

AGENDA MAY 22, 2025
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 7, 2025.

(A) ROLL CALL - MEETING BEGINS AT 5:30 P. M. The public is welcome to participate using Web-Ex either by computer (audio/visual) <https://signin.webex.com/join> or by phone (audio only). The phone number is (408) 418-9388. The Meeting ID#/Password is: 28679641494. 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 button to be recognized via computer. Comments may also be emailed to comments@lakewoodnj.gov. This meeting is live-streamed & recorded on Townhall Streams at <https://townhallstreams.com>

(B) SALUTE TO THE FLAG AND PRAYER

(C) APPROVAL OF MINUTES: April 10, 2025

(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. 2025-0230 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing Performance Guarantee Posted By Chaim E. Rothman In Connection With 15 Negba Street Block 236, Lot 30
- (D)2. 2025-0231 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Shamshon Weiss In Connection With SD #2547 (10th Street) Block 134, Lots 18 & 19
- (D)3. 2025-0232 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Albert Street Holdings, LLC, In Connection With SD 2282 (Pine Street) Block 830.11 Lot 2
- (D)4. 2025-0233 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Regency Development Properties, LLC, In Connection With SP # 2445 (Hope Chapel & Miller Rd) Block 7 Lots 15 & 52
- (D)5. 2025-0234 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted

- By Congregation Birchas Chaim, Inc., In Connection With SP 2497 (Vine, Surf & Mermaid) Block 1131 Lot 1
- (D)6. 2025-0235 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing Performance Guarantee Posted By 15 Sylvan, LLC In Connection With SD 2427 (Sylvan Ct) Block 411, Lot 69
- (D)7. 2025-0236 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Temporary Certificate Of Occupancy Performance Guarantee Posted By Yeshiva Nesivos Hatorah In Connection With SP #2452 (Caldwell Ave) Block 1098, Lot 1.01
- (D)8. 2025-0237 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Temporary Certificate Of Occupancy Performance Guarantee Posted By 1890 Swarthmore, LLC In Connection With SP #2422 (Swarthmore Ave) Block 1606, Lot 5
- (D)9. 2025-0238 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing The Maintenance Guarantee Posted By Dan Werbler/Lakewood Business, LLC. In Connection With SP #1794 (Cross St), Block 524, Lot 3
- (D)10. 2025-0239 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Extension Of Time To Close Title On The Sale Of A Portion Of Block 777, Lot 5 Pursuant To Resolution #2024-214 Accepting The Highest Bid (29 Cedar)
- (D)11. 2025-0240 Resolution Of The Township Lakewood, County Of Ocean, State Of New Jersey, Authorizing Execution Of A Deed Of Release Of Reverter For Misameach, Inc., D/B/A Spreading Smiles.
- (D)12. 2025-0241 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Dedicating To Itself Block 1159, Lots 2 And 6 For Development As Public Parking Lots
- (D)13. 2025-0242 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing A Place To Place Transfer Of Plenary Retail Consumption License #1514-33-034-005 (Expansion of Premises Entree)
- (D)14. 2025-0243 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing A Person To Person Transfer Of Plenary Retail Consumption License #1514-32-022-011 (MGAR)
- (D)15. 2025-0244 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Renewal Of Towing Licenses For The Year 2024-2025
- (D)16. 2025-0245 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Submission Of The Strategic Plan Forms Between The Ocean County Board Of Health And The Township Of Lakewood For The Governor's Council On Alcoholism And Drug Abuse Fiscal Grant Cycle July 2020-June

2026

- (D)17. 2025-0246 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Appointing Members To The Lakewood Township Municipal Alliance
- (D)18. 2025-0247 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Sale Of A Ford E350 Box Truck To Chaverim For Nominal Consideration
- (D)19. 2025-0248 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Rejecting All Bids For The W. County Line Road & Prospect Street Sidewalk Improvements Pursuant To And In Accordance With N.J.S.A. 40a:11-1 Et Seq.
- (D)20. 2025-0249 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)21. 2025-0250 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing The Award Of Contract To Procure A 40 Cubic Yard Dumpster Container Pursuant To And In Accordance With P.L. 2011, C.139
- (D)22. 2025-0251 Resolution Township Of Lakewood County Of Ocean, State Of New Jersey Authorizing An Emergency Temporary Appropriation For 2025 Budget
- (D)23. 2025-0252 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Cancelling Various Grant Receivable And Grant Appropriated Reserve Balances
- (D)24. 2025-0253 Resolution Of The Township Of Lakewood County Of Ocean State Of New Jersey Authorizing The Cancellation Of Old Outstanding Checks Appearing On The Records Of The Township Of Lakewood
- (D)25. 2025-0254 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Cancel Small Balances Pursuant To N.J.S.A.40a:5-17.1
- (D)26. 2025-0255 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayments On Various Block And Lots (Madison Title Agency)
- (D)27. 2025-0256 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayments On Various Block And Lots (Corelogic)
- (D)28. 2025-0257 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayments On Various Block And Lots (Universal)
- (D)29. 2025-0258 Resolution Of The Township Of Lakewood, County of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayment On Block 12 And Lot 19.05

- (D)30. 2025-0259 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayments On Various Block And Lots
- (D)31. 2025-0260 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayments By Homeowners And Title Companies On Various Block And Lots
- (D)32. 2025-0261 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Lakewood Tax Collector To Cancel Any And All Property Taxes On Block 1248 Lot 371.04, Due To Disabled Veteran Exemption
- (D)33. 2025-0262 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Lakewood Tax Collector To Cancel Any And All Property Taxes On Block 1587 Lot 1177.03, Due To Disabled Veteran Exemption
- (D)34. 2025-0263 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Release Of Funds Received For Redemption Of Tax Sale Certificates To Lienholders
- (D)35. 2025-0264 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing The Award Of A Competitive Contracting Bid For A Kayak Rental Service In Accordance With N.J.S.A 40a:11-1 Et Seq
- (D)36. 2025-0265 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Awarding A Contact For The Cell Tower Land Lease At 231 Third Street Lakewood NJ Pursuant To And In Accordance With N.J.S.A. 40a:11-1 Et Seq.
- (E) ORDINANCES FIRST READING - Public Hearing Scheduled For June 26, 2025
- (E)37. 2025-021 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Opting Into The Garden State C-Pace Program To Facilitate The Financing Of C-Pace Projects
- (E)38. 2025-022 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 1965 Swarthmore Partners, LP, For Facilities Located At Block 1607, Lot 3 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)39. 2025-023 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 Kikar Shabbos 1, LLC, For Facilities Located At Block 161, Lot 2 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)40. 2025-024 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing, Extinguishing And Vacating The Rights Of The Public To Portion Of A Paper Street Known As Ostend Street In The Township Of Lakewood
- (E)41. 2025-025 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Public Sale Of Block 459, Lot 7 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, At Open Public Sale Pursuant To N.J.S.A. 40a:12-1 Et Seq. (Beaver Street And Nussbaum Avenue)
- (E)42. 2025-026 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Changing The Name Of A Streets Known As Columbus Avenue, As Depicted On Tax Map Sheets 87 And 89 To Java Avenue Pursuant To And In Accordance With N.J.S.A. 40:67-1(K) Et Seq.
- (E)43. 2025-027 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Sale Of Block 440.07, Lot 2 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, At Private Sale Pursuant To N.J.S.A. 40a:12-1 Et Seq. (Nassau Street And Amsterdam Avenue)
- (E)44. 2025-028 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Sale Of Block 451, Lot 7 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, At Private Sale Pursuant To N.J.S.A. 40a:12-1 Et Seq. (Columbus Avenue)
- (E)45. 2025-029 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Sale Of Block 456, Lot 6 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, At Private Sale Pursuant To N.J.S.A. 40a:12-1 Et Seq. (Beaver Street And Amsterdam Avenue)
- (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)46. 2025-017 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Article IX ("Zoning Districts And Regulations") Section 18-1001 ("Adult Communities") Of The Unified Development Ordinance Of The Revised General Ordinances Of The Township Of Lakewood
- (F)47. 2025-018 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Granting A 35 Foot Wide Utility Easement To The Lakewood Township Municipal Utilities Authority For Purposes Of Providing Underground Utilities In A Portion Of Block 1248.40, Lot 35 And Block 1248.42, Lot 1.61 On The Tax Map Of The Township Of Lakewood

- (F)48. 2025-019 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Amending And Supplementing Chapter 24 "Taxation" Specifically Section 24-2 ("Hotel And Motel Room Occupancy Tax") Of The Revised General Ordinances Of The Township Of Lakewood
- (F)49. 2025-020 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Opting Into The Garden State C-Pace Program To Facilitate And Finance C-Pace Projects
- (G) MOTION TO APPROVE BILL LIST: May 20, 2025
- (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) ADJOURNMENT

(D)1.2025-0230

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing Performance Guarantee Posted By Chaim E. Rothman In Connection With 15 Negba Street Block 236, Lot 30

WHEREAS, a performance guarantee was heretofore posted with the Township by Chaim E. Rothman, in the form of Check #3040434 dated November 22, 2021, in the amount of \$9,070.00 issued by Santander Bank, in connection with 15 Negba Street, Block 236 Lot 30 and,

WHEREAS, under date of April 25, 2025, 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. The applicant shall verify that all outstanding engineering inspection escrow charges are paid.
3. The posting of a maintenance bond is hereby waived.
4. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer;
 - B. Chief Financial Officer;
 - C. Chaim E. Rothman

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B236 L30

Engineer Letter B236 L30

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF
LAKEWOOD, COUNTY OF OCEAN, STATE OF
NEW JERSEY, RELEASING PERFORMANCE
GUARANTEE POSTED BY CHAIM E. ROTHMAN
IN CONNECTION WITH 15 NEGBA STREET
BLOCK 236, LOT 30**

WHEREAS, a performance guarantee was heretofore posted with the Township by Chaim E. Rothman, in the form of Check #3040434 dated November 22, 2021, in the amount of \$9,070.00 issued by Santander Bank, in connection with 15 Negba Street, Block 236 Lot 30 and,

WHEREAS, under date of April 25, 2025, 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. The applicant shall verify that all outstanding engineering inspection escrow charges are paid.
3. The posting of a maintenance bond is hereby waived.
4. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer;
 - B. Chief Financial Officer;
 - C. Chaim E. Rothman

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 **May 22, 2025.**

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

April 25, 2025
RVE Job No. 151511378

RECOMMENDATION FOR RELEASE OF PERFORMANCE GUARANTEE
WAIVE MAINTENANCE BOND

DEVELOPER: Chaim E. Rothman
APPLICATION #: N/A (15 Negba St)
BLOCK: 236 **LOT:** 30

A request has been received from the applicant 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:

- Performance Guarantee: Official Check No. 3040434
- Drawn on: Santander Bank
- Amount: \$9,070.00
- Dated: November 22, 2021

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.

The obligor may request either a partial or complete reduction of his performance guarantee upon substantial completion of the required street improvements. 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) Verification that all outstanding engineering inspection escrow charges are paid.

Given the scope of work for this project, I also recommend that the requirement of providing a maintenance guarantee be waived for this project.

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

DC:slf

cc: Phil Roux, Director of Public Works; Margaret Stazko, Assistant Treasurer, Megan Nixon, Supervisor of Accounts;; Lauren Kirkman, Township Clerk; Steven Secare, Township Attorney; Chaim E. Rothman – 15 Negba Street, Lakewood, NJ 08701 (chavyrothman@gmail.com)

(D)2.2025-0231

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Shamshon Weiss In Connection With SD #2547 (10th Street) Block 134, Lots 18 & 19

WHEREAS, a performance guarantee was heretofore posted with the Township by Shamshon Weiss in the form of Check No. 86225711-5 date August 21, 2023, issued by TD Bank, in the amount of \$20,000.00, in connection with SD 2547, Demolition of Structure, Block 134, Lots 18 & 19; and

WHEREAS, under date of April 25, 2025, 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. Shamshon Weiss

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B134 L18 & 19

Engineer Letter B134 L18 & 19

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF
LAKEWOOD, COUNTY OF OCEAN, STATE OF
NEW JERSEY, RELEASING A PERFORMANCE
GUARANTEE POSTED BY SHAMSHON WEISS IN
CONNECTION WITH SD #2547 (10TH STREET)
BLOCK 134, LOTS 18 & 19**

WHEREAS, a performance guarantee was heretofore posted with the Township by Shamshon Weiss in the form of Check No. 86225711-5 date August 21, 2023, issued by TD Bank, in the amount of \$20,000.00, in connection with SD 2547, Demolition of Structure, Block 134, Lots 18 & 19; and

WHEREAS, under date of April 25, 2025, 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. Shamshon Weiss

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 **May 22, 2025.**

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

April 25, 2025
RVE Job No. 151511560

RECOMMENDATION FOR RELEASE OF PERFORMANCE GUARANTEE
DEMOLITION OF STRUCTURE

DEVELOPER: Shamshon Weiss
APPLICATION #: SD 2547 (10th St)
BLOCK: 134 **LOT:** 18 & 19

Our office recently received a request from the applicant for the release of the Performance Guarantee for the building demolition for the above referenced application. Based upon a performance bond estimate by the Township Engineer, the applicant posted a performance guarantee as follows:

1. Performance Guarantee: Official Check No. 86225711-5
2. Drawn on: TD Bank
3. Amount: \$20,000.00
4. Date: August 21, 2023

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 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: Phil Roux, Director of Public Works
Lauren Kirkman, Township Clerk
Margaret Stazko, Assistant Treasurer
Megan Nixon, Supervisor of Accounts
Steven Secare, Township Attorney
Shamshon Weiss – 125 10th Street, Lakewood, NJ 08701 (fstop@kewnet.com)

(D)3.2025-0232

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Albert Street Holdings, LLC, In Connection With SD 2282 (Pine Street) Block 830.11 Lot 2

WHEREAS, a performance guarantee was heretofore posted with the Township by Albert Street Holdings, LLC in the form of a Letter of Credit No. SDCMTN574219 dated November 9, 2018 in the amount of \$1,927,250.90 with a First Reduction in the amount of \$547,467.98 on February 24, 2021 issued by HSBC Bank, in connection with SD # 2282, Block 830.11, Lot 2 and,

WHEREAS, under date of April 29, 2025, 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 \$ 266,850.00.
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 maintain a balance of \$11,075.39 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.
4. The Applicant shall provide a final release letter from Ocean County Soil Conservation District.
5. The Applicant shall provide an independent third party (professional engineer) certification of completed work regarding the retaining wall.
6. The Township Clerk shall forward a certified copy of the Resolution to the following:
 - a. Township Engineer;
 - b. Chief Financial Officer
 - c. Albert Street Holdings, 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B830.11 L2

Engineer Letter B830.11 L2

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, RELEASING A PERFORMANCE GUARANTEE
POSTED BY ALBERT STREET HOLDINGS, LLC, IN CONNECTION WITH SD 2282
(PINE STREET) BLOCK 830.11 LOT 2**

WHEREAS, a performance guarantee was heretofore posted with the Township by Albert Street Holdings, LLC in the form of a Letter of Credit No. SDCMTN574219 dated November 9, 2018 in the amount of \$1,927,250.90 with a First Reduction in the amount of \$547,467.98 on February 24, 2021 issued by HSBC Bank, in connection with SD # 2282, Block 830.11, Lot 2 and,

WHEREAS, under date of April 29, 2025, 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 \$ 266,850.00.
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.
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4. The Applicant shall provide a final release letter from Ocean County Soil Conservation District.

5. The Applicant shall provide an independent third party (professional engineer) certification of completed work regarding the retaining wall.
6. The Township Clerk shall forward a certified copy of the Resolution to the following:
 - a. Township Engineer;
 - b. Chief Financial Officer
 - c. Albert Street Holdings, 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 **May 22, 2025.**

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

April 29, 2025
RVE Job No. 15151012

RECOMMENDATION FOR RELEASE OF PERFORMANCE GUARANTEE

DEVELOPER: Albert Street Holdings, LLC

APPLICATION #: SD 2282 (Pine Street)

BLOCK: 830.11 **LOT:** 2

A written request has been received from the applicant 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:

- Performance Guarantee: Letter of Credit No. SDCMTN574219
- Issued By: HSBC Bank
- Amount/Dated: \$1,927,250.90 November 9, 2018
- 1st Reduction: \$574,467.98 February 24, 2021

The obligor may request either a partial or complete reduction of this 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 in the public right-of way shall be maintained by the Township of Lakewood. Any stormwater management improvements located on private property shall be maintained by the Albert Run Homeowner Association.

In accordance with the approval granted the following streets shall be **public** street(s):

1. Radiant Hill
2. Sims Avenue from Pine Street to Radiant Hill

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 \$266,850.00, 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) Maintenance of a \$11,075.39 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.
- 4) Provide a final release letter from Ocean County Soil Conservation District.

- 5) Independent third party (professional engineer) certification of completed work regarding the retaining wall.

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:

1. Maintenance Bond Form

JWS: sc

cc: Phil Roux, Director of Public Works
Lauren Kirkman, Township Clerk
Steven Secare, Township Attorney
Ocean County Soil Conservation District
Albert Street holdings, LLC, 911 East County Line Road, Suite 204 Lakewood, NJ 08701

(D)4.2025-0233

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Regency Development Properties, LLC, In Connection With SP # 2445 (Hope Chapel & Miller Rd) Block 7 Lots 15 & 52

WHEREAS, a performance guarantee was heretofore posted with the Township by Regency Development Properties, LLC, in the form of a Check # 1042 dated June 23, 2022 in the amount of \$76,890.00 issued by Lakeland Bank, in connection with SP # 2445, Block 7, Lots 15 & 52 and,

WHEREAS, under date of April 29, 2025, 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 \$ 20,260.00.
2. The Applicant shall provide a 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)
3. The Applicant shall provide proof of filing and recording of Stormwater Maintenance Manual, which has been approved by this office.
4. The Applicant shall maintain a balance of \$1,287.00 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.
5. The Applicant shall provide a final release letter from Ocean County Soil Conservation District.
6. Provide a letter of final acceptance from the Ocean County Engineering Dept. for all road improvements along county roads.
7. The Applicant shall provide an independent third party (professional engineer) certification of completed work regarding the retaining wall.
8. The Applicant shall provide proof that the lots shall be consolidated as a condition of any approval.

