900 OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAKEWOOD, which was introduced on first reading at the March 14, 2024 Township Committee Meeting to the Planning Board for review pursuant to N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a) of the Municipal Land Use Law.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lakewood as follows:

1. The Township Committee hereby refers the Proposed Amendment to the Planning Board for review and recommendation in accordance with the requirements of N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a).
2. The Planning Board is authorized and directed to prepare a report of its recommendations (the "Planning Board Report") to the Proposed Amendment to the Plan within thirty-five (35) days of the date hereof.
3. The Planning Board Report shall identify any provisions within the Proposed Amendment to the Plan that are inconsistent with the Township's Master Plan, the recommendations concerning those inconsistencies and any other matters the Planning Board deems appropriate.
4. If the Planning Board Report is not transmitted to the Committee within thirty-five (35) days of the date hereof, the Committee shall be relieved of the requirement to obtain a Planning Board Report for the Proposed Amendment to the Plan in accordance with N.J.S.A. 40:55D-26(a).
5. The Clerk of the Township shall forward a copy of this Resolution to the Planning Board for review pursuant to N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a).

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution

RESOLUTION # 2024-

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
LAKEWOOD REFERRING AN AMENDMENT TO THE ARTICLE IX
("ZONING DISTRICTS AND REGULATIONS") SECTION 18-900 OF THE
UNIFIED DEVELOPMENT ORDINANCE OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF LAKEWOOD TO THE PLANNING
BOARD FOR REVIEW**

WHEREAS, the Township Committee wishes to amend Section 18-900 “Zoning Districts and Regulations”; and

WHEREAS, the Township Committee desires to forward the Proposed Amendment as set forth in EXHIBIT A (the “Proposed Amendment”) along with the Ordinance entitled: AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE IX ("ZONING DISTRICTS AND REGULATIONS") SECTION 18-900 OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAKEWOOD, which was introduced on first reading at the March 14, 2024 Township Committee Meeting to the Planning Board for review pursuant to N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a) of the Municipal Land Use Law.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lakewood as follows:

1. The Township Committee hereby refers the Proposed Amendment to the Planning Board for review and recommendation in accordance with the requirements of N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a).
2. The Planning Board is authorized and directed to prepare a report of its recommendations (the “Planning Board Report”) to the Proposed Amendment to the Plan within thirty-five (35) days of the date hereof.
3. The Planning Board Report shall identify any provisions within the Proposed Amendment to the Plan that are inconsistent with the Township’s Master Plan, the recommendations concerning those inconsistencies and any other matters the Planning Board deems appropriate.
4. If the Planning Board Report is not transmitted to the Committee within thirty-five (35) days of the date hereof, the Committee shall be relieved of the requirement to obtain a Planning Board Report for the Proposed Amendment to the Plan in accordance with N.J.S.A. 40:55D-26(a).
5. The Clerk of the Township shall forward a copy of this Resolution to the Planning Board for review pursuant to N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a).

LAUREN KIRKMAN

Township Clerk, Township of Lakewood

EXHIBIT A

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE IX ("ZONING DISTRICTS AND REGULATIONS") SECTION 18-900 OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAKEWOOD.

BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

SECTION 1. That Article IX of the Unified Development Ordinance of the Revised General Ordinances of the Township of Lakewood entitled "Zoning Districts and Regulations" Section 18-900 be and hereby is amended and supplemented with a new Paragraph N as follows:

18-900 General

* * *

N. In all residential zones where sheds are permitted as accessory uses, and notwithstanding the definition of "sheds" found at Section 18-200 which permits sheds to be placed up to five (5) feet from side and rear property lines, and in certain and limited cases, the Zoning Officer may issue a zoning permit for a shed to be located immediately adjacent to the side or rear property line, provided the proposed shed meets the following criteria and the applicant follows the procedure outlined below:

- a. The owner(s) of the contiguous property upon which the shed will be placed immediately next to same shall confirm in writing that they have no objection to the location of the proposed shed.
- b. The shed is located and designed so as to have the least impact on adjacent properties.
- c. In no case shall the shed height exceed 12 feet.
- d. The proposed shed complies with all other Lakewood Township shed requirements.
- e. Application Procedure. An application for a Lakewood Township Construction Permit for the proposed shed is required.
- f. No shed shall be permitted within any drainage easement or conservation easement.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby replaced to the extent of such inconsistency.

SECTION 3. If any section, subsection, paragraph, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication as required by law. publication as required by law.

Introduced: March 14, 2024

Adoption:

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify the foregoing to be a true and exact copy of the ordinance which was adopted by the Township Committee of the Township of Lakewood at a meeting held on _____, **2024** at 5:30 P.M.

(D)14.2024-0163

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing A
Cancellation Of Taxes For 2023 Based On A Tax Court Judgment For Block 27 Lot 4.01

WHEREAS, the following Taxpayer(s) have filed an appeal against his/her assessment, and was successful at the appeal process, which granted a reduction of assessed value; and

WHEREAS, pursuant to State Statute N.J.S.A 54:4-69.2, the following Taxpayer(s) are entitled to a reduction in taxes due to an appeal, to be calculated based on the new assessed value, and the tax rate pertaining to the year appealed, which is then applied to his/her account; and

WHEREAS, the following Taxpayer(s) shall have the taxes canceled of record based on the Tax Court Judgments on their properties as follows:

Blk/Lot Name Address Year Canceled

27/4.01 Yitzchock, Zichron 1143 W. County Line Rd 2023 \$24,309.01

27/4.01 Yitzchock, Zichron 1143 W. County Line Rd 2023 \$1,551.70 6% Penalty

Total \$25,860.71

THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Lakewood, County Of Ocean, State Of New Jersey that the Tax Collector be authorized to cancel taxes & penalty per said amounts and adjust her records accordingly:

Zipp & Tannenbaum, LLC
Attn: Paul Tannenbaum
280 Raritan Center Parkway
Edison, NJ 08837

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

CANCEL TAXES ON 27/4.01

RESOLUTION# 2024-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING A CANCELATION OF TAXES
BASED ON A TAX COURT JUDGMENT FOR BLOCK 27 LOT 4.01**

WHEREAS, the following Taxpayer(s) have filed an appeal against his/her assessment, and was successful at the appeal process, which granted a reduction of assessed value; and

WHEREAS, pursuant to State Statute N.J.S.A 54:4-69.2, the following Taxpayer(s) are entitled to a reduction in taxes due to an appeal, to be calculated based on the new assessed value, and the tax rate pertaining to the year appealed, which is then applied to his/her account; and