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

- a. Township Engineer;
- b. Chief Financial Officer
- c. 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B7 & L15 & 52

Engineer Letter B7 & L15 & 52

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, RELEASING A PERFORMANCE GUARANTEE
POSTED BY REGENCY DEVELOPMENT PROPERTIES, LLC, IN CONNECTION
WITH SP # 2445 (HOPE CHAPEL & MILLER RD) BLOCK 7 LOTS 15 & 52**

WHEREAS, a performance guarantee was heretofore posted with the Township by Regency Development Properties, LLC, in the form of a Check # 1042 dated June 23, 2022 in the amount of \$76,890.00 issued by Lakeland Bank, in connection with SP # 2445, Block 7, Lots 15 & 52 and,

WHEREAS, under date of April 29, 2025, 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 \$ 20,260.00.
2. The Applicant shall provide a 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)
3. The Applicant shall provide proof of filing and recording of Stormwater Maintenance Manual, which has been approved by this office.
4. The Applicant shall maintain a balance of \$1,287.00 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.

5. The Applicant shall provide a final release letter from Ocean County Soil Conservation District.
6. Provide a letter of final acceptance from the Ocean County Engineering Dept. for all road improvements along county roads.
7. The Applicant shall provide an independent third party (professional engineer) certification of completed work regarding the retaining wall.
8. The Applicant shall provide proof that the lots shall be consolidated as a condition of any approval.
9. The Township Clerk shall forward a certified copy of the Resolution to the following:
 - a. Township Engineer;
 - b. Chief Financial Officer
 - c. 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 **May 22, 2025.**

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

April 29, 2025
RVE Job No. 15151419

RECOMMENDATION FOR RELEASE OF PERFORMANCE GUARANTEE

DEVELOPER: Regency Development Properties, LLC

APPLICATION #: SP 2445 (Hope Chapel & Miller Rd)

BLOCK: 7 **LOT:** 15 & 52

A written request has been received from the applicant 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:

- Performance Guarantee: Check No. 1042
- Issued By: Lakeland Bank
- Amount: \$76,890.00
- Dated: June 23, 2022

The obligor may request either a partial or complete reduction of this 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 shall be maintained by the individual lot owners.

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 \$20,260.00, with attached Maintenance Bond Form.
- 2) 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
- 3) Provide proof of filing and recording of Stormwater Maintenance Manual, which has been reviewed and approved by this office.
- 4) Maintenance of \$1,287.00 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.
- 5) Provide a final release letter from Ocean County Soil Conservation District.
- 6) Provide a letter of final acceptance from the Ocean County Engineer's Office for all road improvements along county roads.

- 7) Independent third party (professional engineer) certification of completed work regarding the retaining wall.
- 8) Provide proof that the lots shall be consolidated as a condition of any approval.

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: kw

cc: Phil Roux, Director of Public Works
Margaret Stazko, Assistant Treasurer
Megan Nixon, Supervisor of Accounts
Lauren Kirkman, Township Clerk
Steven Secare, Township Attorney
Ocean County Soil Conservation District
Mark Jehnke, P.E., Ocean County Engineer
Regency Development Properties, LLC – 315 Monmouth Avenue, Suite 208, Lakewood, NJ 08701
(devorah@rdnj.net)

(D)5.2025-0234

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Performance Guarantee Posted By Congregation Birchas Chaim, Inc., In Connection With SP 2497 (Vine, Surf & Mermaid) Block 1131 Lot 1

WHEREAS, a performance guarantee was heretofore posted with the Township by Congregation Birchas Chaim, Inc., in the form of a Bond No.S322760 dated July 12, 2023 in the amount of \$46,91.00 by Santander Bank, in connection with SP # 2497, Block 1131, Lot 1and,

WHEREAS, under date of May 1, 2025 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 \$6,390.00.
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 Board approval.
4. The Applicant shall provide a 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. The Applicant shall provide as per 18.705A “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. 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 \$500.00 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. Congregation Birchas Chaim, 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B1131 L1

Engineer Letter B1131 L1

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, RELEASING A PERFORMANCE GUARANTEE
POSTED BY CONGREGATION BIRCHAS CHAIM, INC., IN CONNECTION WITH SP 2497
(VINE, SURF & MERMAID) BLOCK 1131 LOT 1**

WHEREAS, a performance guarantee was heretofore posted with the Township by Congregation Birchas Chaim, Inc., in the form of a Bond No.S322760 dated July 12, 2023 in the amount of \$46,91.00 by Santander Bank, in connection with SP # 2497, Block 1131, Lot 1and,

WHEREAS, under date of May 1, 2025 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 \$6,390.00.
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 Board approval.
4. The Applicant shall provide a 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. The Applicant shall provide as per 18.705A “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. 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 \$500.00 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. Congregation Birchas Chaim, 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 **May 22, 2025.**

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

May 1, 2025
RVE Job No. 15151497

RECOMMENDATION FOR RELEASE OF PERFORMANCE GUARANTEE

DEVELOPER: Congregation Birchas Chaim, Inc.
APPLICATION #: SP 2497 (Vine, Surf & Mermaid)
BLOCK: 1131 **LOT:** 1

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:

- Performance Guarantee: Bond No. S322760
- Issued By: NGM Insurance Company
- Amount/Dated: \$46,910.00 July 12, 2023

The obligor may request either a partial or complete reduction of this 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 shall be maintained by the individual lot owners.

No new streets were created as part of this project.

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 \$6,390.00, 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 \$500.00 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

cc: Phil Roux, Director of Public Works
Lauren Kirkman, Township Clerk
Steven Secare, Township Attorney
Ocean County Soil Conservation District
Congregation Birchas Chaim, Inc. – 1111 Vine Avenue, Lakewood, NJ 08701 (josh@rdnj.net)

(D)6.2025-0235

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing Performance Guarantee Posted By 15 Sylvan, LLC In Connection With SD 2427 (Sylvan Ct) Block 411, Lot 69

WHEREAS, a performance guarantee was heretofore posted with the Township by 15 Sylvan, LLC, in the form of Check #1480908747 dated November 19, 2019, in the amount of \$10,390.00 issued by Bank of America, in connection with SD #2427, Block 411 Lot 69 and,

WHEREAS, under date of May 10, 2025, 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. The applicant shall verify that all outstanding engineering inspection escrow charges are paid.
3. The posting of a maintenance bond is hereby waived.
4. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer;
 - B. Chief Financial Officer;
 - C. 15 Sylvan, 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B411 L69

Engineer Letter B411 L69

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF
LAKEWOOD, COUNTY OF OCEAN, STATE
OF NEW JERSEY, RELEASING
PERFORMANCE GUARANTEE POSTED BY
15 SYLVAN, LLC IN CONNECTION WITH
SD 2427 (SYLVAN CT) BLOCK 411, LOT 69**

WHEREAS, a performance guarantee was heretofore posted with the Township by 15 Sylvan, LLC, in the form of Check #1480908747 dated November 19, 2019, in the amount of \$10,390.00 issued by Bank of America, in connection with SD #2427, Block 411 Lot 69 and,

WHEREAS, under date of May 10, 2025, 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. The applicant shall verify that all outstanding engineering inspection escrow charges are paid.
3. The posting of a maintenance bond is hereby waived.
4. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer;
 - B. Chief Financial Officer;
 - C. 15 Sylvan, 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 **May 22, 2025.**

Lauren Kirkman, RMC, CMR

Township Clerk



OFFICE OF THE MUNICIPAL ENGINEER

To: Patrick Donnelly, Municipal Manager

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

May 10, 2025
RVE Job No. 15151166

RECOMMENDATION FOR RELEASE OF PERFORMANCE GUARANTEE
WAIVE MAINTENANCE BOND

DEVELOPER: 15 Sylvan, LLC
APPLICATION #: SD 2427 (Sylvan Ct)
BLOCK: 411 **LOT:** 69

A request has been received from the applicant 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:

- Performance Guarantee: Cashier's Check No. 1480908747
- Drawn on: Bank of America
- Amount: \$10,390.00
- Dated: November 19, 2019

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.

The obligor may request either a partial or complete reduction of his performance guarantee upon substantial completion of the required street improvements. 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) Verification that all outstanding engineering inspection escrow charges are paid.

Given the scope of work for this project, I also recommend that the requirement of providing a maintenance guarantee be waived for this project.

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: Phil Roux, Director of Public Works; Margaret Stazko, Assistant Treasurer; Megan Nixon, Supervisor of Accounts;
Lauren Kirkman, Township Clerk; Steven Secare, Township Attorney
15 Sylvan, LLC – 101 Chase Avenue, Suite 205, Lakewood, NJ 08701 (zkahan@divvonegrp.com)

(D)7.2025-0236

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Temporary Certificate Of Occupancy Performance Guarantee Posted By Yeshiva Nesivos Hatorah In Connection With SP #2452 (Caldwell Ave) Block 1098, Lot 1.01

WHEREAS, a temporary certificate of occupancy (TCO) performance guarantee was heretofore posted with the Township by Yeshiva Nesivos Hatorah in the form of Bond No. 621-102535-2 dated April 18, 2024 in the amount of \$ 89,630.00, with a First Reduction in the amount of \$65,440.00 on October 8, 2024 issued by United States Fire Insurance Insurance Company, in connection with SP 2452, Block 1098, Lot 1.01; and

WHEREAS, under date of April 25, 2025, 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. Yeshiva Nesivos Hatorah

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B1098 L1.01

Engineer Letter B1098 L1.01

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RELEASING A TEMPORARY CERTIFICATE OF
OCCUPANCY PERFORMANCE GUARANTEE POSTED
BY YESHIVA NESIVOS HATORAH IN CONNECTION
WITH SP #2452 (CALDWELL AVE) BLOCK 1098, LOT
1.01**

WHEREAS, a temporary certificate of occupancy (TCO) performance guarantee was heretofore posted with the Township by Yeshiva Nesivos Hatorah in the form of Bond No. 621-102535-2 dated April 18, 2024 in the amount of \$ 89,630.00, with a First Reduction in the amount of \$65,440.00 on October 8, 2024 issued by United States Fire Insurance Company, in connection with SP 2452, Block 1098, Lot 1.01; and

WHEREAS, under date of April 25, 2025, 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. Yeshiva Nesivos Hatorah

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 **May 22, 2025.**

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

April 25, 2025
RVE Job No. 151511413

RECOMMENDATION FOR RELEASE OF TCO PERFORMANCE GUARANTEE

DEVELOPER: Yeshiva Nesivos Hatorah
APPLICATION #: SP 2452 (Caldwell Ave)
BLOCK: 1098 **LOT:** 1.01

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. 621-102535-2
2. Issued By: United States Fire Insurance Company
3. Amount: \$89,630.00 Original / \$65,440.00 1st Reduction
4. Date: April 18, 2024 Original / October 8, 2024 1st Reduction

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
Yeshiva Nesivos Hatorah – 655 Princeton Avenue, Lakewood, NJ 08701 (devorah@rdnj.net)

(D)8.2025-0237

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Temporary Certificate Of Occupancy Performance Guarantee Posted By 1890 Swarthmore, LLC In Connection With SP #2422 (Swarthmore Ave) Block 1606, Lot 5

WHEREAS, a temporary certificate of occupancy (TCO) performance guarantee was heretofore posted with the Township by 1890 Swarthmore, LLC in the form of Cashier's Check No.9645709107 dated November 14, 2024, issued by Chase Bank, in the amount of \$19,710.00, in connection with SP 2422, Block 1606, Lot 5; and

WHEREAS, under date of April 29, 2025, 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. 1890 Swarthmore, 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B1606 L5

Engineer Letter B1606 L5

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RELEASING A TEMPORARY CERTIFICATE OF
OCCUPANCY PERFORMANCE GUARANTEE POSTED
BY 1890 SWARTHMORE, LLC IN CONNECTION WITH
SP #2422 (SWARTHMORE AVE) BLOCK 1606, LOT 5**

WHEREAS, a temporary certificate of occupancy (TCO) performance guarantee was heretofore posted with the Township by 1890 Swarthmore, LLC in the form of Cashier's Check No.9645709107 dated November 14, 2024, issued by Chase Bank, in the amount of \$19,710.00, in connection with SP 2422, Block 1606, Lot 5; and

WHEREAS, under date of April 29, 2025, 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. 1890 Swarthmore, 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 **May 22, 2025.**

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

April 29, 2025
RVE Job No. 151511436

RELEASE OF TCO PERFORMANCE GUARANTEE

DEVELOPER: 1890 Swarthmore, LLC
APPLICATION #: SP 2422 (Swarthmore Ave)
BLOCK: 1606 **LOT:** 5

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:

- Performance Guarantee: Cashier's Check No. 9645709107
- Drawn on: Chase Bank
- Amount of Check: \$19,710.00
- Dated: November 14, 2024

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. The release should be subject to

- 1) Verification that all outstanding engineering inspection escrow charges are paid.

Given the scope of work for this project, I also recommend that the requirement of providing a maintenance guarantee be waived for this project.

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:

cc: Lauren Kirkman, Township Clerk
Margaret Stazko, Assistant Treasurer
Megan Nixon, Supervisor of Accounts
Steven Secare, Township Attorney
1890 Swarthmore, LLC – 1890 Swarthmore Avenue, Lakewood, NJ 08701 (office@builderssupreme.com)

(D)9.2025-0238

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing The Maintenance Guarantee Posted By Dan Werbler/Lakewood Business, LLC. In Connection With SP #1794 (Cross St), Block 524, Lot 3

WHEREAS, a Maintenance Guarantee was heretofore posted with the Township by Dan Werbler/Lakewood Business, LLC., in the form of Bond #FP0025974, issued by First Indemnity of America Insurance Company on January 26, 2023 in the amount of \$8,848.50 in connection with SP #1794, Block 524, Lot 3

WHEREAS, under date of May 2, 2025, the Township Engineer did recommend a release of the Maintenance 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 above referenced Maintenance Guarantee and any excess escrow be and hereby is released.
2. The release of the Maintenance Guarantee is subject to verification that all outstanding engineering inspection escrow charges are paid and the letters from the Ocean County Engineer and Ocean County Soil Conservation District are dated after or near the time of the Recommendation For Release of the Maintenance Guarantee and all applicable regulatory agencies do not object to the action.
3. The Applicant shall refresh all pavement markings.
4. The Applicant shall repair two (2) handicap ramps along Cross St.
5. The Applicant shall install two (2) missing street signs.
6. The Applicant shall complete and return to the Township Engineer the appropriate form authorizing return of the unused escrow monies once all fees for professional services are paid.
7. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer;
 - B. Chief Financial Officer
 - C. Dan Werbler/Lakewood Business, 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution B524 L3

Engineer Letter B524 L3

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RELEASING THE MAINTENANCE GUARANTEE
POSTED BY DAN WERBLER/LAKEWOOD BUSINESS,
LLC. IN CONNECTION WITH SP #1794 (CROSS ST),
BLOCK 524, LOT 3**

WHEREAS, a Maintenance Guarantee was heretofore posted with the Township by Dan Werbler/Lakewood Business, LLC., in the form of Bond #FP0025974, issued by First Indemnity of America Insurance Company on January 26, 2023 in the amount of \$8,848.50 in connection with SP #1794, Block 524, Lot 3

WHEREAS, under date of May 2, 2025, the Township Engineer did recommend a release of the Maintenance 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 above referenced Maintenance Guarantee and any excess escrow be and hereby is released.
2. The release of the Maintenance Guarantee is subject to verification that all outstanding engineering inspection escrow charges are paid and the letters from the Ocean County Engineer and Ocean County Soil Conservation District are dated after or near the time of the Recommendation For Release of the Maintenance Guarantee and all applicable regulatory agencies do not object to the action.
3. The Applicant shall refresh all pavement markings.
4. The Applicant shall repair two (2) handicap ramps along Cross St.

5. The Applicant shall install two (2) missing street signs.
3. The Applicant shall complete and return to the Township Engineer the appropriate form authorizing return of the unused escrow monies once all fees for professional services are paid.
4. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Township Engineer;
 - B. Chief Financial Officer
 - C. Dan Werbler/Lakewood Business, 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 **May 22, 2025.**

Lauren Kirkman RMC, CMR
Township Clerk



OFFICE OF THE MUNICIPAL ENGINEER

To: Patrick Donnelly, Municipal Manager

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

May 2, 2025
RVE Job No. 1515I019

RECOMMENDATION FOR RELEASE OF MAINTENANCE GUARANTEE

DEVELOPER: Dan Werbler/Lakewood Business, LLC

APPLICATION #: SP 1794 (Cross St)

BLOCK: 524 **LOT:** 3

Per our records, the Maintenance Guarantees for the captioned application is about to expire. Based upon the performance bond release resolved by the Township Committee on January 19, 2023, the Applicant posted a maintenance guarantee as follows:

- | | |
|---------------------------|--|
| 1. Maintenance Guarantee: | Bond # FP0025974 |
| 2. Issued by: | First Indemnity of America Insurance Company |
| 3. Amount: | \$8,848.50 |
| 4. Date: | January 26, 2023 |

Remington & Vernick Engineers has inspected all improvements covered by the guarantee, and we are satisfied that the bonded improvements are acceptable.

It is my recommendation that the Lakewood Township Committee authorize the Municipal Attorney to prepare the necessary Resolution to **release** the referenced Maintenance Guarantee and any excess escrow. The release should be subject to:

- 1) Provide a final release letter from Ocean County Soil Conservation District dated after or near the time of the release of the Maintenance Guarantee recommendation.
- 2) Provide a letter of final release from the Ocean County Engineering Department dated after or near the time of the release of the Maintenance Guarantee recommendation for all road improvements along county roads.
- 3) Verification that all outstanding engineering inspection escrow charges are paid.
- 4) Refresh all pavement markings.
- 5) Repair two (2) handicap ramps along Cross St.
- 6) Install two (2) missing street signs.

In the interim, the applicant should complete and return the attached form authorizing return of unused escrow monies once all fees for professional services are paid.

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

cc: Phil Roux, Director of Public Works; Lauren Kirkman, Township Clerk; Steve Secare, Township Attorney; Margaret Stazko, Assistant Treasurer Megan Nixon, Supervisor of Accounts; Ocean County Soil Conservation District; Mark Jehnke, P.E., Ocean County Engineering Department; Dan Werbler – Lakewood Business, LLC – 242 Route 79, Suite 9, Morganville, NJ 07751 (andrew@regalhomesnj.com)

(D)10.2025-0239

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Extension Of Time To Close Title On The Sale Of A Portion Of Block 777, Lot 5 Pursuant To Resolution #2024-214 Accepting The Highest Bid (29 Cedar)

WHEREAS, by Ordinance No. Ordinance #2024-007, finally adopted on April 11, 2024, the Township authorized the sale of a 2,400 sq. ft. portion of Block 777 Lot 5 as permitted by N.J.S.A. 40A:12-1, et seq; and,

WHEREAS, the resolution accepting the high bid provided that closing of title was to occur after no less than 45 days from the date the successful bidder receives approval from the Lakewood Township Planning Board to subdivide the 2,400 sq. ft. portion of Block 777 Lot 5 from the bulk of lot 5, which was to be obtained in 90 days from the award of the bid; and

WHEREAS, Abraham Antebi of 29 Cedar Street, Lakewood, New Jersey 08701, offered the highest winning bid in the amount of \$89,000.00, and made a satisfactory deposit of at least ten percent (10%) of this highest winning bid, in the amount of \$8,900.00, in accordance with the Ordinance, which bid was accepted by the Township pursuant to Resolution # 2024-214 on May 16, 2024; and

WHEREAS, Abraham Antebi, has proceeded with due diligence to finalize approval of the minor subdivision and fulfill the conditions imposed by the board known as resolution compliance, but has only been able to finalize these items necessary to record the minor subdivision map on May 2, 2025 as Map L 4437, thereby creating the portion of Lot 5 to be sold to him; and

WHEREAS, the Township Committee acknowledges the successful bidder has proceeded to expend time, resources and money in pursuing this minor subdivision, and the delays in not finalizing minor subdivision approval within the 90 days required by the Ordinance and Resolution awarding the bid were not due to any lack of diligence by Mr. Antebi but rather the scheduling of applications before the board. Therefore the Township Committee is desirous of granting a time extension to finalize the closing of title for this portion of Lot 5 for an additional 45 days from the date hereof.

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 Abraham Antebi, is hereby granted a forty-five (45) day extension from the date hereof to close title and finalize this transaction.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:

A. All Interested Parties

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXTENSION OF TIME TO CLOSE TITLE ON THE SALE OF A PORTION OF BLOCK 777, LOT 5 PURSUANT TO RESOLUTION #2024-214 ACCEPTING THE HIGHEST BID

WHEREAS, by Ordinance No. Ordinance #2024-007, finally adopted on April 11, 2024, the Township authorized the sale of a 2,400 sq. ft. portion of Block 777 Lot 5 as permitted by N.J.S.A. 40A:12-1, et seq; and,

WHEREAS, the resolution accepting the high bid provided that closing of title was to occur after no less than 45 days from the date the successful bidder receives approval from the Lakewood Township Planning Board to subdivide the 2,400 sq. ft. portion of Block 777 Lot 5 from the bulk of lot 5, which was to be obtained in 90 days from the award of the bid; and

WHEREAS, Abraham Antebi of 29 Cedar Street, Lakewood, New Jersey 08701, offered the highest winning bid in the amount of \$89,000.00, and made a satisfactory deposit of at least ten percent (10%) of this highest winning bid, in the amount of \$8,900.00, in accordance with the Ordinance, which bid was accepted by the Township pursuant to Resolution # 2024-214 on May 16, 2024; and

WHEREAS, Abraham Antebi, has proceeded with due diligence to finalize approval of the minor subdivision and fulfill the conditions imposed by the board known as resolution compliance, but has only been able to finalize these items necessary to record the minor subdivision map on May 2, 2025 as Map L 4437, thereby creating the portion of Lot 5 to be sold to him; and

WHEREAS, the Township Committee acknowledges the successful bidder has proceeded to expend time, resources and money in pursuing this minor subdivision, and the delays in not finalizing minor subdivision approval within the 90 days required by the Ordinance and Resolution awarding the bid were not due to any lack of diligence by Mr. Antebi but rather the scheduling of applications before the board. Therefore the Township Committee is desirous of granting a time extension to finalize the closing of title for this portion of Lot 5 for an additional 45 days from the date hereof.

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 Abraham Antebi, is hereby granted a forty-five (45) day extension from the

date hereof to close title and finalize this transaction.

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

- A. All Interested Parties

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 **May 22, 2025.**

Lauren Kirkman, RMC, CMR

(D)11.2025-0240

Resolution Of The Township Lakewood, County Of Ocean, State Of New Jersey, Authorizing Execution Of A Deed Of Release Of Reverter For Misameach, Inc., D/B/A Spreading Smiles.

WHEREAS, the Township of Lakewood ("Township") did convey to Misameach, Inc., d/b/a Spreading Smiles by deed dated May 5, 2021, ("Deed"), recorded on May 7, 2021, in the Ocean County Clerk's Office in OR Book 18464 at Page 1378, certain premises situated in the Township of Lakewood, County of Ocean, State of New Jersey, known as Block 536, Lot 100, on the official tax map of the Township of Lakewood (the "Premises") with the proviso that the property shall remain in non-profit ownership and non-profit use for community services to provide benevolent services for those in need in perpetuity; and

WHEREAS, the aforesaid Deed contains the following Reverter Clause:

The Grantee agrees that the property shall remain in a non-profit ownership and non-profit use for community services to provide benevolent services for those in need in perpetuity and the Deed must be recorded within 30 days of closing or title to the property shall automatically revert back to the Township of Lakewood without the necessity of entry or re-entry.

WHEREAS, the above clause has been found to restrict the ability of the grantee to obtain mortgage financing regarding the property. The grantee and current owner of the property have requested relief from this reversionary provision, but only as to permit institutional financing of the property; and

WHEREAS, specifically institutional lenders have indicated that they will not enter in a loan transaction with MISAMEACH, INC. for financing the completion of the building unless the Reverter is released as to the lender and any mortgage given to the lender to secure the loan to MISAMEACH, INC., and

WHEREAS, MISAMEACH, INC. has requested that the Township release its Reverter as to any bona fide institutional lender; and

WHEREAS, after reviewing the matter and in consultation with the Township Attorney, in order to encourage the completion of the building on the Premises, the Township has agreed to release the Reverter as to any bona fide lending institution for the limited purpose of providing construction funds or permanent financing to MISAMEACH, INC. for completion of the construction.

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 requirement in the deed dated May 5, 2021 that the property be automatically reverted back to the Township of Lakewood due to a violation of the deed restriction requiring the property remain in perpetuity in non-profit ownership and non-profit use is hereby released only to the following extent:

The Township hereby releases its right of reverter in the premises to the institutional financing being made by the grantee or its assigns. So long as the mortgage on the premises from the grantee or its successors or assigns to any institutional lender is in full force and effect, the Township's right of reverter to the premises shall be released as to any and all rights and interest of the institutional lender in the premises under the mortgage including all of the institutional lender's rights to enforce its lien on the premises pursuant to the mortgage including foreclosure and sheriff's sale to a third party if necessary. This agreement shall be for the benefit of the lender, its successors and assigns and no other purpose and shall remain in full force and effect so long as the mortgage remains unsatisfied and of record.

2. The Mayor or Deputy Mayor and Township Clerk be and hereby are authorized to execute a Release of Reverter document in the form as annexed hereto.

3. That the Township Clerk shall forward a certified copy of this Resolution to appropriate parties.

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

RESOLUTION OF THE TOWNSHIP LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING EXECUTION OF A DEED OF RELEASE OF REVERTER FOR MISAMEACH, INC., D/B/A SPREADING SMILES.

WHEREAS, the Township of Lakewood (“Township”) did convey to Misameach, Inc., d/b/a Spreading Smiles by deed dated May 5, 2021, (“Deed”), recorded on May 7, 2021, in the Ocean County Clerk’s Office in OR Book 18464 at Page 1378, certain premises situated in the Township of Lakewood, County of Ocean, State of New Jersey, known as Block 536, Lot 100, on the official tax map of the Township of Lakewood (the “Premises”) with the proviso that the property shall remain in non-profit ownership and non-profit use for community services to provide benevolent services for those in need in perpetuity; and

WHEREAS, the aforesaid Deed contains the following Reverter Clause:

The Grantee agrees that the property shall remain in a non-profit ownership and non-profit use for community services to provide benevolent services for those in need in perpetuity and the Deed must be recorded within 30 days of closing or title to the property shall automatically revert back to the Township of Lakewood without the necessity of entry or re-entry.

WHEREAS, the above clause has been found to restrict the ability of the grantee to obtain mortgage financing regarding the property. The grantee and current owner of the property have requested relief from this reversionary provision, but only as to permit institutional financing of the property; and

WHEREAS, specifically institutional lenders have indicated that they will not enter in a loan transaction with MISAMEACH, INC. for financing the completion of the building unless the Reverter is released as to the lender and any mortgage given to the lender to secure the loan to MISAMEACH, INC., and

WHEREAS, MISAMEACH, INC. has requested that the Township release its Reverter as to any bona fide institutional lender; and

WHEREAS, after reviewing the matter and in consultation with the Township Attorney, in order to encourage the completion of the building on the Premises, the Township has agreed to release the Reverter as to any bona fide lending institution for the limited purpose of providing construction funds or permanent financing to MISAMEACH, INC. for completion of the construction.

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 requirement in the deed dated May 5, 2021 that the property be automatically reverted back to the Township of Lakewood due to a violation of the deed restriction requiring the property remain in perpetuity in non-profit ownership and non-profit use is hereby released only to the following extent:

The Township hereby releases its right of reverter in the premises to the institutional financing being made by the grantee or its assigns. So long as the mortgage on the premises from the grantee or its successors or assigns to any institutional lender is in full force and effect, the Township's right of reverter to the premises shall be released as to any and all rights and interest of the institutional lender in the premises under the mortgage including all of the institutional lender's rights to enforce its lien on the premises pursuant to the mortgage including foreclosure and sheriff's sale to a third party if necessary. This agreement shall be for the benefit of the lender, its successors and assigns and no other purpose and shall remain in full force and effect so long as the mortgage remains unsatisfied and of record.

2. The Mayor or Deputy Mayor and Township Clerk be and hereby are authorized to execute a Release of Reverter document in the form as annexed hereto.

3. That the Township Clerk shall forward a certified copy of this Resolution to appropriate parties.

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 **May 22, 2025.**

Lauren Kirkman, RMC,CMR
Township Clerk

(D)12.2025-0241

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Dedicating To Itself Block 1159, Lots 2 And 6 For Development As Public Parking Lots

WHEREAS, Lakewood Township is the owner of Block 1159, Lots 2 and 6, fronting on Rockaway Avenue with Lot 2 containing 23,000 sq ft, and Lot 6 containing 20,000 sq ft, as depicted on tax sheet 138; and

WHEREAS, both Block 1159, Lot 2 and Block 1159 Lot 6 were acquired by the township via a tax foreclosure action in Ocean County Superior Court, Chancery Division, Docket F-6287-78 on December 31, 1979, and has remained since that time unsuitable for any standard development; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5(c), a municipality as the owner of real property, or any real estate or interest therein, which estate or interest shall have become unsuited or inconvenient for the use for which it was acquired, may, at any time convert a portion or the whole thereof to any other public use unless otherwise provided by law or by the terms of acquisition; and

WHEREAS, pursuant to the holding in Millburn v. Pitt, 68 N.J. 424 (1975), this statute authorizing conversion of real property which has become unsuited or inconvenient for use for which it was acquired to any other public use does not require adoption of an ordinance; and

WHEREAS, the Township proposes to develop these parcels as public parking lots to service the immediate vicinity where development has occurred surpassing the current public parking facilities, both on street and off street; and

WHEREAS, the Township of Lakewood has determined it is appropriate to dedicate to itself both Block 1159, Lot 2 and Block 1159 Lot 6 for the construction of public parking facilities.

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

1. The Township of Lakewood hereby and in accordance with N.J.S.A. 40A:12-5(c) dedicates to itself both Block 1159, Lot 2 and Block 1159 Lot 6 for the construction of public parking facilities.
2. That the Township Clerk shall forward a certified copy of this Resolution to all interested parties.

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY
OF OCEAN, STATE OF NEW JERSEY, DEDICATING TO ITSELF
BLOCK 1159, LOTS 2 AND 6 FOR DEVELOPMENT AS PUBLIC
PARKING LOTS**

WHEREAS, Lakewood Township is the owner of Block 1159, Lots 2 and 6, fronting on Rockaway Avenue with Lot 2 containing 23,000 sq ft, and Lot 6 containing 20,000 sq ft, as depicted on tax sheet 138; and

WHEREAS, both Block 1159, Lot 2 and Block 1159 Lot 6 were acquired by the township via a tax foreclosure action in Ocean County Superior Court, Chancery Division, Docket F-6287-78 on December 31, 1979, and has remained since that time unsuitable for any standard development; and

WHEREAS, pursuant to *N.J.S.A. 40A:12-5(c)*, a municipality as the owner of real property, or any real estate or interest therein, which estate or interest shall have become unsuited or inconvenient for the use for which it was acquired, may, at any time convert a portion or the whole thereof to any other public use unless otherwise provided by law or by the terms of acquisition; and

WHEREAS, pursuant to the holding in *Millburn v. Pitt*, 68 N.J. 424 (1975), this statute authorizing conversion of real property which has become unsuited or inconvenient for use for which it was acquired to any other public use does not require adoption of an ordinance; and

WHEREAS, the Township proposes to develop these parcels as public parking lots to service the immediate vicinity where development has occurred surpassing the current public parking facilities, both on street and off street; and

WHEREAS, the Township of Lakewood has determined it is appropriate to dedicate to itself both Block 1159, Lot 2 and Block 1159 Lot 6 for the construction of public parking facilities.

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

1. The Township of Lakewood hereby and in accordance with *N.J.S.A. 40A:12-5(c)* dedicates to itself both Block 1159, Lot 2 and Block 1159 Lot 6 for the construction of public parking facilities.

2. That the Township Clerk shall forward a certified copy of this Resolution to all interested parties.

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 **May 22, 2025.**

Lauren Kirkman, RMC CMR
Township Clerk

(D)13.2025-0242

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing A Place To Place Transfer Of Plenary Retail Consumption License #1514-33-034-005 (Expansion of Premises Entree)

WHEREAS, Entrée Wine & Bar, LLC doing business as Entrée Restaurant, Entrée Wine Store is the holder of Plenary Retail Consumption License #1514-33-034-005; and

WHEREAS, an application has been filed for a Place to Place Transfer (expansion of premises) of Plenary Retail Consumption License #1514-33-034-005 for Entrée Wine & Bar, LLC doing business as Entrée Restaurant, Entrée Wine Store located at 399 Monmouth Ave. Lakewood, New Jersey; and

WHEREAS, notice of this transfer was advertised on March 31, 2025 and April 7, 2025 issues of The Asbury Park Press, and no objections to the transfer have been filed with the Township of Lakewood; and

WHEREAS, based upon the review by the Police Department of the Entrée Wine & Bar, LLC doing business as Entrée Restaurant, Entrée Wine Store, 399 Monmouth Ave. Lakewood, New Jersey 08701, the Lakewood Township Police Department has indicated they have no objection to the Place to Place Transfer (expansion of premises) of this liquor license; and

WHEREAS, a tax clearance certificate is not required for this type of transfer.

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

1. The application for the Place Transfer of Plenary Retail Consumption License #1514-33-034-005 for Entrée Wine & Bar, LLC doing business as Entrée Restaurant, Entrée Wine Store, 399 Monmouth Ave. Lakewood, New Jersey be and hereby is approved effective May 22, 2025.
2. A copy of this Resolution shall be forwarded to 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF
NEW JERSEY AUTHORIZING A PLACE TO PLACE TRANSFER OF PLENARY RETAIL
CONSUMPTION LICENSE #1514-33-034-005**

WHEREAS, Entrée Wine & Bar, LLC doing business as Entrée Restaurant, Entrée Wine Store is the holder of Plenary Retail Consumption License #1514-33-034-005; and

WHEREAS, an application has been filed for a Place to Place Transfer (expansion of premises) of Plenary Retail Consumption License #1514-33-034-005 for Entrée Wine & Bar, LLC doing business as Entrée Restaurant, Entrée Wine Store located at 399 Monmouth Ave. Lakewood, New Jersey; and

WHEREAS, notice of this transfer was advertised on March 31, 2025 and April 7, 2025 issues of The Asbury Park Press, and no objections to the transfer have been filed with the Township of Lakewood; and

WHEREAS, based upon the review by the Police Department of the Entrée Wine & Bar, LLC doing business as Entrée Restaurant, Entrée Wine Store, 399 Monmouth Ave. Lakewood, New Jersey 08701, the Lakewood Township Police Department has indicated they have no objection to the Place to Place Transfer (expansion of premises) of this liquor license; and

WHEREAS, a tax clearance certificate is not required for this type of transfer.

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

1. The application for the Place Transfer of Plenary Retail Consumption License #1514-33-034-005 for Entrée Wine & Bar, LLC doing business as Entrée Restaurant, Entrée Wine Store, 399 Monmouth Ave. Lakewood, New Jersey be and hereby is approved effective May 22, 2025.
2. A copy of this Resolution shall be forwarded to 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 **May 22, 2025.**

Lauren Kirkman, RMC CMR
Township Clerk

(D)14.2025-0243

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing A Person To Person Transfer Of Plenary Retail Consumption License #1514-32-022-011 (MGAR)

WHEREAS, MGAR Liquors Inc. is the holder of Plenary Retail Consumption License #1514-32-022-011; and

WHEREAS, an application has been filed for a Person to Person Transfer of Plenary Retail Consumption License #1514-32-022-011 from MGAR Liquors Inc to a Pocket License, which has no location to be held by S&G Associates Inc; and

WHEREAS, notice of this transfer was advertised in the June 26, 2024 and July 3, 2024 editions of The Asbury Park Press, and no objections to the transfer have been filed with the Township of Lakewood; and

WHEREAS, based upon the information returned from a background investigation relating to the principal, Jonatha A. Hagler, the Lakewood Township Police Department has indicated they have no objection to the Person-to-Person Transfer of this liquor license; and

WHEREAS, the applicant has provided the tax clearance certificate.

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

1. The application for the Person to Person Transfer of Plenary Retail Consumption License #1514-32-022-011, from MGAR Liquors Inc. to a Pocket License (which has no location) held by S&G Associates Inc., be and hereby is approved to be transferred effective May 22, 2025.
2. A copy of this Resolution shall be forwarded to 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF
NEW JERSEY AUTHORIZING A PERSON TO PERSON TRANSFER OF PLENARY RETAIL
CONSUMPTION LICENSE #1514-32-022-011 (MGAR)**

WHEREAS, MGAR Liquors Inc. is the holder of Plenary Retail Consumption License #1514-32-022-011; and

WHEREAS, an application has been filed for a Person to Person Transfer of Plenary Retail Consumption License #1514-32-022-011 from MGAR Liquors Inc to a Pocket License, which has no location to be held by S&G Associates Inc; and

WHEREAS, notice of this transfer was advertised in the June 26, 2024 and July 3, 2024 editions of The Asbury Park Press, and no objections to the transfer have been filed with the Township of Lakewood; and

WHEREAS, based upon the information returned from a background investigation relating to the principal, Jonatha A. Hagler, the Lakewood Township Police Department has indicated they have no objection to the Person-to-Person Transfer of this liquor license; and

WHEREAS, the applicant has provided the tax clearance certificate.