WHEREAS, the following Taxpayer(s) shall have the taxes canceled of record based on the Tax Court Judgments on their properties as follows:

<u>Blk/Lot</u>	<u>Name</u>	<u>Address</u>	<u>Year</u>	<u>Canceled</u>
27/4.01	Yitzchock, Zichron	1143 W.County Line Rd	2023	\$24,309.01
27/4.01	Yitzchock, Zichron	1143 W.County Line Rd	2023	\$1,551.70 6% Penalty
Total				\$25,860.71

THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Lakewood, County Of Ocean, State Of New Jersey that the Tax Collector be authorized to cancel taxes & penalty per said amounts and adjust her records accordingly:

Zipp & Tannenbaum, LLC
Attn: Paul Tannenbaum
280 Raritan Center Parkway
Edison, NJ 08837

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, County of Ocean, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Township Committee of said Township at its meeting held on **March 14, 2024.**

Lauren Kirkman, RMC CMR
Township Clerk

(D)15.2024-0164

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund A Double Payment On Block 1440 Lot 2.109

WHEREAS, a payment in the amount of \$1,056.71, was received for Block 1440 Lot 2.109, address known as 109 Petty Place; and

WHEREAS, the Mortgage Company as well as the Title Company have both paid, and the Title Company has provided valid proof of payment, and is hereby requesting a refund be sent to the following;

Commonwealth Title Agency
83 South Street, Suite 307
Freehold, NJ 07728

THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be authorized to refund and draft a check in the amount \$1,056.71 to the Company named, and the Tax Collector to adjust her records accordingly.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Refund of taxes on 1440/2.109

RESOLUTION # 2024-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO
REFUND A DOUBLE PAYMENT ON BLOCK 1440 LOT 2.109**

WHEREAS, a payment in the amount of \$1,056.71, was received for Block 1440 Lot 2.109, address known as 109 Petty Place; and

WHEREAS, the Mortgage Company as well as the Title Company have both paid, and the Title Company has provided valid proof of payment, and is hereby requesting a refund be sent to the following;

Commonwealth Title Agency
83 South Street, Suite 307
Freehold, NJ 07728

THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be authorized to refund and draft a check in the amount \$1,056.71 to the Company named, and the Tax Collector to adjust her records accordingly.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, County of Ocean, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Township Committee of said Township at its meeting held on **March 14, 2024.**

Lauren Kirkman, RMC CMR
Township Clerk

(E)16.

2024-007 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Private Sale Of An Approximate 2,400 Square Foot Portion Of Block 777 Lot 5, In The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40a:12-1 Et Seq.

WHEREAS, the Township of Lakewood is the owner of real property known as Block 777 Lot 5, in the Township of Lakewood, County of Ocean, State of New Jersey (collectively the "Property"); and

WHEREAS, Block 777 Lot 5, located in an R-10 zone, is an approximate 1.51 acre parcel, of which approximately 1.10 acres is deciduous wetlands and/or 1.35 acres of freshwater wetlands; and

WHEREAS, the vast majority of the area of Lot 5 is constrained due to these environmental limitations and is thus undevelopable in accordance with the zone, but a small portion thereof immediately adjacent to Block 777 Lot 7 is free of such constraints; and

WHEREAS, the property owner of Block 777 Lot 7 has requested to purchase an approximate 2,400 square foot portion of the township's Lot 5 to be added on to his residential lot to render his lot in conformity with the bulk requirements of the R-10 zone; and

WHEREAS, the property owner has provided the attached plan depicting the approximate 2,400 square foot area adjacent to his property sought to be acquired, attached hereto; and

WHEREAS, the Township has had this 2,400 square foot portion of Block 777 Lot 5 appraised by Gagliano & Company, and it has concluded the final value thereof to be \$89,000.00; and

WHEREAS, the property owner of Block 777 Lot 7 has agreed to provide a precise metes and bounds description of this requested portion of the township-owned lot, to bid the township-determined minimum bid price for this area, and upon acceptance of such bid from this property owner as the only adjoining land owner entitled to a right of first refusal to purchase same, to make appropriate application to the local zoning or planning board for subdivision and any necessary variance approval with this ultimate sale subject to said approvals, as well as obtain any other governmental approvals required; and

WHEREAS, the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, has determined that a portion the Property may be suited for development in conformity with the request of this property owner, provided he complies with all the conditions referenced herein, and this proposed portion of property may not hold any intrinsic value for public use and it is in the best interests of the Township of Lakewood to offer the Property for sale by private sale inasmuch as the area to be created would not meet the bulk requirements of the zone.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey as follows:

SECTION 1. The Township of Lakewood in the County of Ocean is the owner of the following land located within the Township of Lakewood (hereinafter referred to as the "Property"): Block 777 Lot 5.

SECTION 2. The Township Committee has determined it to be in the public interest to sell an approximate 2,400 square foot portion of Block 777 Lot 5, the property to be sold, by private sale (inasmuch as the area to be created would not meet the bulk requirements of the zone) in accordance with N.J.S.A. 40A: 12-13(b)(5), specifically on the terms and conditions set forth in this ordinance.

SECTION 3. The Township Committee declares that a portion of the Property may be surplus and not needed for public use.

SECTION 4. The following conditions for the sale of the Property apply:

(a) The minimum bid for the Property has been determined by the Township's appraisal based upon the square footage added to the adjoining residential lot in the R-10 zone to be \$89,000.00.

(b) The highest bidder will be the purchaser, subject to the following provisions: The highest bidder must make immediate application to the appropriate planning or zoning board of Lakewood Township to subdivide a 2,400 square foot portion of the property to be sold. The highest bidder must obtain approval for this subdivision within one hundred and twenty (120) days of the award of the bid. Failure to obtain subdivision approval within said time period shall vitiate and nullify the award of the bid.

(c) The Township will only accept bids calling for an all-cash purchase of the Property. Full payment of the purchase price must be received within 60 days of the date of subdivision approval, to be applied for immediately after the acceptance of the bid. The successful bidder will be required to pay, by either cash, wire transfer or bank check, a deposit equal to ten (10%) percent of minimum price of the bid at the close of bidding, with the balance to be paid by either cash, wire transfer or bank check at closing. Pending closing of title, this deposit will be held by the Township of Lakewood in a non-interest bearing escrow account, with the total deposit (excluding interest) to be credited to the purchase price at closing.