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

1. The application for the Person to Person Transfer of Plenary Retail Consumption License #1514-32-022-011, from MGAR Liquors Inc. to a Pocket License (which has no location) held by S&G Associates Inc., be and hereby is approved to be transferred effective May 22, 2025.
2. A copy of this Resolution shall be forwarded to 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 **May 22, 2025.**

Lauren Kirkman, RMC, CMR
Township Clerk

(D)15.2025-0244

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The
Renewal Of Towing Licenses For The Year 2024-2025

WHEREAS, there is a need for the renewal of towing licenses for the year
2024-2025; and

WHEREAS, the following tow truck operators have been approved and
Renewed, for the year 2024-2025.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lakewood,
County of Ocean, State of New Jersey, that the following Towing companies are hereby approved and are
placed on the list of tow truck Operators for the Lakewood Township Police Department, for the year 2024-
2025.

Barina Automotive
Barina Autobody
Freedom Towing
Acme Towing
Tilton Bodyworks
Total Transport
Estronza Towing

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

A. 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING THE RENEWAL OF TOWING
LICENSES FOR THE YEAR 2024-2025**

WHEREAS, there is a need for the renewal of towing licenses for the year 2024-2025; and

WHEREAS, the following tow truck operators have been approved and Renewed, for the year 2024-2025.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, that the following Towing companies are hereby approved and are placed on the list of tow truck Operators for the Lakewood Township Police Department, for the year 2024-2025.

Barina Automotive
Barina Autobody
Freedom Towing
Acme Towing
Tilton Bodyworks
Total Transport
Estronza Towing

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

A. 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 **May 22, 2025.**

Lauren Kirkman, RMC, CMR
Township Clerk

(D)16.2025-0245

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Submission Of The Strategic Plan Forms Between The Ocean County Board Of Health And The Township Of Lakewood For The Governor's Council On Alcoholism And Drug Abuse Fiscal Grant Cycle July 2020-June 2026

WHEREAS, the Governor's Council on Substance Use Disorder (GCSUD) established the Municipal Alliances for the Prevention of Substance Use Disorder in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent substance use disorder in communities throughout New Jersey. WHEREAS, The Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey recognizes that substance use disorder is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent substance use disorder in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Substance Use Disorder through the County of Ocean;

NOW, THEREFORE, BE IT RESOLVED by the Township of Lakewood, County of Ocean, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Lakewood Municipal Alliance grant for fiscal year 2026 in the amount of:
GCSUD GRANT FUND \$30,539.00
Cash Match \$7,634.75
In-Kind \$22,904.25

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Raymond G. Coles, Mayor

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

Governor's Council on Substance Use Disorder
Fiscal Grant Cycle October 2020-June 2026

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING THE SUBMISSION OF THE
STRATEGIC PLAN FORMS BETWEEN THE OCEAN COUNTY BOARD OF
HEALTH AND THE TOWNSHIP OF LAKEWOOD FOR THE GOVERNOR'S
COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE
JULY 2020-JUNE 2026**

WHEREAS, the Governor's Council on Substance Use Disorder (GCSUD) established the Municipal Alliances for the Prevention of Substance Use Disorder in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent substance use disorder in communities throughout New Jersey.

WHEREAS, The Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey recognizes that substance use disorder is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent substance use disorder in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Substance Use Disorder through the County of Ocean;

WHEREAS, the Lakewood Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Ocean for the Township of Lakewood to utilize the Lakewood Community Services Corp (LCSC) to facilitate the grant on behalf of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township of Lakewood, County of Ocean, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Lakewood Municipal Alliance grant for fiscal year 2026 in the amount of:

GCSUD GRANT FUND	\$30,539.00
Cash Match	\$7,634.75
In-Kind	\$22,904.25
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements for the Township as it will be utilizing the

Governor's Council on Substance Use Disorder
Fiscal Grant Cycle October 2020-June 2026

Lakewood Community Services Corp (LCSC) to facilitate the grant on behalf of the Township.

APPROVED: _____
Raymond G. Coles, Mayor

CERTIFICATION

I, Lauren Kirkman, Municipal Clerk of the Township of Lakewood County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee on this 22nd day of May, 2025.

Lauren Kirkman, Municipal Clerk

(D)17.2025-0246

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Appointing Members
To The Lakewood Township Municipal Alliance

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

1. That the following be and hereby are reappointed as members to the
Lakewood Township Municipal Alliance, each for a term to expire on June 30, 2026: Avrohom Carlebach,
Elisa Kahan, Mike McNeil, Shmuel E. Milworm, LSCW LCADC and Chava Stern, M.A. E.d.

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

- A. Lakewood Township Municipal Alliance;
- B. Appointee;
- C. Ocean County Health Department

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION 2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING MEMBERS TO THE LAKEWOOD TOWNSHIP
MUNICIPAL ALLIANCE**

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

1. That the following be and hereby are reappointed as members to the Lakewood Township Municipal Alliance, each for a term to expire on June 30, 2026: Avrohom Carlebach, Elisa Kahan, Mike McNeil, Shmuel E. Milworm, LSCW LCADC and Chava Stern, M.A. E.d.

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

- A. Lakewood Township Municipal Alliance;
- B. Appointee;
- C. Ocean County Health Department

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, County of Ocean, at its meeting held on **May 22, 2025.**

Lauren Kirkman, RMC, CMR
Township Clerk

(D)18.2025-0247

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Sale Of A Ford E350 Box Truck To Chaverim For Nominal Consideration

WHEREAS, the Township is the current owner of a 2006 Ford E350 Box Truck, Vin # 1FDWE35L66HB07866, which is no longer needed for public use; and,

WHEREAS, N.J.S.A. 40A:12-21.1 et. seq. authorizes the private sale and conveyance of municipally owned property for a consideration which may be nominal to an organization such as Chaverim Volunteer Services Inc., a 501 (c)(3) Non-profit corporation of the State of New Jersey, having its principal offices at 139 Carol Street, Lakewood, New Jersey 08701, ("Chaverim"; and,

WHEREAS, Chaverim Volunteer Services Inc of Lakewood has requested the 2006 Ford E350 Box Truck be conveyed to it pursuant to said statute and the Lakewood Township Committee has determined that the Property aforementioned should be transferred to Chaverim Volunteer Services Inc. of Lakewood, a duly qualified volunteer first aid squad, and same should be made for a nominal consideration of one dollar (\$1.00); and

WHEREAS, inasmuch as this transfer is from the municipality to a qualifying entity pursuant to statute, same may be made for a nominal consideration of one dollar (\$1.00); and

WHEREAS, this transfer shall benefit the residents of the Township of Lakewood through the more efficient management of the property and in furtherance of the benefits derived by the residents of Lakewood from the work of Chaverim Volunteer Services Inc. of Lakewood.

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

1. In accordance with N.J.S.A. 40A:12:21.1, et. seq., the Township Committee does hereby authorize the private sale and transfer of the 2006 Ford E350 Box Truck, Vin # 1FDWE35L66HB07866 to Chaverim Volunteer Services Inc., Lakewood, New Jersey for the nominal sum of one dollar (\$1.00).
2. The Mayor of his designee and Township Clerk are authorized to execute any and all other documents necessary to effectuate this transfer.
3. The Township of Lakewood makes no representations with regard to the Property or title. This conveyance is made "as is."

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR

Township Clerk

ATTACHMENTS:

Description

Resolution

(D)19.2025-0248

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Rejecting All Bids For The W. County Line Road & Prospect Street Sidewalk Improvements Pursuant To And In Accordance With N.J.S.A. 40a:11-1 Et Seq.

WHEREAS, at its April 3, 2025 bid opening, five bids were received by the Township for the W. County Line Road & Prospect Street Sidewalk Improvements, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, after reviewing the bids, the Township Engineer advised that two of the bidders withdrew their bids. Further, the Township Engineer has determined to reject all the remaining bids based on N.J.S.A 40A:11-13.2. "A contracting unit may reject all bids for any of the following reasons: a. The lowest bid substantially exceeds the cost estimates for the goods or services". The Township Manager and Purchasing Agent concur that the bids be rejected;

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 remaining bids received for the W. County Line Road & Prospect Street Sidewalk Improvements, are hereby rejected.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Municipal Manager;
 - B. Chief Financial Officer;
 - C. Purchasing Agent;
 - D. Township Engineer

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, REJECTING ALL BIDS FOR THE W. COUNTY LINE ROAD & PROSPECT STREET SIDEWALK IMPROVEMENTS PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 40A:11-1 ET SEQ.

WHEREAS, at its April 3, 2025 bid opening, five bids were received by the Township for the W. County Line Road & Prospect Street Sidewalk Improvements, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, after reviewing the bids, the Township Engineer advised that two of the bidders withdrew their bids. Further, the Township Engineer has determined to reject all the remaining bids based on N.J.S.A 40A:11-13.2. “A contracting unit may reject all bids for any of the following reasons: a. The lowest bid substantially exceeds the cost estimates for the goods or services”. The Township Manager and Purchasing Agent concur that the bids be rejected;

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 remaining bids received for the W. County Line Road & Prospect Street Sidewalk Improvements, are hereby rejected.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Municipal Manager;
 - B. Chief Financial Officer;
 - C. Purchasing Agent;
 - D. Township Engineer

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 at its meeting held on **May 22, 2025**.

Lauren Kirkman, RMC CMR
Township Clerk

(D)20.2025-0249

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 project(s):

- NL#24431 / 940 Somerset Ave. Bl 208 Lot 164 – New Jersey American Water
- NL#23081 / 1501 Berkowitz Ave. Bl. 104.02 Lot 16 - New Jersey American Water

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution

RESOLUTION #2025-249

**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 project(s):

- NL#24431 / 940 Somerset Ave. Bl 208 Lot 164 – New Jersey American Water
- NL#23081 / 1501 Berkowitz Ave. Bl. 104.02 Lot 16 - New Jersey American Water

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 **May 22, 2025.**

Lauren Kirkman, RMC, CMR
Township Clerk

(D)21.2025-0250

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing The Award Of Contract To Procure A 40 Cubic Yard Dumpster Container Pursuant To And In Accordance With P.L. 2011, C.139

WHEREAS, the Township of Lakewood's Public Works department is in need of a 40 cubic yard dumpster container 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 brief 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, Wastequip Manufacturing LLC 841 Meacham Road Statesville NC 28677, is the holder of the Sourcewell contract RFP #040621-WQI for this acquisition; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the CFO has certified that there are sufficient funds for this purchase, not to exceed \$58,665.00 in account #4-01-44-902-016-210.

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 Wastequip as described herein; and,

BE IT FURTHER RESOLVED that the required National Coop documentation be placed on file with this resolution and that the Township Clerk shall forward a certified copy of this Resolution to the following:

- A. Municipal Manager
- B. Chief Financial Officer
- C. Purchasing Agent
- D. Wastequip

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF CONTRACT TO PROCURE A 40 CUBIC YARD DUMPSTER CONTAINER PURSUANT TO AND IN ACCORDANCE WITH P.L. 2011, C.139

WHEREAS, the Township of Lakewood's Public Works department is in need of a 40 cubic yard dumpster container 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 brief 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, Wastequip Manufacturing LLC 841 Meacham Road Statesville NC 28677, is the holder of the Sourcewell contract RFP #040621-WQI for this acquisition; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the CFO has certified that there are sufficient funds for this purchase, not to exceed \$58,665.00 in account #4-01-44-902-016-210.

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 Wastequip as described herein; and,

BE IT FURTHER RESOLVED that the required National Coop documentation be placed on file with this resolution and that the Township Clerk shall forward a certified copy of this Resolution to the following:

- A. Municipal Manager
- B. Chief Financial Officer
- C. Purchasing Agent
- D. Wastequip

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 **May 22, 2025.**

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 shall be issued as part of the purchase order or other such document.

Peter O'Reilly, Chief Financial Officer

(D)22.2025-0251

Resolution Township Of Lakewood County Of Ocean, State Of New Jersey Authorizing An Emergency Temporary Appropriation For 2025 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 2025 temporary budget for aforesaid purposes; and

WHEREAS, NJS 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 2025 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$90,530,883.80 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 22nd day of May 2025 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION TOWNSHIP OF LAKEWOOD
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING AN EMERGENCY TEMPORARY
APPROPRIATION FOR 2025 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 2025 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 2025 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$94,889,792.80 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 22nd day of May 2025 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 **May 22, 2025.**

Lauren Kirkman, RMC, CMR
Township Clerk

(D)23.2025-0252

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Cancelling Various Grant Receivable And Grant Appropriated Reserve Balances

WHEREAS, Receivable and Appropriated Reserve Balances for the below listed Grants, which remain on the Grant Fund Balance Sheet dedicated to various projects, are no longer necessary due to the completion of the projects; and

WHEREAS, it is necessary to formally cancel the various Grant Receivable and Grant Appropriated Reserve Balances from the Balance Sheet;

NOW THEREFORE, BE IT RESOLVED, that the following Grant Receivables and Grant Appropriated Reserve balances shall be cancelled.

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION # 2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY.
CANCELLING VARIOUS GRANT RECEIVABLE AND
GRANT APPROPRIATED RESERVE BALANCES**

WHEREAS, Receivable and Appropriated Reserve Balances for the below listed Grants, which remain on the Grant Fund Balance Sheet dedicated to various projects, are no longer necessary due to the completion of the projects; and

WHEREAS, it is necessary to formally cancel the various Grant Receivable and Grant Appropriated Reserve Balances from the Balance Sheet;

NOW THEREFORE, BE IT RESOLVED, that the following Grant Receivables and Grant Appropriated Reserve balances shall be cancelled.

<u>GRANT RECIEVABLE</u>	
Urban Enterprise Zone: Shuttle Liason	0.08
Urban Enterprise Zone: 2021-2022 - Advertising, Marketing and Special Events Consulti	1.00
Ocean County Planning Board County Census	150.92
Highway Safety Fund	64,360.89
Highway Safety Fund 2015	13,603.50
Drunk Driving Enforcement 2018	(0.13)
Body Armor Replacement 2019	(0.49)
Distracted Driving Grant	4,200.00
Drive Sober or Get Pulled Over	350.00
Pedestrian Safety Grant	17,786.12
Gypsy Moth Grant	(0.19)
Ocean County Planning Board Census Grant	150.92
Total	100,602.62

<u>GRANT APPROPRIATED RESERVE</u>	
Alcohol Education & Rehabilitation	1,926.11
Body Armor Replacement Grant	187.65
Urban Enterprise Zone Strand Theater Year 1	88,815.32
Recycling Mini-Grant - Ocean County	4,132.04
Clean Communities Program	4,404.86
Driving While Intoxicated	943.23
Urban Enterprise Zone: 2021-2022 - Advertising, Marketing and Special Events Consulting	1.00
Ocean County Planning Board County Census	15,939.33
Highway Safety Fund	10,884.28
Highway Safety Fund 2015	813.07
Body Armor Replacement 2019	465.00
Distracted Driving Grant	4,200.00
Pedestrian Safety Grant	7,110.00
Emergency Assistance Grant	8,255.16
Gypsy Moth Grant	23,829.25
Ocean County Dept. of Human Services Code Blue	20,351.19
Ocean County Planning Board Census Grant	15,939.33
Total	208,196.82

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, State of New Jersey, at its meeting held on **May 22, 2025.**

Lauren Kirkman, RMC, CMR
Township Clerk

(D)24.2025-0253

Resolution Of The Township Of Lakewood County Of Ocean State Of New Jersey Authorizing The
Cancellation Of Old Outstanding Checks Appearing On The Records Of The Township Of Lakewood

WHEREAS, there appears in the records of the various funds of the Township of Lakewood old outstanding checks, listed as follows:

PAYROLL AGENCIES ACCOUNT

CHECK NO # CHECK DATE AMOUNT

3845 12/27/2019 \$8,050.00

4388 1/22/2021 \$5,244.46

5039 1/20/2023 \$277.22

5399 6/20/2024 \$372.40

5501 2/28/2025 \$98.79

PAYROLL FUND CHECKS

CHECK NO # CHECK DATE AMOUNT

9202601 2/21/2020 \$1,169.69

9202845 3/20/2020 \$81.88

9202917 4/3/2020 \$384.90

9203747 12/24/2020 \$818.49

9205430 3/31/2023 \$29.35

9205433 3/21/2023 \$2,055.61

9205472 4/28/2023 \$10.30

9205494 5/12/2023 \$21.35

9205516 5/26/2023 \$36.40

9205707 9/15/2023 \$10.30

9205749 10/13/2023 \$10.52

9205767 10/27/2023 \$12.02

9206618 10/11/2024 \$11.18

9206753 1/3/2025 \$1,035.73

9206868 3/28/2025 \$17.08

WHEREAS, the Chief Financial Officer is now recommending the cancellation of all aforesaid listed outstanding checks

NOW THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Lakewood, County of Ocean and State of New Jersey that the Chief Financial Officer is authorized to cancel all the aforesaid listed outstanding checks appearing in the records of the Township of Lakewood.

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 **May 22, 2025.**

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD COUNTY OF OCEAN STATE
OF NEW JERSEY AUTHORIZING THE CANCELLATION OF OLD OUTSTANDING
CHECKS APPEARING ON THE RECORDS OF THE TOWNSHIP OF LAKEWOOD**

WHEREAS, there appears in the records of the various funds of the Township of Lakewood old outstanding checks, listed as follows:

PAYROLL AGENCIES ACCOUNT

<u>CHECK NO #</u>	<u>CHECK DATE</u>	<u>AMOUNT</u>
3845	12/27/2019	\$8,050.00
4388	1/22/2021	\$5,244.46
5039	1/20/2023	\$277.22
5399	6/20/2024	\$372.40
5501	2/28/2025	\$98.79

PAYROLL FUND CHECKS

<u>CHECK NO #</u>	<u>CHECK DATE</u>	<u>AMOUNT</u>
9202601	2/21/2020	\$1,169.69
9202845	3/20/2020	\$81.88
9202917	4/3/2020	\$384.90
9203747	12/24/2020	\$818.49
9205430	3/31/2023	\$29.35
9205433	3/21/2023	\$2,055.61
9205472	4/28/2023	\$10.30
9205494	5/12/2023	\$21.35
9205516	5/26/2023	\$36.40
9205707	9/15/2023	\$10.30
9205749	10/13/2023	\$10.52
9205767	10/27/2023	\$12.02
9206618	10/11/2024	\$11.18
9206753	1/3/2025	\$1,035.73
9206868	3/28/2025	\$17.08

WHEREAS, the Chief Financial Officer is now recommending the cancellation of all aforesaid listed outstanding checks

NOW THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Lakewood, County of Ocean and State of New Jersey that the Chief Financial Officer is authorized to cancel all the aforesaid listed outstanding checks appearing in the records of the Township of Lakewood.

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 **May 22, 2025.**

Lauren Kirkman, RMC CMR
Township Clerk

(D)25.2025-0254

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Cancel Small Balances Pursuant To N.J.S.A.40a:5-17.1

WHEREAS, pursuant to N.J.S.A.40A:5-17.1 allows for the cancellation of a credit and/or a delinquency of less than \$10.00 and,

WHEREAS, the governing body may authorize the Tax Collector to process, without further action on their part, to cancel taxes for any prior year before the tax year of 2025, that is a property tax credit, delinquency, or charges of less than \$10.00, based on the Tax Collectors analysis, and

THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Tax Collector be authorized to cancel taxes pursuant to schedule A and adjust her tax account 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE
OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL SMALL
BALANCES PURSUANT TO N.J.S.A.40A:5-17.1**

WHEREAS, pursuant to N.J.S.A.40A:5-17.1 allows for the cancellation of a credit and/or a delinquency of less than \$10.00 and,

WHEREAS, the governing body may authorize the Tax Collector to process, without further action on their part, to cancel taxes for any prior year before the tax year of 2025, that is a property tax credit, delinquency, or charges of less than \$10.00, based on the Tax Collectors analysis, and

THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Tax Collector be authorized to cancel taxes pursuant to schedule A and adjust her tax account 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 at its meeting held on **May 22, 2025.**

Lauren Kirkman, RMC CMR
Township Clerk

(D)26.2025-0255

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayments On Various Block And Lots (Madison Title Agency)

WHEREAS, overpayments have been received in the Tax Office, for various Block and Lots as detailed in the attached Schedule A; and

WHEREAS, the payment(s) totaling \$50,765.65 on said parcels was received in error, and created duplicate payments and/or overpayments and is hereby requesting refunds to be sent to the following:

Madison Title Agency
1125 Ocean Ave
Lakewood NJ 08701

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft a check in the amount of \$50,765.65 to the Taxpayer named above, and the 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE
OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO REFUND
OVERPAYMENTS ON VARIOUS BLOCK AND LOTS**

WHEREAS, overpayments have been received in the Tax Office, for various Block and Lots as detailed in the attached Schedule A; and

WHEREAS, the payment(s) totaling \$50,765.65 on said parcels was received in error, and created duplicate payments and/or overpayments and is hereby requesting refunds to be sent to the following:

Madison Title Agency
1125 Ocean Ave
Lakewood NJ 08701

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft a check in the amount of \$50,765.65 to the Taxpayer named above, and the 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 at its meeting held on **May 22, 2025**.

Lauren Kirkman, RMC CMR
Township Clerk

(D)27.2025-0256

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayments On Various Block And Lots (Corelogic)

WHEREAS, overpayments have been received in the Tax Office, for various Block and Lots as detailed in the attached Schedule A; and

WHEREAS, the payment(s) totaling \$20,162.72 on said parcels was received in error, and created duplicate payments and/or overpayments and is hereby requesting refunds to be sent to the following:

Corelogic Refund Dept (Vendor COR31)

Attn: Natalie Nerio

3001 Hackberry Rd

Irvington TX 75063

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft a check in the amount of \$20,162.72 to the Taxpayer named above, and the 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE
OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO REFUND
OVERPAYMENTS ON VARIOUS BLOCK AND LOTS (CORELOGIC)**

WHEREAS, overpayments have been received in the Tax Office, for various Block and Lots as detailed in the attached Schedule A; and

WHEREAS, the payment(s) totaling \$20,162.72 on said parcels was received in error, and created duplicate payments and/or overpayments and is hereby requesting refunds to be sent to the following:

Corelogic Refund Dept (Vendor COR31)
Attn: Natalie Nerio
3001 Hackberry Rd
Irvington TX 75063

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft a check in the amount of \$20,162.72 to the Taxpayer named above, and the 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 at its meeting held on **May 22, 2025.**

Lauren Kirkman, RMC CMR
Township Clerk

(D)28.2025-0257

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayments On Various Block And Lots (Universal)

WHEREAS, overpayments have been received in the Tax Office, for various Block and Lots as detailed in the attached Schedule A; and

WHEREAS, the payment(s) totaling \$10,222.42 on said parcels was received in error, and created duplicate payments and/or overpayments and is hereby requesting refunds to be sent to the following:

Universal Abstract
101 Chase Ave Ste 304
Lakewood NJ 08701

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft a check in the amount of \$10,222.42 to the Taxpayer named above, and the 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE
OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO REFUND
OVERPAYMENTS ON VARIOUS BLOCK AND LOTS (UNIVERSAL)**

WHEREAS, overpayments have been received in the Tax Office, for various Block and Lots as detailed in the attached Schedule A; and

WHEREAS, the payment(s) totaling \$10,222.42 on said parcels was received in error, and created duplicate payments and/or overpayments and is hereby requesting refunds to be sent to the following:

Universal Abstract
101 Chase Ave Ste 304
Lakewood NJ 08701

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft a check in the amount of \$10,222.42 to the Taxpayer named above, and the 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 at its meeting held on **May 22, 2025.**

Lauren Kirkman, RMC CMR
Township Clerk

(D)29.2025-0258

Resolution Of The Township Of Lakewood, County of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayment On Block 12 And Lot 19.05

WHEREAS, overpayments have been received in the Tax Office, for Block 12 and Lot 19.05, also known as 19A Cactus Dr; and

WHEREAS, the payment(s) in the amount of \$1215.79 on said parcel was received in error as the property was sold in March 2025 and the auto withdrawal was not cancelled, and created an overpayment and is hereby requesting the refund to be sent to the following:

Jeannette Golub Irrevocable Granters Trust
172 Columbus Ave
Lakewood NJ 08701

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft a check in the amount of \$1215.79 to the Taxpayer named above, and the 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE
OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO REFUND
OVERPAYMENT ON BLOCK 12 AND LOT 19.05**

WHEREAS, overpayments have been received in the Tax Office, for Block 12 and Lot 19.05, also known as 19A Cactus Dr; and

WHEREAS, the payment(s) in the amount of \$1215.79 on said parcel was received in error as the property was sold in March 2025 and the auto withdrawal was not cancelled, and created an overpayment and is hereby requesting the refund to be sent to the following:

Jeannette Golub Irrevocable Granters Trust
172 Columbus Ave
Lakewood NJ 08701

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft a check in the amount of \$1215.79 to the Taxpayer named above, and the 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 at its meeting held on **May 22, 2025.**

Lauren Kirkman, RMC CMR
Township Clerk

(D)30.2025-0259

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayments On Various Block And Lots

WHEREAS, overpayments have been received in the Tax Office, for various Block and Lots from Title Agencies, homeowners and Mortgage Companies as detailed in the attached Schedule A; and

WHEREAS, the payment(s) totaling \$87,514.46 on said parcels were received in error, and created duplicate payments and/or overpayments and are hereby requested to be refunded as per the attached Schedule A;

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft checks in the amount of \$87,514.56 to the entities named on the attached Schedule A, and the 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE
OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO REFUND
OVERPAYMENTS ON VARIOUS BLOCK AND LOTS**

WHEREAS, overpayments have been received in the Tax Office, for various Block and Lots from Title Agencies, homeowners and Mortgage Companies as detailed in the attached Schedule A; and

WHEREAS, the payment(s) totaling \$87,514.46 on said parcels were received in error, and created duplicate payments and/or overpayments and are hereby requested to be refunded as per the attached Schedule A;

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft checks in the amount of \$87,514.56 to the entities named on the attached Schedule A, and the 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 at its meeting held on **May 22, 2025.**

Lauren Kirkman, RMC CMR
Township Clerk

(D)31.2025-0260

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Refund Overpayments By Homeowners And Title Companies On Various Block And Lots

WHEREAS, overpayments have been received in the Tax Office, for various Block and Lots from Title Agencies and homeowners as detailed in the attached Schedule A; and

WHEREAS, the payment(s) totaling \$21,272.94 on said parcels were received in error, and created duplicate payments and/or overpayments and are hereby requested to be refunded as per the attached Schedule A;

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft checks in the amount of \$21,272.94 to the entities named on the attached Schedule A, and the 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE
OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO REFUND
OVERPAYMENTS BY HOMEOWNERS AND TITLE COMPANIES ON VARIOUS
BLOCK AND LOTS**

WHEREAS, overpayments have been received in the Tax Office, for various Block and Lots from Title Agencies and homeowners as detailed in the attached Schedule A; and

WHEREAS, the payment(s) totaling \$21,272.94 on said parcels were received in error, and created duplicate payments and/or overpayments and are hereby requested to be refunded as per the attached Schedule A;

THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Lakewood, County of Ocean, State of New Jersey, that the Treasurer be directed to draft checks in the amount of \$21,272.94 to the entities named on the attached Schedule A, and the 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 at its meeting held on **May 22, 2025.**

Lauren Kirkman, RMC CMR
Township Clerk

(D)32.2025-0261

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Lakewood Tax Collector To Cancel Any And All Property Taxes On Block 1248 Lot 371.04, Due To Disabled Veteran Exemption

WHEREAS, N.J.S.A. 54:4-3.30 et seq. ("Act") provides that the dwelling house of a 100% totally disabled veteran shall be exempt from taxation upon a proper claim made therefore; and

WHEREAS, Victoria Yarbrough, residing at 1177C Clydebank Ct, also known as Block 1587, Lot 1177.03, has submitted the appropriate application and medical documentation to establish that he is a 100% totally disabled veteran as defined by the Act; and

WHEREAS, Victoria Yarbrough is eligible for a tax exemption for his dwelling house effective November 13, 2024.

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

1. The Township Committee authorizes the Tax Collector to cancel any and all taxes, penalties and interest due on 1177C Clydebank Ct, also known as Block 1587, Lot 1177.03., and authorizes the refund of any taxes, penalties and interest paid on the property for the tax year 2024 & 2025 as follows:

- A. Effective Date November 13, 2024
- B. Number of days 47
- C. Amount to Cancel 2024 \$ 176.57
- D. Amount to Cancel 2025 \$642.38 (1st &b 2nd Qtr)
- E. Amount to Refund \$818.95

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

- A. Municipal Manager
- B. Chief Financial Officer
- C. Tax Collector
- D. Auditor
- E. Victoria Yarbrough

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING THE LAKEWOOD TAX COLLECTOR TO CANCEL ANY
AND ALL PROPERTY TAXES ON BLOCK 1248 LOT 371.04, DUE TO DISABLED
VETERAN EXEMPTION**

WHEREAS, N.J.S.A. 54:4-3.30 et seq. (“Act”) provides that the dwelling house of a 100% totally disabled veteran shall be exempt from taxation upon a proper claim made therefore; and

WHEREAS, Henry Tateosian, residing at 371D Portsmouth Dr, also known as Block 1248, Lot 371.04, has submitted the appropriate application and medical documentation to establish that he is a 100% totally disabled veteran as defined by the Act; and

WHEREAS, Henry Tateosian is eligible for a tax exemption for his dwelling house effective January 1, 2025.

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

1. The Township Committee authorizes the Tax Collector to cancel any and all taxes, penalties and interest due on 371D Portsmouth Dr, also known as Block 1248, Lot 371.04, and authorizes the refund of any taxes, penalties and interest paid on the property for the tax year 2025 as follows:

- | | |
|---------------------|--|
| A. Effective Date | January 1, 2025 |
| B. Number of days | 365 |
| C. Amount to refund | \$1099.62 |
| D. Amount to Cancel | \$1099.62 (1 st & 2 nd qtr 2025) |

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

- A. Municipal Manager
- B. Chief Financial Officer
- C. Tax Collector
- D. Auditor
- E. Henry Tateosian

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 **May 22, 2025**.

Lauren Kirkman, RMC, CMR
Township Clerk

(D)33.2025-0262

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Lakewood Tax Collector To Cancel Any And All Property Taxes On Block 1587 Lot 1177.03, Due To Disabled Veteran Exemption

WHEREAS, N.J.S.A. 54:4-3.30 et seq. ("Act") provides that the dwelling house of a 100% totally disabled veteran shall be exempt from taxation upon a proper claim made therefore; and

WHEREAS, Henry Tateosian, residing at 371D Portsmouth Dr, also known as Block 1248, Lot 371.04, has submitted the appropriate application and medical documentation to establish that he is a 100% totally disabled veteran as defined by the Act; and

WHEREAS, Henry Tateosian is eligible for a tax exemption for his dwelling house effective January 1, 2025.

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

1. The Township Committee authorizes the Tax Collector to cancel any and all taxes, penalties and interest due on 371D Portsmouth Dr, also known as Block 1248, Lot 371.04, and authorizes the refund of any taxes, penalties and interest paid on the property for the tax year 2025 as follows:

- A. Effective Date January 1, 2025
- B. Number of days 365
- C. Amount to refund \$1099.62
- D. Amount to Cancel \$1099.62 (1st & 2nd qtr 2025)

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

- A. Municipal Manager
- B. Chief Financial Officer
- C. Tax Collector
- D. Auditor
- E. Henry Tateosian

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING THE LAKEWOOD TAX COLLECTOR TO CANCEL ANY
AND ALL PROPERTY TAXES ON BLOCK 1587 LOT 1177.03, DUE TO DISABLED
VETERAN EXEMPTION**

WHEREAS, N.J.S.A. 54:4-3.30 et seq. (“Act”) provides that the dwelling house of a 100% totally disabled veteran shall be exempt from taxation upon a proper claim made therefore; and

WHEREAS, Victoria Yarbrough, residing at 1177C Clydebank Ct, also known as Block 1587, Lot 1177.03, has submitted the appropriate application and medical documentation to establish that he is a 100% totally disabled veteran as defined by the Act; and

WHEREAS, Victoria Yarbrough is eligible for a tax exemption for his dwelling house effective November 13, 2024.

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

1. The Township Committee authorizes the Tax Collector to cancel any and all taxes, penalties and interest due on 1177C Clydebank Ct, also known as Block 1587, Lot 1177.03,, and authorizes the refund of any taxes, penalties and interest paid on the property for the tax year 2024 & 2025 as follows:

A. Effective Date	November 13, 2024
B. Number of days	47
C. Amount to Cancel 2024	\$ 176.57
D. Amount to Cancel 2025	\$642.38 (1 st &b 2 nd Qtr)
E. Amount to Refund	\$818.95

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

- A. Municipal Manager
- B. Chief Financial Officer
- C. Tax Collector
- D. Auditor
- E. Victoria Yarbrough

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 **May 22, 2025**.

Lauren Kirkman, RMC, CMR
Township Clerk

(D)34.2025-0263

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Release Of Funds Received For Redemption Of Tax Sale Certificates To Lienholders

WHEREAS, the Lakewood Township Tax Collector periodically auctions for sale Tax Sale Certificates for delinquencies on the payment of real estate taxes and/or utility charges pursuant to state statutes, which may be redeemed by the property owners in accordance with the governing laws; and

WHEREAS, the attached spreadsheet details various Tax Sale Certificates sold by the Lakewood Township Tax Collector to the lienholders noted, for property located at the various Blocks and Lots designated in said spreadsheet; and

WHEREAS, these enumerated tax certificates were redeemed, with these redemption payments being deposited in either a tax redemption account or premium account administered by the township's finance department; and

WHEREAS, the lienholders referenced on this attached spreadsheet have produced either the original Tax Sale Certificate or satisfactory proof of ownership of said Tax Sale Certificates to now entitle these lienholders to release of the money paid for said certificates, any subsequent tax payments, and any premiums paid therefor; and

WHEREAS, the Township can now release the principal and interest received, subsequent tax payments made by said lienholders, and premium(s) if applicable to the named Lien Holders referenced on this spreadsheet.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, hereby authorizes the release of the amounts listed to the Lien Holder(s) as same appears on the attached spreadsheet.

BE IT FURTHER RESOLVED that a copy of this approved resolution is forwarded to the Finance Department and the Tax Collector.

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-263

RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF FUNDS RECEIVED FOR REDEMPTION OF TAX SALE CERTIFICATES TO LIENHOLDERS

WHEREAS, the Lakewood Township Tax Collector periodically auctions for sale Tax Sale Certificates for delinquencies on the payment of real estate taxes and/or utility charges pursuant to state statutes, which may be redeemed by the property owners in accordance with the governing laws; and

WHEREAS, the attached spreadsheet details various Tax Sale Certificates sold by the Lakewood Township Tax Collector to the lienholders noted, for property located at the various Blocks and Lots designated in said spreadsheet; and

WHEREAS, these enumerated tax certificates were redeemed, with these redemption payments being deposited in either a tax redemption account or premium account administered by the township's finance department; and

WHEREAS, the lienholders referenced on this attached spreadsheet have produced either the original Tax Sale Certificate or satisfactory proof of ownership of said Tax Sale Certificates to now entitle these lienholders to release of the money paid for said certificates, any subsequent tax payments, and any premiums paid therefor; and

WHEREAS, the Township can now release the principal and interest received, subsequent tax payments made by said lienholders, and premium(s) if applicable to the named Lien Holders referenced on this spreadsheet.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, hereby authorizes the release of the amounts listed to the Lien Holder(s) as same appears on the attached spreadsheet.

BE IT FURTHER RESOLVED that a copy of this approved resolution is forwarded to the Finance Department and the Tax Collector.

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 May 22, 2025.

Lauren Kirkman, RMC, CMR
Township Clerk

5-22-2025

Tax Sale Certificate #	Block	Lot	Lien Holder	Redemption Amount	Premium Amount
23-00162	1248	62.05	PROCAP 8 FBO FIRSTRUST BANK	\$3,323.87	\$300.00
22-00005	11. 10	75	WSFS CO/FAC LIEN HOLDING	\$47,812.62	\$68,500.00
24-00083	1051	78	PROCAP 8 FBO FIRSTRUST BANK	\$16,013.46	\$30,100.00
24-00074	775	2	CHRISTIANA TRUST AS CUSTODIAN GSRAN-Z LLC DEPOSIT ACCOUNT	\$22,765.07	\$27,200.00
24-00047	231	17	FIG 20 LLC, FBO SECPTY	\$297.02	\$600.00
24-00012	27	1.11	Christiana TC/FCEI/Firsttrust	\$28,178.64	\$31,000.00

(D)35.2025-0264

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Authorizing The Award Of A Competitive Contracting Bid For A Kayak Rental Service In Accordance With N.J.S.A 40a:11-1 Et Seq

WHEREAS, the Township of Lakewood is in need of a vendor who will supply kayaks and operate its kayak rental service at Lake Carasaljo; and

WHEREAS, N.J.S.A.40A:11-4.1 provides that a local contracting unit may use competitive contracting in lieu of public bidding for concessions such as the aforementioned, when the returns of the service will exceed the bid threshold: and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3(a), on April 10, 2025, the Township duly passed a Resolution authorizing the use of competitive contracting for the provision of said service, the award to be made based on price and other factors; and

WHEREAS, there was one (1) proposal received on the bid opening date, May 20, 2025: and.