(d) The sale of the Property is being made subject to the terms, conditions, restrictions and limitations of a Contract of Sale, which is on file with the Municipal Clerk, including but not limited to the following terms and conditions:

1. The Property is being sold in an "AS IS" "WHERE-IS" condition. The successful bidder is responsible for conducting any and all inspections and testing of the Property at its own cost and expense, and the approvals set forth above from the municipal engineers and appropriate municipal land use board.
2. The Property is being sold subject to existing zoning; however, prospective bidders should be aware that the Township has adopted a Smart Growth Plan which could require future changes in zoning for the Property. A copy of the Smart Growth Plan can be reviewed in the office of the Township Clerk.
3. The successful bidder shall bear the burden of paying any and all required sewer service and/or connection fees associated with the use of the Property.
4. The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
5. The successful bidder shall bear the burden of obtaining any and all approvals from the appropriate municipal, county or government agency, if applicable. The successful bidder shall also bear the burden of obtaining and paying for any and all necessary permits, connections and/or arrangements to provide for water, electric, sewer, or solid waste disposal.
6. The closing of title to the Property is "TIME OF THE ESSENCE" and must take place within 60 days of the date of planning/zoning board approval and the failure of the successful bidder to close title as agreed shall result in the successful bidder's forfeiture of any and all money deposited with the Township.
7. The purchaser(s) shall pay the cost of recording fees.
8. The purchaser(s) shall pay any and all realty transfer and "mansion" taxes assessed in connection with the sale of the Property.
9. With respect to the sale of the Property herein, NO real estate commission is owed.
10. No representation is made by the Township as to the utility, usability or environmental condition of the Property.

(e) All bids must satisfy any requirements and meet any terms and conditions of the Contract of Sale. The successful bidder will execute the Contract upon completion of bidding and its payment of the required deposit. To execute the Contract, the bidder shall properly execute the Contract in the signature spaces at the end. Failure to execute the Contract properly shall not affect the obligation of the successful bidder or the validity of the sale. The deed given by Lakewood Township for the Property will be a quitclaim deed. No title contingencies or conditions are permitted. In the event that the successful bidder fails to close title to the Property, the bidder shall forfeit all deposit monies made to the Township. No refunds whatsoever will be made by the Township of Lakewood in the event that the successful bidder fails to complete the purchase of the Property within thirty (30) days from the acceptance of the bid.

(f) The sale shall be subject to adjournment or cancellation by the Township Committee.

(g) Bidders may bid on the Property for a period of 30 days after second reading of this Ordinance. The highest bid when accepted will be the purchase price for the Property. Bids are to be submitted in a sealed envelope to the Town Manager with the 10% deposit during said 30 day period and opened thereafter.

(h) The Township reserves the right to accept the highest responsive bid if equal to or greater than the minimum bid price, or to reject all bids and not to award to the highest bidder. The Township reserves the right to waive any and all defects and informalities in any proposal, and to accept or reject the highest responsible and responsive bid deemed to be in the best interest of the Township.

(i) The Township's acceptance or rejection of bids shall be made not later than at the second regular Township

Committee meeting following the auction. No bid shall be considered finally accepted until passage by the Township Committee of a Resolution accepting such bid.

(j) The Property is being sold "AS IS" "WHERE IS." The Property is sold subject to existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting the Property. A survey of the Property may be conducted by any prospective bidder, at its discretion, as part of its due diligence.

(k) Any material prepared and distributed in connection with this auction sale is for convenience purposes only and is intended to give prospective bidders a general understanding of the condition,

location and size of the Property. The Township of Lakewood is not responsible for errors that may appear in such materials. Each prospective bidder is urged to thoroughly research and examine the Property prior to placing a bid. The Property will be available for inspection by appointment only. Prospective bidders desiring to inspect the Property should contact Lauren Kirkman, Township Clerk at (732) 364-2500 ext. 5970 between the hours of 9:00 a.m. and 3:00 p.m. to make an appointment.

(l) It is suggested and recommended that potential bidders perform title searches and/or last owner and lien searches on the properties that they are interested in bidding upon prior to the date of bid submission in order that the potential bidder may be adequately apprised of any encumbrances or restrictions of record affecting the use and enjoyment of the property or properties. It is further suggested and recommended that potential bidders exercise due diligence with respect to every state of facts including open permits, local fines, penalties, taxes, assessments, etc., which may not be of record but which may nonetheless affect the use and enjoyment of the property or properties. The Township of Lakewood shall not be responsible for the costs associated with such searches in the event that the Township of Lakewood is unable to convey title and/or if a bid is rejected

SECTION 5. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, paragraph, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7. This Ordinance shall take effect upon final passage and publication in accordance with law.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Ordinance

Map

ORDINANCE # 2024-007

ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PRIVATE SALE OF AN APPROXIMATE 2,400 SQUARE FOOT PORTION OF BLOCK 777 LOT 5, IN THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, PURSUANT TO N.J.S.A. 40A:12-1 ET SEQ.

WHEREAS, the Township of Lakewood is the owner of real property known as Block 777 Lot 5, in the Township of Lakewood, County of Ocean, State of New Jersey (collectively the "Property"); and

WHEREAS, Block 777 Lot 5, located in an R-10 zone, is an approximate 1.51 acre parcel, of which approximately 1.10 acres is deciduous wetlands and/or 1.35 acres of freshwater wetlands; and

WHEREAS, the vast majority of the area of Lot 5 is constrained due to these environmental limitations and is thus undevelopable in accordance with the zone, but a small portion thereof immediately adjacent to Block 777 Lot 7 is free of such constraints; and

WHEREAS, the property owner of Block 777 Lot 7 has requested to purchase an approximate 2,400 square foot portion of the township's Lot 5 to be added on to his residential lot to render his lot in conformity with the bulk requirements of the R-10 zone; and

WHEREAS, the property owner has provided the attached plan depicting the approximate 2,400 square foot area adjacent to his property sought to be acquired, attached hereto; and

WHEREAS, the Township has had this 2,400 square foot portion of Block 777 Lot 5 appraised by Gagliano & Company, and it has concluded the final value thereof to be \$89,000.00; and

WHEREAS, the property owner of Block 777 Lot 7 has agreed to provide a precise metes and bounds description of this requested portion of the township-owned lot, to bid the township-determined minimum bid price for this area, and upon acceptance of such bid from this property owner as the only adjoining land owner entitled to a right of first refusal to purchase same, to make appropriate application to the local zoning or planning board for subdivision and any necessary variance approval with this ultimate sale subject to said approvals, as well as obtain any other governmental approvals required; and

WHEREAS, the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, has determined that a portion the Property may be suited for development in conformity with the request of this property owner, provided he complies with all the conditions referenced herein, and this proposed portion of property may not hold any intrinsic value for public use and it is in the best interests of the Township of Lakewood to offer the Property for sale by private sale inasmuch as the area to be created would not meet the bulk requirements of the zone.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey as follows:

SECTION 1. The Township of Lakewood in the County of Ocean is the owner of the following land located within the Township of Lakewood (hereinafter referred to as the "Property"): Block 777 Lot 5.

SECTION 2. The Township Committee has determined it to be in the public interest to sell an approximate 2,400 square foot portion of Block 777 Lot 5, the property to be sold, by private sale (inasmuch as the area to be created would not meet the bulk requirements of the zone) in accordance with N.J.S.A. 40A: 12-13(b)(5), specifically on the terms and conditions set forth in this ordinance.

SECTION 3. The Township Committee declares that a portion of the Property may be surplus and not needed for public use.

SECTION 4. The following conditions for the sale of the Property apply:

- (a) The minimum bid for the Property has been determined by the Township's appraisal based upon the square footage added to the adjoining residential lot in the R-10 zone to be \$89,000.00.
- (b) The highest bidder will be the purchaser, subject to the following provisions: The highest bidder must make immediate application to the appropriate planning or zoning board of Lakewood Township to subdivide a 2,400 square foot portion of the property to be sold. The highest bidder must obtain approval for this subdivision within one hundred and twenty (120) days of the award of the bid. Failure to obtain subdivision approval within said time period shall vitiate and nullify the award of the bid.
- (c) The Township will only accept bids calling for an all-cash purchase of the Property. Full payment of the purchase price must be received within 60 days of the date of subdivision approval, to be applied for immediately after the acceptance of the bid. The successful bidder will be required to pay, by either

cash, wire transfer or bank check, a deposit equal to ten (10%) percent of minimum price of the bid at the close of bidding, with the balance to be paid by either cash, wire transfer or bank check at closing. Pending closing of title, this deposit will be held by the Township of Lakewood in a non-interest bearing escrow account, with the total deposit (excluding interest) to be credited to the purchase price at closing.

(d) The sale of the Property is being made subject to the terms, conditions, restrictions and limitations of a Contract of Sale, which is on file with the Municipal Clerk, including but not limited to the following terms and conditions:

1. The Property is being sold in an "AS IS" "WHERE-IS" condition. The successful bidder is responsible for conducting any and all inspections and testing of the Property at its own cost and expense, and the approvals set forth above from the municipal engineers and appropriate municipal land use board.
2. The Property is being sold subject to existing zoning; however, prospective bidders should be aware that the Township has adopted a Smart Growth Plan which could require future changes in zoning for the Property. A copy of the Smart Growth Plan can be reviewed in the office of the Township Clerk.
3. The successful bidder shall bear the burden of paying any and all required sewer service and/or connection fees associated with the use of the Property.
4. The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
5. The successful bidder shall bear the burden of obtaining any and all approvals from the appropriate municipal, county or government agency, if applicable. The successful bidder shall also bear the burden of obtaining and paying for any and all necessary permits, connections and/or arrangements to provide for water, electric, sewer, or solid waste disposal.
6. The closing of title to the Property is "TIME OF THE ESSENCE" and must take place within 60 days of the date of planning/zoning board approval and the failure of the successful bidder to close title as agreed shall result in the successful bidder's forfeiture of any and all money deposited with the Township.
7. The purchaser(s) shall pay the cost of recording fees.
8. The purchaser(s) shall pay any and all realty transfer and "mansion" taxes assessed in connection with the sale of the Property.
9. With respect to the sale of the Property herein, NO real estate commission is owed.
10. No representation is made by the Township as to the utility, usability or environmental condition of the Property.

(e) All bids must satisfy any requirements and meet any terms and conditions of the Contract of Sale. The successful bidder will execute the Contract upon completion of bidding and its payment of the required deposit. To execute the Contract, the bidder shall properly execute the Contract in the signature spaces at the end. Failure to execute the Contract properly shall not affect the obligation of the successful bidder or the validity of the sale. The deed given by Lakewood Township for the Property will be a quitclaim deed. No title contingencies or conditions are permitted. In the event that the successful bidder fails to close title to the Property, the bidder shall forfeit all deposit monies made to the Township. No refunds whatsoever will be made by the Township of Lakewood in the event that the successful bidder fails to complete the purchase of the Property within thirty (30) days from the acceptance of the bid.

(f) The sale shall be subject to adjournment or cancellation by the Township Committee.

(g) Bidders may bid on the Property for a period of 30 days after second reading of this Ordinance. The highest bid when accepted will be the purchase price for the Property. Bids are to be submitted in a sealed envelope to the Town Manager with the 10% deposit during said 30 day period and opened thereafter.

(h) The Township reserves the right to accept the highest responsive bid if equal to or greater than the minimum bid price, or to reject all bids and not to award to the highest bidder. The Township reserves the right to waive any and all defects and informalities in any proposal, and to accept or reject the highest responsible and responsive bid deemed to be in the best interest of the Township.

(i) The Township's acceptance or rejection of bids shall be made not later than at the second regular Township Committee meeting following the auction. No bid shall be considered finally accepted until passage by the Township Committee of a Resolution accepting such bid.

(j) The Property is being sold "AS IS" "WHERE IS." The Property is sold subject to existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting the Property. A survey of the Property may be conducted by any prospective bidder, at its discretion, as part of its due diligence.

(k) Any material prepared and distributed in connection with this auction sale is for convenience purposes only and is intended to give prospective bidders a general understanding of the condition,

location and size of the Property. The Township of Lakewood is not responsible for errors that may appear in such materials. Each prospective bidder is urged to thoroughly research and examine the Property prior to placing a bid. The Property will be available for inspection by appointment only. Prospective bidders desiring to inspect the Property should contact Lauren Kirkman, Township Clerk at (732) 364-2500 ext. 5970 between the hours of 9:00 a.m. and 3:00 p.m. to make an appointment.

(I) It is suggested and recommended that potential bidders perform title searches and/or last owner and lien searches on the properties that they are interested in bidding upon prior to the date of bid submission in order that the potential bidder may be adequately apprised of any encumbrances or restrictions of record affecting the use and enjoyment of the property or properties. It is further suggested and recommended that potential bidders exercise due diligence with respect to every state of facts including open permits, local fines, penalties, taxes, assessments, etc., which may not be of record but which may nonetheless affect the use and enjoyment of the property or properties. The Township of Lakewood shall not be responsible for the costs associated with such searches in the event that the Township of Lakewood is unable to convey title and/or if a bid is rejected

SECTION 5. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, paragraph, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7. This Ordinance shall take effect upon final passage and publication in accordance with law.