WHEREAS, the Township has complied with all the requirements for competitive contracting set forth in N.J.S.A. 40a:11-4.1 through 4.5, including a full review of the proposals submitted, an evaluation of the proposals in accordance with the weighted criteria set forth in the RFP and preparing of a report for the Township and public consideration of the recommendation; and

WHEREAS, the Purchasing Agent, has reviewed all the above and recommends that the award for this competitive contract, based on price and other factors, be to Lakewood Kayak Rentals, LLC.

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

1. That a two (2) year contract, with the option of three additional one-year (consecutive months) to renew pursuant to competitive contracting in lieu of competitive bidding to be hereby awarded to Lakewood Kayak Rentals, LLC in accordance with the request for proposal, specification documents and the proposal of the contractor for the contract period May 22, 2025 to May 22, 2027.
2. That the Mayor and/or Deputy Mayor and Township Clerk and the same are hereby authorized and directed to execute the contract hereby awarded with such changes as may be indicated by the Township Attorney.
3. That a notice of this action shall be printed once in the official newspaper of the Township of Lakewood and on the Township website.
4. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Municipal Manager;
 - B. Chief Financial Officer
 - C. Purchasing Agent
 - D. Lakewood Kayak Rentals, 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

resolution

RESOLUTION #2025-

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE
OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE
CONTRACTING BID FOR A KAYAK RENTAL SERVICE IN ACCORDANCE WITH
N.J.S.A 40A:11-1 ET SEQ**

WHEREAS, the Township of Lakewood is in need of a vendor who will supply kayaks and operate its kayak rental service at Lake Carasajlo; and

WHEREAS, N.J.S.A.40A:11-4.1 provides that a local contracting unit may use competitive contracting in lieu of public bidding for concessions such as the aforementioned, when the returns of the service will exceed the bid threshold: and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3(a), on April 10, 2025, the Township duly passed a Resolution authorizing the use of competitive contracting for the provision of said service, the award to be made based on price and other factors; and

WHEREAS, there was one (1) proposal received on the bid opening date, May 20, 2025: and.

WHEREAS, the Township has complied with all the requirements for competitive contracting set forth in N.J.S.A. 40a:11-4.1 through 4.5, including a full review of the proposals submitted, an evaluation of the proposals in accordance with the weighted criteria set forth in the RFP and preparing of a report for the Township and public consideration of the recommendation; and

WHEREAS, the Purchasing Agent, has reviewed all the above and recommends that the award for this competitive contract, based on price and other factors, be to Lakewood Kayak Rentals, LLC.

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

1. That a two (2) year contract, with the option of three additional one-year (consecutive months) to renew pursuant to competitive contracting in lieu of competitive bidding to be hereby awarded to Lakewood Kayak Rentals, LLC in accordance with the request for proposal, specification documents and the proposal of the contractor for the contract period May 22, 2025 to May 22, 2027.

2. That the Mayor and/or Deputy Mayor and Township Clerk and the same are hereby authorized and directed to execute the contract hereby awarded with such changes as may be indicated by the Township Attorney.

3. That a notice of this action shall be printed once in the official newspaper of the Township of Lakewood and on the Township website.

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

- A. Municipal Manager;
- B. Chief Financial Officer
- C. Purchasing Agent
- D. Lakewood Kayak Rentals, 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 **May 22, 2025.**

Lauren Kirkman RMC CMR
Township Clerk

(D)36.2025-0265

Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Awarding A Contract For The Cell Tower Land Lease At 231 Third Street Lakewood NJ Pursuant To And In Accordance With N.J.S.A. 40a:11-1 Et Seq.

WHEREAS, the Township wished to award a cell tower land lease at 231 Third Street Lakewood NJ pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, on May 15, 2025, the Township received and opened one (1) bid for said lease; and

WHEREAS, the proposal from New Cingular Wireless PCS, LLC (AT&T) was found to be the most responsive and responsible bid; and

WHEREAS, the Township Committee is satisfied with the recommendation of the Purchasing Agent to award said contract to .

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

That a contract for the award of the Cell Tower Land Lease for a term of five years (60 consecutive months) with options to extend the lease for three additional terms of five years (60 consecutive months) each, beginning on the date of the award, May 22, 2025 is hereby awarded to New Cingular Wireless, PCS, LLC (AT&T) .

1. This contract is hereby awarded based on the attached proposal and on funds to be certified to be available by the Chief Financial Officer.
2. That the Mayor or Deputy Mayor, or their designee, are hereby authorized to execute and the Township Clerk to attest to a contract for the aforesaid service.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Municipal Manager
 - B. Chief Financial Officer
 - C. Purchasing Agent
 - D. New Cingular Wireless PCS, LLC (AT&T)

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

Resolution

**RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AWARDING A CONTACT FOR THE CELL TOWER
LAND LEASE AT 231 THIRD STREET LAKEWOOD NJ PURSUANT TO AND IN
ACCORDANCE WITH N.J.S.A. 40A:11-1 ET SEQ.**

WHEREAS, the Township wished to award a cell tower land lease at 231 Third Street Lakewood NJ pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, on May 15, 2025, the Township received and opened one (1) bid for said lease; and

WHEREAS, the proposal from New Cingular Wireless PCS, LLC (AT&T) was found to be the most responsive and responsible bid; and

WHEREAS, the Township Committee is satisfied with the recommendation of the Purchasing Agent to award said contract to .

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

That a contract for the award of the Cell Tower Land Lease for a term of five years (60 consecutive months) with options to extend the lease for three additional terms of five years (60 consecutive months) each, beginning on the date of the award, May 22, 2025 is hereby awarded to New Cingular Wireless, PCS, LLC (AT&T) .

1. This contract is hereby awarded based on the attached proposal and on funds to be certified to be available by the Chief Financial Officer.
2. That the Mayor or Deputy Mayor, or their designee, are hereby authorized to execute and the Township Clerk to attest to a contract for the aforesaid service.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Municipal Manager
 - B. Chief Financial Officer
 - C. Purchasing Agent
 - D. New Cingular Wireless PCS, LLC (AT&T)

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 May 22, 2025.

Lauren Kirkman, Township Clerk

(E)37.

2025-021 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Opting Into The Garden State C-Pace Program To Facilitate The Financing Of C-Pace Projects

WHEREAS, facilitating the direct financing of clean energy and resiliency-related improvements (“C-PACE Projects”) on commercial and certain other types of property will enable Township of Lakewood (“Municipality”) in the County of Ocean (“County”) to contribute toward the goals of community sustainability and the reduction of greenhouse gas, carbon emissions and energy consumption, while also providing a valuable service to the citizens of this community that will create jobs and strengthen our ratable base; and WHEREAS, the Legislature and the Governor of the State of New Jersey (the “State”) have declared it to be the public policy of this State to invest in clean energy and resiliency-related improvements to conserve our resources and allay the impact of natural disasters; and

WHEREAS, the Legislature and the Governor of the State have authorized the establishment of the Garden State C-PACE Program, pursuant to P.L. 2021, c. 201 (N.J.S.A. 34:1B-374 et seq.) (the “Act”); and

WHEREAS, pursuant to the Act, the New Jersey Economic Development Authority (the “Authority”) has issued Guidelines for the Garden State C-PACE Program; and

WHEREAS, any capitalized terms used in this Ordinance if not defined herein shall have their meaning as set forth in the Program Guidelines; and

WHEREAS, pursuant to the Act and the Program Guidelines, municipalities may “opt in” to the Garden State C-PACE Program to facilitate the Direct Financing of C-PACE Projects; and

WHEREAS, in order to participate in the Garden State C-PACE Program, a municipality must adopt an opt-in ordinance authorizing it to enter into a Garden State Program Agreement with the Authority; and

WHEREAS, in compliance with the Act and the Program Guidelines, and in order to facilitate Direct Financing pursuant to the Garden State C-PACE Program, this Ordinance authorizes the creation of C-PACE Assessments to be imposed on Eligible Properties located within the Municipality, at the request of their Eligible Owners; and

WHEREAS, pursuant to the Act and the Program Guidelines, a C-PACE Assessment shall be considered a single, continuous first lien, paramount to all prior or subsequent alienations and descents or encumbrances thereon, except subsequent taxes, charges or assessments, and such lien shall not be extinguished by the Municipality’s in rem foreclosure proceedings; and

WHEREAS, pursuant to the Act and the Program Guidelines, a C-PACE Assessment shall be treated as a municipal lien rather than a contractual lien for all purposes of law; and

WHEREAS, a C-PACE Assessment shall be entered into voluntarily by an Eligible Owner to facilitate the Direct Financing of a C-PACE Project with a loan from a Qualified Capital Provider, the repayment of which is made by way of the C-PACE Assessment on the Eligible Property on which the C-PACE Project is or will be located; and

WHEREAS, opting-in to the Garden State C-PACE Program is in the best interests of the health, safety, and welfare of the Municipality and will generate more economic opportunities for citizens, property owners, and commercial businesses alike; and

WHEREAS, the Municipality, pursuant to the Act and the Garden State C-PACE Program Guidelines and Supplemental Guidelines, as may be amended from time to time (collectively the “Program Guidelines”), does hereby declare its commitment to opt in and participate in the Garden State C-PACE Program and to enter into a Garden State Program Agreement with the Authority; and

WHEREAS, the Municipality further declares that participating in the Garden State C-PACE Program is a valid public purpose; and

WHEREAS, if and to the extent there is any inconsistency between this Ordinance and the Act or Program Guidelines, this Ordinance shall be construed consistently with the provisions and requirements of the Act and the Program Guidelines and in case of conflict the Act and the Program Guidelines shall control.

NOW, THEREFORE BE IT ORDAINED, by the governing body of the Municipality as follows:

1. Scope and Purpose; Approval of Certain C-PACE Project Documents

A. Pursuant to the Act, this Ordinance shall constitute the Municipality's "opt-in" ordinance that authorizes participation in the Garden State C-PACE Program, which shall be available to Eligible Properties situated within the Municipality and authorizes execution of a Garden State Program Agreement.

B. The Municipality shall accept C-PACE Projects in accordance with the Garden State Program Agreement to be entered into with the Authority.

C. In accordance with the Act, the Municipality shall levy, bill, collect, remit, and enforce C-PACE Assessments with respect to participating Eligible Properties located within the Municipality.

D. The Mayor and Municipal Clerk or any of their designees in writing are designated as the "Authorized Officers" for purposes of executing and delivering the various agreements and documents authorized by this Ordinance.

E. An Authorized Officer is hereby authorized and directed to enter into the Garden State Program Agreement with the Authority in substantially the form attached as Exhibit A hereto.

F. An Authorized Officer under the direction of the Mayor is hereby authorized and directed to (i) enter into C-PACE Assessment Agreements, Notices of Assessment, and any other Uniform Assessment Documents with Eligible Owners, and arrange for the recording of such documents in the Recording Office of the County; and (ii) enter into Assignment Agreements and any other Uniform Assessment Documents with Qualified Capital Providers, and arrange for the recording of such documents in the Recording Office of the County.

2. Definitions

Such terms and meanings as defined in this Ordinance or in the Program Guidelines shall be applicable to municipal actions and municipal documents required to carry out the purposes of this Ordinance.

3. Criteria For Qualifying A C-PACE Project For A C-PACE Assessment

To qualify for a C-PACE Assessment, a proposed project must meet the criteria in the Program Guidelines for eligibility and have been approved by the Authority.

4. Municipal C-PACE Liaison

The Municipal Manager shall designate a municipal official, who shall be known as the "Municipal C-PACE Liaison," to serve as the Municipality's liaison to the Garden State C-PACE Program. The Municipality shall have a designated Municipal C-PACE Liaison at all times during the Municipality's participation in the Garden State C-PACE Program. The Municipal C-PACE Liaison shall be or become qualified as described in the Garden State Program Agreement and shall have the responsibilities and obligations set forth in the Garden State Program Agreement.

5. Municipal C-PACE Fees; Recording of C-PACE Project Documents

Municipal C-PACE fees and the recording of Uniform Assessment Documents for a C-PACE Project shall be as set forth in the Garden State Program Agreement. The amount of any fee shall not be revised without providing prior written notice to the Authority, and shall not exceed the amount set forth in the Program Guidelines. Any increase in the amount of a fee shall not apply retroactively to any prior fee paid for which a completed C-PACE Project application was submitted but shall apply to all prospective fees for all C-PACE Projects, including any C-PACE Project with an existing C-PACE Assessment.

6. Forms of Uniform Assessment Documents and Related Documents

A. All Uniform Assessment Documents, financial documents, or other documents in the form set forth in the Uniform Assessment Documents to be entered into between the Municipality and an Eligible Owner or a Qualified Capital Provider shall be subject to review by the Mayor or the Mayor's designee and the Municipal Attorney or their designee to determine their substantive adherence to the forms as set forth in the Uniform Assessment Documents and shall be approved by resolution of the governing body, prior to execution of any such documents. All C-PACE Project Documents, such other Uniform Assessment Documents, and other related documents to be entered into in connection with the Garden State C-PACE Program shall be in compliance with the Act, this Ordinance, the Garden State Program Agreement, and the Program Guidelines.

B. All final documents to be executed by the Municipality in connection with its participation in the Garden State C-PACE Program shall be subject to review and approval by the Municipal Attorney.

7. Acceptance of Projects

A. Pursuant to Section 1 of this Ordinance, the Municipality hereby agrees to accept C-PACE Projects pursuant to the Garden State C-PACE Program in accordance with the Act, the Program Guidelines, and the

Garden State Program Agreement entered into with the Authority.

B. All C-PACE Projects and Eligible Owners shall have satisfied the criteria set forth in Section 3 of this Ordinance.

8. Collection, Enforcement and Remittance

A. If any payment of a C-PACE Assessment is not made when that payment shall have become due, or later, consistent with any grace period provided or extended by the Municipality for the payment of property tax bills as may be permitted or required by law, the Municipality shall impose interest thereon ("statutory interest") at the same rate as may be imposed upon unpaid property taxes in the Municipality. Such statutory interest shall be in addition to any accrued interest and any amount fixed as a penalty for delinquency pursuant to the Direct Financing Agreement.

B. All delinquent payments of C-PACE Assessments, together with statutory interest thereon, accrued interest, and any penalties for such delinquency, shall be collected and enforced in the same manner as unpaid property taxes, which may include accelerated tax sales. The proceeds of the tax sale shall also pay the outstanding past unpaid amounts of the C-PACE Assessment. The remaining balance not delinquent on a C-PACE Assessment shall not be subject to acceleration or extinguishment in the event of a default in payment.

C. Any statutory interest collected by the Municipality on a delinquent C-PACE Assessment shall be retained by the Municipality. Any accrued interest, or any amount fixed as a penalty for delinquency pursuant to the Direct Financing Agreement shall be remitted to the Qualified Capital Provider.

D. If a Property Owner is delinquent on a C-PACE Assessment as well as delinquent on taxes, charges, or other assessments, the Municipality shall apply any payment made by the Property Owner to any and all such other delinquencies before being applied to any delinquent C-PACE Assessment.

E. In the event that any lien on an Eligible Property shall be exposed to tax sale, pursuant to the "tax sale law," N.J.S.A. 54:5-1 et seq., and is struck off and sold to the Municipality, the C-PACE Assessment shall survive any subsequent action to foreclose the right of redemption and continue as a first lien upon the real estate described in the C-PACE Assessment, paramount to all prior or subsequent alienations and descents of the real estate or encumbrances, except subsequent taxes, charges, or other assessments.

F. While the Municipality holds the lien or owns the Eligible Property, the Municipality shall not be responsible for or required to make any payment from its treasury or any other source in furtherance of or to satisfy the C-PACE Assessment.

G. The Municipality shall not bear any other responsibility in furtherance or satisfaction of a C-PACE Assessment, except that a Qualified Capital Provider may seek to compel the Municipality to enforce a lien through an action to foreclose.

H. The Municipality's appropriate administrative personnel are authorized to make payments to the Qualified Capital Provider or its designee in accordance with the Assignment Agreement without the necessity of prior approval from the governing body, in accordance with N.J.S.A. 40A:5-17 and the appropriate provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq.

9. Public Funds Not To Be Utilized To Pay Delinquent Assessment

A. The Municipality shall not be responsible for or required to make any payment from its funds or any other source of public funds in furtherance of or to satisfy the C-PACE Assessment.

B. This Ordinance shall not be construed to confer any right of action or property interest upon any party participating in a C-PACE transaction with the Municipality, nor shall it be interpreted to pledge, offer, or encumber the full faith and credit of the Municipality for any C-PACE lien or C-PACE Assessment.

10. Revenue From The C-PACE Assessment Not A Part of General Fund

A. The C-PACE Assessment in respect of a C-PACE Project shall be assigned directly by the Municipality, and any assignee thereof, to the Qualified Capital Provider with respect to such C-PACE Project, as security for the Direct Financing.

B. Such assignment shall be an absolute assignment of all of the Municipality's right, title, and interest in and to the C-PACE Assessment, except for its obligations to levy, bill, collect, remit, and enforce C-PACE Assessments. The proceeds of a C-PACE Assessment shall be considered "special revenues" owned by the Qualified Capital Provider pursuant to chapter 9 of the federal bankruptcy code, U.S.C. Title 11.

C. Pursuant to N.J.S.A. 34:1B-378, C-PACE Assessments assigned shall not be included in the Municipality's

general funds, or be subject to any laws regarding the receipt, deposit, investment, or appropriation of public funds, and shall retain such status notwithstanding enforcement of the C-PACE Assessment by the Municipality or its assignee.

D. If the Municipality is otherwise subject to tax or revenue sharing pursuant to law, the C-PACE Assessments shall not be considered part of the tax or revenue sharing formula or calculation of municipal revenues for the purpose of determining whether the Municipality is obligated to make payment to, or receive a credit from, any tax sharing or revenue sharing pool. However, the redemption of any delinquent and unpaid C-PACE Assessments, including any interest, penalties, or other charges related thereto, shall be paid no later than on the first available tax bill after the property has been sold after an action to foreclose the right of redemption.

11. Independent Sections, Conflicts & Effective Date

A. Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void, invalid or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof which shall survive in full force and effect.