Introduced: March 14, 2024

Adoption:

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify the foregoing to be a true and exact copy of the ordinance which was adopted by the Township Committee of the Township of Lakewood at a meeting held on _____, **2024** at 5:30 P.M.

NJDEP Mapped Wetlands

29 Cedar Street
Block 777 ~ Lot 7
Lakewood Twp., Ocean Co., NJ

Drawn By: NB Figure 5
Date: 4/13/2017
Job #: T2074.001
Scale: 1" = 70' 0"

U.S. National Grid
P: 732.818.8599 F: 732.818.3744

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Legend
— Surface Waters
Freshwater Wetlands

(E)17.

2024-008 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 Sickel Family, LLC, Of 1088 Route 88, Lakewood, NJ, For Facilities Located At 1104 Route 88, Lakewood, At Block 569, Lot 26 And Authorizing The Mayor And/Or His Designee And Township Clerk To Execute Any And All Documents Necessary And Proper To Enter Into A Tax Abatement Agreement

WHEREAS, Article VIII, Section I, Paragraph 6 of the Constitution of the State of New Jersey authorizes the Legislature to enact general laws enabling municipalities to adopt Ordinances granting tax exemption and abatement for buildings and structures in certain areas; and

WHEREAS, pursuant to said constitutional provision, the State Legislature adopted N.J.S.A. 40A:21-1 et seq. permitting the Commissioner of the Department of Community Affairs to allow qualified municipalities to grant tax abatement of real property taxes for new construction under certain circumstances; and

WHEREAS, the Township of Lakewood, upon application to the Department of Community Affairs of the State of New Jersey, has received approval to grant tax abatements under certain circumstances; and

WHEREAS, to that end, the Township of Lakewood has adopted Chapter 21 of the Revised General Ordinances of the Township of Lakewood 1971, as amended (Chapter XXIV Taxation, §24-1 et seq.) which sets forth the requirements the Township shall consider before granting or denying tax exemptions or abatements; and

WHEREAS, Sickel Family, LLC, has applied for tax abatement on the building located on property known as Block 569 Lot 26, known as 1104 Route 88, Lakewood; and

WHEREAS, the Township Committee finds that this project (a commercial building/showroom) qualifies as “construction” and/or “improvement” and as a “project” as defined in N.J.S.A. 40A:21-3(g) &/or (n) and N.J.S.A. 40A:21-3(p); that the project will significantly contribute to the expansion of commerce within the Township and with the eventual increase to the tax base of a substantial ratable; that the construction of these facilities will provide increased job opportunities within the Township; and that the project shall contribute toward the inducement of other projects to locate within the Township, thereby enhancing and improving the economic climate of the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, that the Mayor and or his designee, and Township Clerk be and hereby are authorized to execute a tax abatement with Sickel Family, LLC, granting abatement of taxes in a form approved by the Township attorney which agreement shall provide that the applicant pay to the Township of Lakewood, in lieu of full property tax payments, taxes as follows:

1. Taxes on land and on any improvements not the subject of tax abatement shall at all time remain at 100% assessment.
2. Taxes due on added assessments incurred as a result of the construction set forth above shall be payable by the Applicant for the time period beginning the first month following the date that the Lakewood Township Tax Assessor deems the property to be ready for its intended use and ending on December 31st next following the completion of construction. This payment for added assessment shall be due from the Applicant upon receipt of added assessment bill from the Township Tax Collector.
Thereafter the tax abatement will be or five annual periods (365 days) (“Annual Period”) from January 1 of the year following the date of the completion of the Project, except for tax agreement projects which remain under the prior provisions.
3. The first Annual Period following completion: no payment in lieu of taxes otherwise due on the project assessment for improvement value only.
4. The second Annual Period following completion: a payment in an amount not less than 20% of the taxes otherwise due on the project assessment for improvement value only.
5. The third Annual Period following completion: a payment in an amount not less than 40% of the taxes otherwise due on the project assessment for improvement value only.
6. The fourth Annual Period following completion: a payment in an amount not less than 60% of the taxes

otherwise due on the project assessment for improvement value only.

7. The fifth Annual Period following completion: a payment in an amount not less than 80% of the taxes otherwise due on the project assessment for improvement value only.

8. Thereafter, full taxes for the project shall be paid.

BE IT FURTHER ORDAINED that this Ordinance is contingent upon the applicant agreeing that should there be any improvements to the property at a later date, that the applicant will not be entitled to tax exemption for the increased taxes resulting from the improvements.

BE IT FURTHER ORDAINED that this Ordinance and Agreement authorized hereby shall be null and void if determined to be invalid for any reason by a court of law or by an individual, body or agency of the State of New Jersey having jurisdiction thereof or in the event applicant defaults in its obligations under the Agreement, and the full taxes on said property shall be due and owing as if no tax abatement were granted.

BE IT FURTHER ORDAINED that within thirty days after the execution of the Agreement, the Township Clerk shall forward to the Township of Lakewood Tax Assessor, the Township of Lakewood Tax Collector, the Director of the Division of Local Government Services and the Director of Economic Development, a duly certified copy of the Agreement.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Ordinance

ORDINANCE # 2024-

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 SICKEL FAMILY, LLC, OF 1088 ROUTE 88, LAKEWOOD, NJ, FOR FACILITIES LOCATED AT 1104 ROUTE 88, LAKEWOOD, AT BLOCK 569, LOT 26 AND AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE AND TOWNSHIP CLERK TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO ENTER INTO A TAX ABATEMENT AGREEMENT

WHEREAS, Article VIII, Section I, Paragraph 6 of the Constitution of the State of New Jersey authorizes the Legislature to enact general laws enabling municipalities to adopt Ordinances granting tax exemption and abatement for buildings and structures in certain areas; and

WHEREAS, pursuant to said constitutional provision, the State Legislature adopted N.J.S.A. 40A:21-1 et seq. permitting the Commissioner of the Department of Community Affairs to allow qualified municipalities to grant tax abatement of real property taxes for new construction under certain circumstances; and

WHEREAS, the Township of Lakewood, upon application to the Department of Community Affairs of the State of New Jersey, has received approval to grant tax abatements under certain circumstances; and

WHEREAS, to that end, the Township of Lakewood has adopted Chapter 21 of the Revised General Ordinances of the Township of Lakewood 1971, as amended (Chapter XXIV Taxation, §24-1 et seq.) which sets forth the requirements the Township shall consider before granting or denying tax exemptions or abatements; and