B. All ordinances and parts of ordinances that conflict with or that are inconsistent with this Ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

C. This Ordinance shall take effect after final adoption and approval following 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

exhibit a

GARDEN STATE C-PACE PROGRAM

ORDINANCE NO. 2025-

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, OPTING INTO THE GARDEN STATE C-PACE PROGRAM TO FACILITATE THE FINANCING OF C-PACE PROJECTS

WHEREAS, facilitating the direct financing of clean energy and resiliency-related improvements (“C-PACE Projects”) on commercial and certain other types of property will enable Township of Lakewood (“Municipality”) in the County of Ocean (“County”) to contribute toward the goals of community sustainability and the reduction of greenhouse gas, carbon emissions and energy consumption, while also providing a valuable service to the citizens of this community that will create jobs and strengthen our ratable base; and

WHEREAS, the Legislature and the Governor of the State of New Jersey (the “State”) have declared it to be the public policy of this State to invest in clean energy and resiliency-related improvements to conserve our resources and allay the impact of natural disasters; and

WHEREAS, the Legislature and the Governor of the State have authorized the establishment of the Garden State C-PACE Program, pursuant to P.L. 2021, c. 201 (N.J.S.A. 34:1B-374 et seq.) (the “Act”); and

WHEREAS, pursuant to the Act, the New Jersey Economic Development Authority (the “Authority”) has issued Guidelines for the Garden State C-PACE Program; and

WHEREAS, any capitalized terms used in this Ordinance if not defined herein shall have their meaning as set forth in the Program Guidelines; and

WHEREAS, pursuant to the Act and the Program Guidelines, municipalities may “opt in” to the Garden State C-PACE Program to facilitate the Direct Financing of C-PACE Projects; and

WHEREAS, in order to participate in the Garden State C-PACE Program, a municipality must adopt an opt-in ordinance authorizing it to enter into a Garden State Program Agreement with the Authority; and

WHEREAS, in compliance with the Act and the Program Guidelines, and in order to facilitate Direct Financing pursuant to the Garden State C-PACE Program, this Ordinance authorizes the creation of C-PACE Assessments to be imposed on Eligible Properties located within the Municipality, at the request of their Eligible Owners; and

WHEREAS, pursuant to the Act and the Program Guidelines, a C-PACE Assessment shall be considered a single, continuous first lien, paramount to all prior or subsequent alienations and descents or encumbrances thereon, except subsequent taxes, charges or assessments, and such lien shall not be extinguished by the Municipality’s in rem foreclosure proceedings; and

WHEREAS, pursuant to the Act and the Program Guidelines, a C-PACE Assessment shall be treated as a municipal lien rather than a contractual lien for all purposes of law; and

WHEREAS, a C-PACE Assessment shall be entered into voluntarily by an Eligible Owner to facilitate the Direct Financing of a C-PACE Project with a loan from a Qualified Capital Provider, the repayment of which is made by way of the C-PACE Assessment on the Eligible Property on which the C-PACE Project is or will be located; and

WHEREAS, opting-in to the Garden State C-PACE Program is in the best interests of the health, safety, and welfare of the Municipality and will generate more economic opportunities for citizens, property owners, and commercial businesses alike; and

WHEREAS, the Municipality, pursuant to the Act and the Garden State C-PACE Program Guidelines and Supplemental Guidelines, as may be amended from time to time (collectively the “Program Guidelines”), does hereby declare its commitment to opt in and participate in the Garden State C-PACE Program and to enter into a Garden State Program Agreement with the Authority; and

WHEREAS, the Municipality further declares that participating in the Garden State C-PACE Program is a valid public purpose; and

WHEREAS, if and to the extent there is any inconsistency between this Ordinance and the Act or Program Guidelines, this Ordinance shall be construed consistently with the provisions and requirements of the Act and the Program Guidelines and in case of conflict the Act and the Program Guidelines shall control.

NOW, THEREFORE BE IT ORDAINED, by the governing body of the Municipality as follows:

1. Scope and Purpose; Approval of Certain C-PACE Project Documents

A. Pursuant to the Act, this Ordinance shall constitute the Municipality’s “opt-in” ordinance that authorizes participation in the Garden State C-PACE Program, which shall be available to Eligible Properties situated within the Municipality and authorizes execution of a Garden State Program Agreement.

B. The Municipality shall accept C-PACE Projects in accordance with the Garden State Program Agreement to be entered into with the Authority.

C. In accordance with the Act, the Municipality shall levy, bill, collect, remit, and enforce C-PACE Assessments with respect to participating Eligible Properties located within the Municipality.

D. The **Mayor and Municipal Clerk** or any of their designees in writing are designated as the “Authorized Officers” for purposes of executing and delivering the various agreements and documents authorized by this Ordinance.

E. An Authorized Officer is hereby authorized and directed to enter into the Garden State Program Agreement with the Authority in substantially the form attached as **Exhibit A hereto**.

F. An Authorized Officer under the direction of the Mayor is hereby authorized and directed to (i) enter into C-PACE Assessment Agreements, Notices of Assessment, and any other Uniform Assessment Documents with Eligible Owners, and arrange for the recording of such documents in the Recording Office of the County; and (ii) enter into Assignment Agreements and any other Uniform Assessment Documents with Qualified Capital Providers, and arrange for the recording of such documents in the Recording Office of the County.

2. Definitions

Such terms and meanings as defined in this Ordinance or in the Program Guidelines shall be applicable to municipal actions and municipal documents required to carry out the purposes of this Ordinance.

3. Criteria For Qualifying A C-PACE Project For A C-PACE Assessment

To qualify for a C-PACE Assessment, a proposed project must meet the criteria in the Program Guidelines for eligibility and have been approved by the Authority.

4. Municipal C-PACE Liaison

The Municipal Manager shall designate a municipal official, who shall be known as the “Municipal C-PACE Liaison,” to serve as the Municipality’s liaison to the Garden State C-PACE Program. The Municipality shall have a designated Municipal C-PACE Liaison at all times during the Municipality’s participation in the Garden State C-PACE Program. The Municipal C-PACE Liaison shall be or become qualified as described in the Garden State Program Agreement and shall have the responsibilities and obligations set forth in the Garden State Program Agreement.

5. Municipal C-PACE Fees; Recording of C-PACE Project Documents

Municipal C-PACE fees and the recording of Uniform Assessment Documents for a C-PACE Project shall be as set forth in the Garden State Program Agreement. The amount of any fee shall not be revised without providing prior written notice to the Authority, and shall not exceed the amount set forth in the Program Guidelines. Any increase in the amount of a fee shall not apply retroactively to any prior fee paid for which a completed C-PACE Project application was submitted but shall apply to all prospective fees for all C-PACE Projects, including any C-PACE Project with an existing C-PACE Assessment.

6. Forms of Uniform Assessment Documents and Related Documents

A. All Uniform Assessment Documents, financial documents, or other documents in the form set forth in the Uniform Assessment Documents to be entered into between the Municipality and an Eligible Owner or a Qualified Capital Provider shall be subject to review by the Mayor or the Mayor’s designee and the Municipal Attorney or their designee to determine their substantive adherence to the forms as set forth in the Uniform Assessment Documents and shall be approved by resolution of the governing body, prior to execution of any such documents. All C-PACE Project Documents, such other Uniform Assessment Documents, and other related documents to be entered into in connection with the Garden State C-PACE Program shall be in

compliance with the Act, this Ordinance, the Garden State Program Agreement, and the Program Guidelines.

B. All final documents to be executed by the Municipality in connection with its participation in the Garden State C-PACE Program shall be subject to review and approval by the Municipal Attorney.

7. Acceptance of Projects

A. Pursuant to Section 1 of this Ordinance, the Municipality hereby agrees to accept C-PACE Projects pursuant to the Garden State C-PACE Program in accordance with the Act, the Program Guidelines, and the Garden State Program Agreement entered into with the Authority.

B. All C-PACE Projects and Eligible Owners shall have satisfied the criteria set forth in Section 3 of this Ordinance.

8. Collection, Enforcement and Remittance

A. If any payment of a C-PACE Assessment is not made when that payment shall have become due, or later, consistent with any grace period provided or extended by the Municipality for the payment of property tax bills as may be permitted or required by law, the Municipality shall impose interest thereon (“statutory interest”) at the same rate as may be imposed upon unpaid property taxes in the Municipality. Such statutory interest shall be in addition to any accrued interest and any amount fixed as a penalty for delinquency pursuant to the Direct Financing Agreement.

B. All delinquent payments of C-PACE Assessments, together with statutory interest thereon, accrued interest, and any penalties for such delinquency, shall be collected and enforced in the same manner as unpaid property taxes, which may include accelerated tax sales. The proceeds of the tax sale shall also pay the outstanding past unpaid amounts of the C-PACE Assessment. The remaining balance not delinquent on a C-PACE Assessment shall not be subject to acceleration or extinguishment in the event of a default in payment.

C. Any statutory interest collected by the Municipality on a delinquent C-PACE Assessment shall be retained by the Municipality. Any accrued interest, or any amount fixed as a penalty for delinquency pursuant to the Direct Financing Agreement shall be remitted to the Qualified Capital Provider.

D. If a Property Owner is delinquent on a C-PACE Assessment as well as delinquent on taxes, charges, or other assessments, the Municipality shall apply any payment made by the Property Owner to any and all such other delinquencies before being applied to any delinquent C-PACE Assessment.

E. In the event that any lien on an Eligible Property shall be exposed to tax sale, pursuant to the “tax sale law,” N.J.S.A. 54:5-1 et seq., and is struck off and sold to the Municipality, the C-PACE Assessment shall survive any subsequent action to foreclose the right of redemption and continue as a first lien upon the real estate described in the C-PACE Assessment, paramount to

all prior or subsequent alienations and descents of the real estate or encumbrances, except subsequent taxes, charges, or other assessments.

F. While the Municipality holds the lien or owns the Eligible Property, the Municipality shall not be responsible for or required to make any payment from its treasury or any other source in furtherance of or to satisfy the C-PACE Assessment.

G. The Municipality shall not bear any other responsibility in furtherance or satisfaction of a C-PACE Assessment, except that a Qualified Capital Provider may seek to compel the Municipality to enforce a lien through an action to foreclose.

H. The Municipality's appropriate administrative personnel are authorized to make payments to the Qualified Capital Provider or its designee in accordance with the Assignment Agreement without the necessity of prior approval from the governing body, in accordance with N.J.S.A 40A:5-17 and the appropriate provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq.

9. Public Funds Not To Be Utilized To Pay Delinquent Assessment

A. The Municipality shall not be responsible for or required to make any payment from its funds or any other source of public funds in furtherance of or to satisfy the C-PACE Assessment.

B. This Ordinance shall not be construed to confer any right of action or property interest upon any party participating in a C-PACE transaction with the Municipality, nor shall it be interpreted to pledge, offer, or encumber the full faith and credit of the Municipality for any C-PACE lien or C-PACE Assessment.

10. Revenue From The C-PACE Assessment Not A Part of General Fund

A. The C-PACE Assessment in respect of a C-PACE Project shall be assigned directly by the Municipality, and any assignee thereof, to the Qualified Capital Provider with respect to such C-PACE Project, as security for the Direct Financing.

B. Such assignment shall be an absolute assignment of all of the Municipality's right, title, and interest in and to the C-PACE Assessment, except for its obligations to levy, bill, collect, remit, and enforce C-PACE Assessments. The proceeds of a C-PACE Assessment shall be considered "special revenues" owned by the Qualified Capital Provider pursuant to chapter 9 of the federal bankruptcy code, U.S.C. Title 11.

C. Pursuant to N.J.S.A 34:1B-378, C-PACE Assessments assigned shall not be included in the Municipality's general funds, or be subject to any laws regarding the receipt, deposit, investment, or appropriation of public funds, and shall retain such status notwithstanding enforcement of the C-PACE Assessment by the Municipality or its assignee.

D. If the Municipality is otherwise subject to tax or revenue sharing pursuant to law, the C-PACE Assessments shall not be considered part of the tax or revenue sharing formula or calculation of municipal revenues for the purpose of determining whether the Municipality is obligated to make payment to, or receive a credit from, any tax sharing or revenue sharing pool.

However, the redemption of any delinquent and unpaid C-PACE Assessments, including any interest, penalties, or other charges related thereto, shall be paid no later than on the first available tax bill after the property has been sold after an action to foreclose the right of redemption.

11. Independent Sections, Conflicts & Effective Date

A. Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void, invalid or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof which shall survive in full force and effect.

B. All ordinances and parts of ordinances that conflict with or that are inconsistent with this Ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

C. This Ordinance shall take effect after final adoption and approval following publication in accordance with law.

Introduced: May 22, 2025

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 **May 22, 2025**

Lauren Kirkman, RMC, CMR
Township Clerk

FORM OF PROGRAM AGREEMENT

GARDEN STATE PROGRAM AGREEMENT
BETWEEN
THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
AND

THIS GARDEN STATE PROGRAM AGREEMENT (this “Garden State Program Agreement”) is made and entered into as of the ____ day of _____, 202_, by and between _____ (the “Municipality”), a municipal corporation of the State of New Jersey (the “State”), having an address at _____, in the County of _____, and the NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY, a public body corporate and politic of the State (the “Authority”; and together with the Municipality, the “Parties”, and each, a “Party”).

Capitalized terms not defined herein shall have the meanings given such terms in the Program Guidelines.

BACKGROUND

WHEREAS, the Authority has established the Garden State C-PACE Program (the “Program”), and developed the Garden State C-PACE Program Guidelines and Supplemental Guidelines (as may be amended from time to time, collectively the “Program Guidelines”), pursuant to and in accordance with P.L. 2021, c. 201 (N.J.S.A. 34:1B-374 et seq.), as may be amended, the “C-PACE Act”), to facilitate private and other loan financing for clean energy and resiliency-related improvements to commercial and certain other types of properties (each, a “C-PACE Project”); and

WHEREAS, the C-PACE Act authorizes the imposition of a voluntary local improvement assessment in accordance with N.J.S.A. 40:56-1 et seq. (a “C-PACE Assessment”) at the request of an Eligible Owner to provide security for the repayment to a Qualified Capital Provider of Direct Financing for a C-PACE Project, provided that the municipality in which the Eligible Property is located has adopted an Opt-in Ordinance to participate in the Program and has entered into a Garden State Program Agreement; and

WHEREAS, the Municipality has adopted an Opt-in Ordinance authorizing its participation in the Program and its execution of this Garden State Program Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto mutually covenant and agree as follows:

Section 1 - Purpose.

The Authority and the Municipality are entering into this Garden State Program Agreement for the purpose of setting forth their respective obligations in connection with the Program in accordance with the C-PACE Act and the Program Guidelines.

Section 2 - Rights and Obligations of the Authority.

A. C-PACE Program Guidelines; Uniform Assessment Documents. Pursuant to the C-PACE Act, the Authority has developed and published Program Guidelines, which are inclusive of the Uniform Assessment Documents. A copy of the current Program Guidelines, as in effect on the date hereof, can be found on the Authority's Program website. The Authority may, from time to time and at its discretion, revise the Program Guidelines, including one or more of the Uniform Assessment Documents. In the event that the Program Guidelines are revised, the revised Program Guidelines shall not apply retroactively to any prior approvals, actions, or fees paid for C-PACE Projects that were previously approved but shall be effective and applicable to all C-PACE Projects in the Municipality upon their publication on the Authority's Program website.

B. Applications for C-PACE Projects. As set forth in the Program Guidelines, an individual or entity seeking to receive a Direct Financing shall submit a completed application to the Authority for the Authority to determine if the individual or entity, the property, and the proposed project are eligible. The Authority shall inform the Municipality of the Authority's determinations with respect to the eligibility of proposed projects within the Municipality for which the Authority has received applications.

C. Applications by Capital Providers. As set forth in the Program Guidelines, a Capital Provider seeking to be qualified to participate in the Program shall submit a completed application to the Authority for the Authority to determine if the Capital Provider is eligible. In addition, the Program Guidelines set forth the conditions and requirements for participation by Qualified Capital Providers in the Program. The Authority shall maintain a list of Qualified Capital Providers on the Authority's Program website.

D. Use of Third-Party Administrators; Use of State Government Agencies. Pursuant to the C-PACE Act, during the term of this Garden State Program Agreement, the Authority: (i) may contract with one or more third-party administrators, whether private, public or quasi-public, or for-profit or not-for-profit, to assist the Authority in its implementation or administration, or a combination thereof, of the Program and may delegate any duties under the program to one or more such third-party administrators, provided that the Authority shall not delegate its responsibility for general oversight of the Program, or (ii) may enter into a memorandum of agreement with one or more State government agencies or instrumentalities whereby any of the powers the Authority may exercise or responsibilities it must fulfill pursuant to the C-PACE Act may be exercised or fulfilled, as the case may be, by such agency or instrumentality. If the Authority contracts with one or more third-party administrator or enters into a memorandum of

agreement with one or more State government agencies or instrumentalities, the Municipality agrees to cooperate with such third-party administrator or State agency or instrumentality and to enter into such amendments to this Garden State Program Agreement or such new agreements with respect to the Program as may be required at such time in connection with the change in Program administration, provided that any such new agreements will contain only provisions required to enable the new entity to undertake the administration of the Program.

Section 3 - Rights and Obligations of the Municipality.

A. Compliance with the Garden State C-PACE Program. The Municipality acknowledges and agrees that it has reviewed the C-PACE Act and the Program Guidelines and it shall comply with the C-PACE Act and the Program Guidelines. The Municipality shall remain in compliance at all times with all requirements and obligations of the Garden State C-PACE Program, the C-PACE Act, this Garden State Program Agreement, the Program Guidelines (as such Program Guidelines may be revised from time to time), and each Uniform Assessment Document to which the Municipality is a party. Without limiting the generality of the foregoing, in connection with each C-PACE Project in the Municipality, the Municipality shall be obligated to (i) enter into a C-PACE Assessment Agreement with the Eligible Owner; (ii) enter into a Notice of Assessment; (iii) enter into an Assignment Agreement with the Qualified Capital Provider; and (iv) enter into any amendment(s) to such C-PACE Assessment Agreement, Notice of Assessment, or Assignment Agreement, as the Eligible Owner and the Qualified Capital Provider shall jointly request. Each such Uniform Assessment Document shall be substantially in the form of such document included in the Program Guidelines.

B. Designation of Municipal C-PACE Liaison. The Mayor or municipal manager, as appropriate to the form of government, shall designate an official of the Municipality, who shall be known as the Municipal C-PACE Liaison, to serve as the Municipality's liaison to the Garden State C-PACE Program. The Municipality shall have a designated Municipal C-PACE Liaison at all times during the Municipality's participation in the Garden State C-PACE Program. The Municipal C-PACE Liaison shall be or become qualified by training and experience to serve in that role. The Municipal C-PACE Liaison shall be responsible for coordinating within the Municipality the operation of the Garden State C-PACE Program in order to ensure the Municipality's compliance with the Garden State C-PACE Program, including compliance with the Program Guidelines, compliance with this Garden State Program Agreement, enforcement of C-PACE Assessments, and establishment of the appropriate municipal processes to fully participate in the Garden State C-PACE Program.

C. C-PACE Assessment Treated as a Municipal Lien. A C-PACE Assessment shall be treated as a municipal lien rather than a contractual lien for all purposes, including for the purposes of this Garden State Program Agreement.