WHEREAS, Sickel Family, LLC, has applied for tax abatement on the building located on property known as Block 569 Lot 26, known as 1104 Route 88, Lakewood; and

WHEREAS, the Township Committee finds that this project (a commercial building/showroom) qualifies as “construction” and/or “improvement” and as a “project” as defined in N.J.S.A. 40A:21-3(g) &/or (n) and N.J.S.A. 40A:21-3(p); that the project will significantly contribute to the expansion of commerce within the Township and with the eventual increase to the tax base of a substantial ratable; that the construction of these facilities will provide increased job opportunities within the Township; and that the project shall contribute toward the inducement of other projects to locate within the Township, thereby enhancing and improving the economic climate of the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, that the Mayor and or his designee, and Township Clerk be and hereby are authorized to execute a tax abatement with Sickel Family, LLC,

granting abatement of taxes in a form approved by the Township attorney which agreement shall provide that the applicant pay to the Township of Lakewood, in lieu of full property tax payments, taxes as follows:

1. Taxes on land and on any improvements not the subject of tax abatement shall at all time remain at 100% assessment.

2. Taxes due on added assessments incurred as a result of the construction set forth above shall be payable by the Applicant for the time period beginning the first month following the date that the Lakewood Township Tax Assessor deems the property to be ready for its intended use and ending on December 31st next following the completion of construction. This payment for added assessment shall be due from the Applicant upon receipt of added assessment bill from the Township Tax Collector.

Thereafter the tax abatement will be for five annual periods (365 days) ("Annual Period") from January 1 of the year following the date of the completion of the Project, except for tax agreement projects which remain under the prior provisions.

3. The first Annual Period following completion: no payment in lieu of taxes otherwise due on the project assessment for improvement value only.

4. The second Annual Period following completion: a payment in an amount not less than 20% of the taxes otherwise due on the project assessment for improvement value only.

5. The third Annual Period following completion: a payment in an amount not less than 40% of the taxes otherwise due on the project assessment for improvement value only.

6. The fourth Annual Period following completion: a payment in an amount not less than 60% of the taxes otherwise due on the project assessment for improvement value only.

7. The fifth Annual Period following completion: a payment in an amount not less than 80% of the taxes otherwise due on the project assessment for improvement value only.

8. Thereafter, full taxes for the project shall be paid.

BE IT FURTHER ORDAINED that this Ordinance is contingent upon the applicant agreeing that should there be any improvements to the property at a later date, that the applicant will not be entitled to tax exemption for the increased taxes resulting from the improvements.

BE IT FURTHER ORDAINED that this Ordinance and Agreement authorized hereby shall be null and void if determined to be invalid for any reason by a court of law or by an individual, body or agency of the State of New Jersey having jurisdiction thereof or in the event applicant defaults in its obligations under the Agreement, and the full taxes on said property shall be due and owing as if no tax abatement were granted.

BE IT FURTHER ORDAINED that within thirty days after the execution of the Agreement, the Township Clerk shall forward to the Township of Lakewood Tax Assessor, the Township of Lakewood Tax Collector, the Director of the Division of Local Government Services and the Director of Economic Development, a duly certified copy of the Agreement.

Introduced: March 14, 2024

Adoption:

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify the foregoing to be a true and exact copy of the ordinance which was adopted by the Township Committee of the Township of Lakewood at a meeting held on _____, **2024** at 5:30 P.M.

Lauren Kirkman RMC, CMR
Township Clerk

(E)18.

2024-009 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Article IX ("Zoning Districts And Regulations") Section 18-900 Of The Unified Development Ordinance Of The Revised General Ordinances Of The Township Of Lakewood.

BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

SECTION 1. That Article IX of the Unified Development Ordinance of the Revised General Ordinances of the Township of Lakewood entitled "Zoning Districts and Regulations" Section 18-900 be and hereby is amended and supplemented with a new Paragraph N as follows:

18-900 General

* * *

N. In all residential zones where sheds are permitted as accessory uses, and notwithstanding the definition of "sheds" found at Section 18-200 which permits sheds to be placed up to five (5) feet from side and rear property lines, and in certain and limited cases, the Zoning Officer may issue a zoning permit for a shed to be located immediately adjacent to the side or rear property line, provided the proposed shed meets the following criteria and the applicant follows the procedure outlined below:

- a. The owner(s) of the contiguous property upon which the shed will be placed immediately next to same shall confirm in writing that they have no objection to the location of the proposed shed. This requirement is unnecessary if the requestor also owns the adjacent property.
- b. The shed is located and designed so as to have the least impact on adjacent properties.
- c. In no case shall the shed height exceed 12 feet.
- d. The proposed shed complies with all other Lakewood Township shed requirements.
- e. Application Procedure. An application for a Lakewood Township Shed Permit for the proposed shed is required.
- f. No shed shall be permitted within any drainage easement or conservation easement.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby replaced to the extent of such inconsistency.

SECTION 3. If any section, subsection, paragraph, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication as required by law.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Ordinance

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE IX ("ZONING DISTRICTS AND REGULATIONS") SECTION 18-900 OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAKEWOOD.

BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

SECTION 1. That Article IX of the Unified Development Ordinance of the Revised General Ordinances of the Township of Lakewood entitled "Zoning Districts and Regulations" Section 18-900 be and hereby is amended and supplemented with a new Paragraph N as follows:

18-900 General

* * *

N. In all residential zones where sheds are permitted as accessory uses, and notwithstanding the definition of "sheds" found at Section 18-200 which permits sheds to be placed up to five (5) feet from side and rear property lines, and in certain and limited cases, the Zoning Officer may issue a zoning permit for a shed to be located immediately adjacent to the side or rear property line, provided the proposed shed meets the following criteria and the applicant follows the procedure outlined below:

a. The owner(s) of the contiguous property upon which the shed will be placed immediately next to same shall confirm in writing that they have no objection to the location of the proposed shed. This requirement is unnecessary if the requestor also owns the adjacent property.

b. The shed is located and designed so as to have the least impact on adjacent properties.

c. In no case shall the shed height exceed 12 feet.

d. The proposed shed complies with all other Lakewood Township shed requirements.

e. Application Procedure. An application for a Lakewood Township Shed Permit for the proposed shed is required.

f. No shed shall be permitted within any drainage easement or conservation easement.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby replaced to the extent of such inconsistency.

SECTION 3. If any section, subsection, paragraph, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication as required by law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Lakewood, in the County of Ocean and State of New Jersey on the _____ day of _____, **2024**, and was then read for the first time. The said Ordinance will be further considered for final passage by the Township Committee in the Town Hall at 5:30 p.m. on _____, **2024**. At such time and place or any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

LAUREN KIRKMAN, RMC CMR

LAKEWOOD TOWNSHIP CLERK

(F)19.

2024-005 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 475 Oberlin Owner, LLC, Of 475 Oberlin Avenue, Lakewood, NJ, For Facilities Located At 465 Oberlin Avenue, Lakewood, At Block 1601, Lot 3.02 And Authorizing The Mayor And/Or His Designee And Township Clerk To Execute Any And All Documents Necessary And Proper To Enter Into A Tax Abatement Agreement

WHEREAS, Article VIII, Section I, Paragraph 6 of the Constitution of the State of New Jersey authorizes the Legislature to enact general laws enabling municipalities to adopt Ordinances granting tax exemption and abatement for buildings and structures in certain areas; and

WHEREAS, pursuant to said constitutional provision, the State Legislature adopted N.J.S.A. 40A:21-1 et seq. permitting the Commissioner of the Department of Community Affairs to allow qualified municipalities to grant tax abatement of real property taxes for new construction under certain circumstances; and

WHEREAS, the Township of Lakewood, upon application to the Department of Community Affairs of the State of New Jersey, has received approval to grant tax abatements under certain circumstances; and

WHEREAS, to that end, the Township of Lakewood has adopted Chapter 21 of the Revised General Ordinances of the Township of Lakewood 1971, as amended (Chapter XXIV Taxation, §24-1 et seq.) which sets forth the requirements the Township shall consider before granting or denying tax exemptions or abatements; and

WHEREAS, 475 OBERLIN OWNER, LLC, has applied for tax abatement on the building located on property known as Block 1601 Lot 3.02, known as 465 Oberlin Avenue, Lakewood; and

WHEREAS, the Township Committee finds that this project (an office building) qualifies as “construction” and as a “project” as defined in N.J.S.A. 40A:21-3(g) and 40A:21-3(p); that the project will significantly contribute to the expansion of commerce within the Township and with the eventual increase to the tax base of a substantial ratable; that the construction of these facilities will provide increased job opportunities within the Township; and that the project shall contribute toward the inducement of other projects to locate within the Township, thereby enhancing and improving the economic climate of the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, that the Mayor and or his designee, and Township Clerk be and hereby are authorized to execute a tax abatement with 475 OBERLIN OWNER, LLC, granting abatement of taxes in a form approved by the Township attorney which agreement shall provide that the applicant pay to the Township of Lakewood, in lieu of full property tax payments, taxes as follows:

1. Taxes on land and on any improvements not the subject of tax abatement shall at all time remain at 100% assessment.
2. Taxes due on added assessments incurred as a result of the construction set forth above shall be payable by the Applicant for the time period beginning the first month following the date that the Lakewood Township Tax Assessor deems the property to be ready for its intended use and ending on December 31st next following the completion of construction. This payment for added assessment shall be due from the Applicant upon receipt of added assessment bill from the Township Tax Collector.
Thereafter the tax abatement will be or five annual periods (365 days) (“Annual Period”) from January 1 of the year following the date of the completion of the Project, except for tax agreement projects which remain under the prior provisions.
3. The first Annual Period following completion: no payment in lieu of taxes otherwise due on the project assessment for improvement value only.
4. The second Annual Period following completion: a payment in an amount not less than 20% of the taxes otherwise due on the project assessment for improvement value only.
5. The third Annual Period following completion: a payment in an amount not less than 40% of the taxes otherwise due on the project assessment for improvement value only.
6. The fourth Annual Period following completion: a payment in an amount not less than 60% of the taxes

otherwise due on the project assessment for improvement value only.

7. The fifth Annual Period following completion: a payment in an amount not less than 80% of the taxes otherwise due on the project assessment for improvement value only.

8. Thereafter, full taxes for the project shall be paid.

BE IT FURTHER ORDAINED that this Ordinance is contingent upon the applicant agreeing that should there be any improvements to the property at a later date, that the applicant will not be entitled to tax exemption for the increased taxes resulting from the improvements.

BE IT FURTHER ORDAINED that this Ordinance and Agreement authorized hereby shall be null and void if determined to be invalid for any reason by a court of law or by an individual, body or agency of the State of New Jersey having jurisdiction thereof or in the event applicant defaults in its obligations under the Agreement, and the full taxes on said property shall be due and owing as if no tax abatement were granted.

BE IT FURTHER ORDAINED that within thirty days after the execution of the Agreement, the Township Clerk shall forward to the Township of Lakewood Tax Assessor, the Township of Lakewood Tax Collector, the Director of the Division of Local Government Services and the Director of Economic Development, a duly certified copy of the Agreement.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

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 475 OBERLIN OWNER, LLC, OF 475 OBERLIN AVENUE, LAKEWOOD, NJ, FOR FACILITIES LOCATED AT 465 OBERLIN AVENUE, LAKEWOOD, AT BLOCK 1601, LOT 3.02 AND AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE AND TOWNSHIP CLERK TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO ENTER INTO A TAX ABATEMENT AGREEMENT

WHEREAS, Article VIII, Section I, Paragraph 6 of the Constitution of the State of New Jersey authorizes the Legislature to enact general laws enabling municipalities to adopt Ordinances granting tax exemption and abatement for buildings and structures in certain areas; and

WHEREAS, pursuant to said constitutional provision, the State Legislature adopted N.J.S.A. 40A:21-1 et seq. permitting the Commissioner of the Department of Community Affairs to allow qualified municipalities to grant tax abatement of real property taxes for new construction under certain circumstances; and

WHEREAS, the Township of Lakewood, upon application to the Department of Community Affairs of the State of New Jersey, has received approval to grant tax abatements under certain circumstances; and

WHEREAS, to that end, the Township of Lakewood has adopted Chapter 21 of the Revised General Ordinances of the Township of Lakewood 1971, as amended (Chapter XXIV Taxation, §24-1 et seq.) which sets forth the requirements the Township shall consider before granting or denying tax exemptions or abatements; and

WHEREAS, 475 OBERLIN OWNER, LLC, has applied for tax abatement on the building located on property known as Block 1601 Lot 3.02, known as 465 Oberlin Avenue, Lakewood; and

WHEREAS, the Township Committee finds that this project (an office building) qualifies as “construction” and as a “project” as defined in N.J.S.A. 40A:21-3(g) and 40A:21-3(p); that the project will significantly contribute to the expansion of commerce within the Township and with the eventual increase to the tax base of a substantial ratable; that the construction of these facilities will provide increased job opportunities within the Township; and that the project shall contribute toward the inducement of other projects to locate within the Township, thereby enhancing and improving the economic climate of the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, that the Mayor and or his designee, and

Township Clerk be and hereby are authorized to execute a tax abatement with 475 OBERLIN OWNER, LLC, granting abatement of taxes in a form approved by the Township attorney which agreement shall provide that the applicant pay to the Township of Lakewood, in lieu of full property tax payments, taxes as follows:

1. Taxes on land and on any improvements not the subject of tax abatement shall at all time remain at 100% assessment.

2. Taxes due on added assessments incurred as a result of the construction set forth above shall be payable by the Applicant for the time period beginning the first month following the date that the Lakewood Township Tax Assessor deems the property to be ready for its intended use and ending on December 31st next following the completion of construction. This payment for added assessment shall be due from the Applicant upon receipt of added assessment bill from the Township Tax Collector.

Thereafter the tax abatement will be or five annual periods (365 days) ("Annual Period") from January 1 of the year following the date of the completion of the Project, except for tax agreement projects which remain under the prior provisions.

3. The first Annual Period following completion: no payment in lieu of taxes otherwise due on the project assessment for improvement value only.

4. The second Annual Period following completion: a payment in an amount not less than 20% of the taxes otherwise due on the project assessment for improvement value only.

5. The third Annual Period following completion: a payment in an amount not less than 40% of the taxes otherwise due on the project assessment for improvement value only.

6. The fourth Annual Period following completion: a payment in an amount not less than 60% of the taxes otherwise due on the project assessment for improvement value only.

7. The fifth Annual Period following completion: a payment in an amount not less than 80% of the taxes otherwise due on the project assessment for improvement value only.

8. Thereafter, full taxes for the project shall be paid.

BE IT FURTHER ORDAINED that this Ordinance is contingent upon the applicant agreeing that should there be any improvements to the property at a later date, that the applicant will not be entitled to tax exemption for the increased taxes resulting from the improvements.

BE IT FURTHER ORDAINED that this Ordinance and Agreement authorized hereby shall be null and void if determined to be invalid for any reason by a court of law or by an individual, body or agency of the State of New Jersey having jurisdiction thereof or in the event applicant defaults in its obligations under the Agreement, and the full taxes on said property shall be due and owing as if no tax abatement were granted.

BE IT FURTHER ORDAINED that within thirty days after the execution of the Agreement, the Township Clerk shall forward to the Township of Lakewood Tax Assessor, the

Township of Lakewood Tax Collector, the Director of the Division of Local Government Services and the Director of Economic Development, a duly certified copy of the Agreement.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Lakewood, in the County of Ocean and State of New Jersey on the ____ day of _____, 2024 and was then read for the first time. The said Ordinance will be further considered for final passage by the Township Committee in the Town Hall at 5:30 p.m. on _____, 2024. At such time and place or any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance.

**LAUREN KIRKMAN, RMC CMR
LAKEWOOD TOWNSHIP CLERK**

(F)20.

2024-006 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 11-10 (Stopping Or Standing) (Sunset Road)

BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

SECTION 1. That Chapter XI entitled “Traffic” of the revised general ordinances of the Township of Lakewood, specifically Section 11-10 entitled “Stopping or Standing” be and hereby is amended and supplemented as follows:

11-10.01 Stopping or Standing Prohibited

1971 Code § 11-12A; Ord. No. 96-61; Ord. No. 98-13; Ord. No. 2005-102 § 1; Ord. No. 2012-11; Ord. No. 2012-20; Ord. No. 2014-72; Ord. No. 2014-94; Ord. No. 2015-3 Ord. No. 2020-024 Ord. No. 2020-042, Ord. 2021-029, Ord. 2021-033, Ord No. 2021-40, Ord. No. 2021-45; Ord. 2021-53, Ord. 2021-61, Ord. No. 2022-007, Ord. No. 2022-008, Ord. No. 2022-009, Ord. No. 2022-038, Ord. No. 2022-048, 2023-015, 2023-031, 2023-035, 2023-044, 2024-003, 2024-

No person shall stop or stand a vehicle on any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

Note: An asterisk following the street name indicates that the Sunday and public holiday exception does not apply. Stopping or standing prohibitions will apply on all days at all times.

Name of Street Sides Times Location

Sunset Road* East All Starting at a point of the Water Company driveway located at 103 Sunset Road 15 feet north and south of the driveway.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, paragraph, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication as required by law.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify that the above is a true copy of a Resolution duly adopted by the Township Committee of the Township of Lakewood in the County of Ocean, at its meeting held on **March 14, 2024**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Ordinance

ORDINANCE 2024-006

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 11-10 (STOPPING OR STANDING) (SUNSET ROAD)

BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

SECTION 1. That Chapter XI entitled "Traffic" of the revised general ordinances of the Township of Lakewood, specifically Section 11-10 entitled "Stopping or Standing" be and hereby is amended and supplemented as follows:

11-10.01 Stopping or Standing Prohibited

1971 Code § 11-12A; Ord. No. 96-61; Ord. No. 98-13; Ord. No. 2005-102 § 1; Ord. No. 2012-11; Ord. No. 2012-20; Ord. No. 2014-72; Ord. No. 2014-94; Ord. No. 2015-3 Ord. No. 2020-024 Ord. No. 2020-042, Ord. 2021-029, Ord. 2021-033, Ord No. 2021-40, Ord. No. 2021-45; Ord. 2021-53, Ord. 2021-61, Ord. No. 2022-007, Ord. No. 2022-008, Ord. No. 2022-009, Ord. No. 2022-038, Ord. No. 2022-048, 2023-015, 2023-031, 2023-035, 2023-044, 2024-003, 2024-

No person shall stop or stand a vehicle on any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

Note: An asterisk following the street name indicates that the Sunday and public holiday exception does not apply. Stopping or standing prohibitions will apply on all days at all times.

Name of Street	Sides	Times	Location
Sunset Road*	East	All	Starting at a point of the Water Company driveway located at 103 Sunset Road 15 feet north and south of the driveway.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, paragraph, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or

invalidate the remainder of this Ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication as required by law.

Introduced:

Adoption:

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify the foregoing to be a true and exact copy of the ordinance which was adopted by the Township Committee of the Township of Lakewood at a meeting held on **March __, 2024** at 5:30 P.M.,

Lauren Kirkman, RMC CMR
Township Clerk