D. Obligation to Levy, Bill, Collect, Remit, and Enforce C-PACE Assessments.

1. Payments of the C-PACE Assessment shall commence as set forth in the C-PACE Assessment Agreement. The Municipality shall levy, bill and collect payments for the C-PACE Assessments in accordance with the Repayment Schedule attached to the C-PACE Assessment Agreement. The Repayment Schedule may be amended from time to time by

agreement of the Qualified Capital Provider and the Eligible Owner. Following its receipt of any such payments, the Municipality shall remit such payment to the applicable Qualified Capital Provider within thirty (30) days following the receipt of the payment by the Municipality.

2. If any payment of a C-PACE Assessment is not made when that payment should have become due, or later, consistent with any grace period provided or extended by the Municipality for the payment of property tax bills as may be permitted or required by law, the Municipality shall impose interest thereon ("statutory interest") at the same rate as shall be imposed upon unpaid property taxes in the Municipality. Such statutory interest shall be in addition to any accrued interest and any amount fixed as a penalty for delinquency, pursuant to the Direct Financing Agreement.

3. All delinquent payments of C-PACE Assessments, together with statutory interest thereon, accrued interest, and any penalties for such delinquency, shall be collected and enforced in the same manner as unpaid property taxes, which may include accelerated tax sales. The proceeds of the tax sale shall also pay the outstanding past unpaid amounts of the C-PACE Assessment. The remaining balance not delinquent on a C-PACE Assessment shall not be subject to acceleration or extinguishment in the event of a default in payment.

4. Any statutory interest collected by the Municipality on a delinquent C-PACE Assessment shall be retained by the Municipality. Any accrued interest, or any amount fixed as a penalty for delinquency pursuant to the Direct Financing Agreement shall be remitted to the Qualified Capital Provider.

5. If a Property Owner is delinquent on a C-PACE Assessment as well as delinquent on taxes, charges, or other assessments, the Municipality shall apply any payment made by the Property Owner to any and all such other delinquencies before applying any payment to any delinquent C-PACE Assessment.

6. The Municipality acknowledges that in the event that any lien on an Eligible Property shall be exposed to tax sale, pursuant to the "tax sale law," N.J.S.A. 54:5-1 et seq., and is struck off and sold to the Municipality, the C-PACE Assessment shall survive any subsequent action to foreclose the right of redemption and continue as a first lien upon the real estate described in the C-PACE Assessment, paramount to all prior or subsequent alienations and descents of the real estate or encumbrances, except subsequent taxes, charges, or other assessments.

7. Notwithstanding the obligations of the Municipality pursuant to N.J.S.A. 54:5-53.1, while the Municipality holds the lien or owns the Eligible Property, the Municipality shall not be responsible for or required to make any payment from its treasury or any other source in furtherance of or to satisfy the C-PACE Assessment.

8. The Municipality shall not bear any other responsibility in furtherance or satisfaction of a C-PACE Assessment, except that the Municipality acknowledges and agrees that a Qualified Capital Provider may seek to compel the Municipality to enforce a lien through an action to foreclose.

9. The Municipality's appropriate administrative personnel are authorized to make payments to the Qualified Capital Provider or its designee in accordance with the

Assignment Agreement without the necessity of prior approval from the governing body, in accordance with N.J.S.A. 40A:5-17 and the appropriate provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq.

E. Assignment of C-PACE Assessments.

1. Pursuant to an Assignment Agreement between the Municipality and a Qualified Capital Provider, a C-PACE Assessment shall be assigned directly by the Municipality, and any assignee thereof, to a Qualified Capital Provider, as security for the Direct Financing provided by the Qualified Capital Provider to finance a C-PACE Project.

2. The assignment of C-PACE Assessments shall be an absolute assignment of all of the Municipality's right, title, and interest in and to the C-PACE Assessments, except for the Municipality's obligations to levy, bill, collect, remit, and enforce C-PACE Assessments.

F. Obligation to Report Certain Events to the Authority. The Municipality shall maintain records of the following events and the Municipal C-PACE Liaison shall report such events to the Authority no later than thirty (30) days after the occurrence of any such event: (i) a delinquency in the payment of a C-PACE Assessment; (ii) the commencement of foreclosure proceedings with respect to a C-PACE Assessment; and (iii) the completion of foreclosure proceedings with respect to a C-PACE Assessment.

G. Municipal C-PACE Fees.

1. Closing Fee: The Municipality shall be entitled to charge an Eligible Owner a Closing Fee at the closing of the Direct Financing for the Municipality's activities to prepare for the ongoing billing, collecting, and remittance of the C-PACE Assessment with respect to a C-PACE Project. The amount of the Closing Fee shall be as set forth in Schedule I, shall not be revised without providing prior written notice to the Authority, and shall not exceed the amount set forth in the Program Guidelines. Any increase in the amount of the Closing Fee shall not apply with respect to any C-PACE Project for which the Eligible Owner's completed application to the Authority was filed prior to the date of implementation of the increase.

2. Municipal Servicing Fee: The Municipality shall be entitled to charge an Eligible Owner a Municipal Servicing Fee with respect to each C-PACE Project of the Eligible Owner, for the Municipality's billing, collection and remittance services rendered with respect to such C-PACE Project. The Annual Servicing Fee shall be charged each calendar year, or part thereof, in which a C-PACE Assessment is in effect with respect to such C-PACE Project. The Annual Servicing Fee may be billed together with the C-PACE Assessment and payable in respect of one quarter each year, such amount to be retained by the Municipality before remitting the balance to the Qualified Capital Provider, or the Annual Servicing Fee may be billed separately. The amount of the Annual Servicing Fee shall be as set forth in Schedule I, shall not be revised without providing prior written notice to the Authority, and shall not exceed the amount set forth in the Program Guidelines. Any increase in the amount of the Annual Servicing Fee shall not apply retroactively to any prior Annual Servicing Fee paid for a C-PACE project that was previously approved but shall apply to all prospective Annual Service Fees for all C-PACE Projects, including any C-PACE Project with an existing C-PACE Assessment.

H. Recording of C-PACE Project Documents. The Municipality acknowledges and agrees that certain Uniform Assessment Documents and each amendment to such documents are required to be recorded within the time and in the manner as required in the Program Guidelines. The Municipality shall designate on Schedule I whether the responsibility to record or arrange for the recording of such documents shall be the Municipality's or the Qualified Capital Provider. The Municipality's designation as set forth on Schedule I shall not be revised without providing prior written notice to the Authority, and any such revision shall not apply retroactively to any recording for a C-PACE Project that was previously approved but shall apply to all prospective recordings for all C-PACE Projects, including any C-PACE Project with an existing C-PACE Assessment.

I. Indemnification. To the fullest extent permitted by Applicable Law, the Municipality shall release, defend, indemnify and hold harmless the Authority and its directors, employees, consultants, agents, successors, and assigns (collectively, "Indemnified Parties") from and against any and all liability for losses (including property damage, injury or death) arising from third party claims to the extent such losses arise out of, or as a consequence of, the subject matter of this Garden State Program Agreement, provided, however, that the foregoing indemnification and protections shall not extend to any losses, claims, damages, liabilities, or costs arising from the gross negligence or willful misconduct of the Indemnified Parties.

Section 4 – Term; Termination for Convenience; Termination for Cause.

A. Commencement of Term. The term of this Garden State Program Agreement shall commence upon the date first written above.

B. Termination of Participation by the Municipality: The Municipality may terminate its participation in the Program for any reason by providing ninety (90) days prior written notice to the Authority or in the case of a material change to the Program, by providing written notice to the Authority within sixty (60) days of the material change to the Program with such a termination being effective fifteen (15) days after the written notice; provided, however, that any termination shall not be effective with respect to any continuing obligations of the Municipality relating to any C-PACE Assessments that have not been paid or otherwise discharged in full, and all such continuing obligations of the Municipality relating to such C-PACE Assessments shall continue until all such C-PACE Assessments have been paid or otherwise discharged in full.

D. Termination by Authority for Cause. If the Municipality fails to comply with a requirement of the Program, including, but not limited to, requirements in the Program Guidelines or in this Garden State Program Agreement, the Authority may revoke the designation as a Participating Municipality, which shall be in addition to any remedy any other individual or entity may have; provided, however, that any such termination for cause shall not relieve or terminate the Municipality's duties, obligations, and responsibilities with respect to any C-PACE Project located within the Municipality that received the approval of the Authority prior to the date of termination and with respect to all continuing obligations of the Municipality relating to any C-PACE Assessments that have not been paid or otherwise discharged in full, and all such continuing obligations of the Municipality relating to such C-PACE Assessments shall survive and continue until all such C-PACE Assessments have been paid or otherwise discharged in full.

E. Ongoing Obligation with respect to Continuing C-PACE Assessments. Notwithstanding anything to the contrary in this Garden State Program Agreement, for so long as there are any C-PACE Projects on Eligible Properties located within the Municipality that are subject to C-PACE Assessments, the Municipality's obligations hereunder shall survive and remain in full force and effect with respect to such C-PACE Assessments until all such C-PACE Assessments have been paid or otherwise discharged in full.

Section 5 – Miscellaneous.

A. Rules of Construction. If and to the extent there is any conflict or inconsistency between the C-PACE Act and this Garden State Program Agreement, the C-PACE Act shall control. If and to the extent there is any conflict or inconsistency between this Garden State Program Agreement and the Program Guidelines, the Program Guidelines shall control.

B. Severability. If any term or provision of this Garden State Program Agreement, or the application thereof to any person or circumstances, shall, to any extent, be held illegal, invalid or unenforceable by any court of competent jurisdiction, the remainder of this Garden State Program Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held illegal, invalid or unenforceable, shall not be invalidated, rendered unenforceable, or otherwise affected thereby, and each term and provision of this Garden State Program Agreement shall be valid and be enforceable to the fullest extent permitted by law.

C. Counterparts. This Garden State Program Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of which together shall constitute but one and the same instrument.

D. Notices. All notices, requests, consents and other communications shall be in writing and shall be delivered by any of the following methods: (i) by first class mail, postage prepaid; (ii) by overnight delivery service; or (iii) by messenger delivery service. Notices may also be sent by confirmed email and shall be deemed to have been given upon confirmation of receipt by either automatic read receipt or email confirmation by the recipient and so long as follow-up notice is sent by the methods set forth in clauses (i), (ii), or (iii) of the previous sentence.

If to the Municipality:

Attention:

Email:

Fax:

If to the Authority:

New Jersey Economic Development Authority
36 W. State Street, Trenton, New Jersey 08608
Attention: Director - Clean Energy Products

E. Amendment and Waivers. Except as otherwise set forth in this Garden State Program Agreement, any amendment to or waiver of any provision of this Agreement must be in writing and mutually agreed to by the Authority and the Municipality.

F. Governing Law and Venue. This Garden State Program Agreement and its provisions shall be governed by and construed in accordance with the laws of the State of New Jersey. In any action, in equity or law, with respect to the enforcement or interpretation of this Garden State Program Agreement, venue shall be in the County of Mercer State of New Jersey. Any and all claims made or to be made against the Authority based in tort law shall be governed by and subject to the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq., and any and all claims made or to be made against the Authority based in contract law shall be governed by and subject to the provisions of the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1 et seq. as if incorporated here.

G. Entire Agreement. This instrument constitutes the entire agreement between the parties and supersedes all previous discussions, understandings and agreements between the parties relating to the subject matter of this Garden State Program Agreement.

H. Headings. The headings in this Garden State Program Agreement are solely for convenience, do not constitute a part of this Garden State Program Agreement, and do not affect its meaning or construction.

[SIGNATURES FOLLOW]

IN WITNESS WHEREOF, the Municipality and the Authority have each caused this Garden State Program Agreement to be executed and delivered as of the date first set forth above:

(SEAL)

ATTEST:

By:_____

ATTEST:

**NEW JERSEY ECONOMIC
DEVELOPMENT AUTHORITY**

By:_____

[Signature Page to Agreement]

SCHEDULE I

DESIGNATION OF RESPONSIBILITY TO RECORD C-PACE PROJECT DOCUMENTS

Pursuant to Section 3 of the Garden State Program Agreement to which this Schedule I is attached, the Municipality designates the following party to be responsible for the recording of Uniform Assessment Documents, as may be required:

☐ Municipality

☐ Qualified Capital Provider

MUNICIPAL C-PACE FEES

Pursuant to Section 3 of the Garden State Program Agreement to which this Schedule I is attached, in accordance with the Program Guidelines and subject to the limitations set forth therein, the Municipality shall charge the following fees to Eligible Owners in connection with C-PACE Assessments:

Closing Fee: \$

Annual Servicing Fee: \$

(E)38.2025-0228

2025-022 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 1965 Swarthmore Partners, LP, For Facilities Located At Block 1607, Lot 3 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, 1965 Swarthmore Partners, LP has applied for tax abatement on a building on property known as Block 1607 Lot 3, known as 1965 Swarthmore Avenue; and

WHEREAS, the Township Committee finds that this new project 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 1965 Swarthmore Avenue 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

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE #2025-

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 1965 SWARTHMORE PARTNERS, LP, FOR FACILITIES LOCATED AT BLOCK 1607, LOT 3 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, 1965 Swarthmore Partners, LP has applied for tax abatement on a building on property known as Block 1607 Lot 3, known as 1965 Swarthmore Avenue; and

WHEREAS, the Township Committee finds that this new project 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 1965 Swarthmore Avenue 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.

Introduced: May 22, 2025

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 **May 22, 2025**

Lauren Kirkman, RMC, CMR
Township Clerk

(E)39.

2025-023 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 Kikar Shabbos 1, LLC, For Facilities Located At Block 161, Lot 2 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, KIKAR SHABBOS 1, LLC has applied for tax abatement on a building on property known as Block 161 Lot 2, located at 20 Fourth Street; and

WHEREAS, the Township Committee finds that this new project 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 KIKAR SHABBOS 1, 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.

Introduced: May 22, 2025

Adopted:

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE #2025-

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 KIKAR SHABBOS 1, LLC, FOR FACILITIES LOCATED AT BLOCK 161, LOT 2 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, KIKAR SHABBOS 1, LLC has applied for tax abatement on a building on property known as Block 161 Lot 2, located at 20 Fourth Street; and

WHEREAS, the Township Committee finds that this new project 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 KIKAR SHABBOS 1, 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.

Introduced: May 22, 2025

Adopted:

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 **May 22, 2025**

Lauren Kirkman, RMC, CMR
Township Clerk

(E)40.

2025-024 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing, Extinguishing And Vacating The Rights Of The Public To Portion Of A Paper Street Known As Ostend Street In The Township Of Lakewood

WHEREAS, pursuant to N.J.S.A. 40:67-1(b) and N.J.S.A. 40:67-19, the Township Committee may, by Ordinance, vacate any public street or portion thereof, dedicated to public use, but not accepted by the Township, whether or not the same, or any part, has been actually opened or improved; and

WHEREAS, a certain portion of Ostend Street in the Township of Lakewood is an approximately 76 ft. long by 50 ft. wide paper street that runs from the rear of Lot 47 in Block 1051.09 until its intersection with Providence Avenue as depicted on Tax Sheet 140 (attached), and remains unimproved; and

WHEREAS, said portion of Ostend Street described in the attached Exhibit A has been determined to be unnecessary for public use; and

WHEREAS, by memo dated August 25, 2021, and recently reaffirmed via email on February 11, 2025 the Planning Board Administrator supported the vacation of this portion of Ostend Street as described on the attached Exhibit A; and

WHEREAS, it has been determined by the Township Committee as follows:

- (1) That a portion of Ostend Street described in the attached Exhibit A is not needed for public road purposes; and
- (2) That a portion of Ostend Street lends itself to higher and better use than for public road purposes and that it is in the best interest of the general public and the Township of Lakewood that the rights and interests in and to same shall as a public right of way be vacated, released and extinguished; and
- (3) The owners of all property fronting or abutting this portion of Ostend Street have consented to this proposed vacation, and moreover all have agreed that this portion of Ostend proposed to be vacated should all become part of Lot 8 in Block 1051.09 instead of one half becoming part of Lot 4.05 in that block, as specifically requested by the owner of both of those lots and agreed to by the owner of Lot 47 in that block; and

WHEREAS, pursuant to N.J.S.A. 40:67-1(b), the Township Committee must, by Ordinance, preserve the right of public utilities to maintain, repair and replace their existing utility facilities, including cable television facilities, in, adjacent to, over, or under the property or right-of-way to be vacated;

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. All public easements, rights and interests in a portion of Ostend Street as described in the attached Exhibit A are hereby vacated, released and extinguished except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any Cable Television Company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated subject to the conditions described herein; all conditions, unless otherwise noted, shall be satisfied prior to said vacation being effective.

Upon recordation of this vacation, all of the portion of Ostend hereby vacated shall become part of Block 1051.09 Lot 8.

SECTION 2. The Township Clerk shall publish, this ordinance, after being introduced and having passed a first reading, at least once not less than ten (10) days instead of one (1) week prior to the time fixed for further consideration for final passage, pursuant to N.J.S.A. 40:49-6.

SECTION 3. The Township Clerk shall, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, pursuant to N.J.S.A. 40:49-6.

SECTION 4. The Township Clerk shall within sixty (60) days after such ordinance becomes effective file a certified copy of the ordinance vacating the street with the office of the County Clerk in a special book set aside for dedications and vacations, pursuant to N.J.S.A. 40:67-21.

SECTION 5. 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE #2025-

**AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, RELEASING, EXTINGUISHING AND VACATING THE
RIGHTS OF THE PUBLIC TO PORTION OF A PAPER STREET KNOWN AS OSTEND
STREET IN THE TOWNSHIP OF LAKEWOOD**

WHEREAS, pursuant to *N.J.S.A. 40:67-1(b)* and *N.J.S.A. 40:67-19*, the Township Committee may, by Ordinance, vacate any public street or portion thereof, dedicated to public use, but not accepted by the Township, whether or not the same, or any part, has been actually opened or improved; and

WHEREAS, a certain portion of Ostend Street in the Township of Lakewood is an approximately 76 ft. long by 50 ft. wide paper street that runs from the rear of Lot 47 in Block 1051.09 until its intersection with Providence Avenue as depicted on Tax Sheet 140 (attached), and remains unimproved; and

WHEREAS, said portion of Ostend Street described in the attached Exhibit A has been determined to be unnecessary for public use; and

WHEREAS, by memo dated August 25, 2021, and recently reaffirmed via email on February 11, 2025 the Planning Board Administrator supported the vacation of this portion of Ostend Street as described on the attached Exhibit A; and

WHEREAS, it has been determined by the Township Committee as follows:

- (1) That a portion of Ostend Street described in the attached Exhibit A is not needed for public road purposes; and
- (2) That a portion of Ostend Street lends itself to higher and better use than for public road purposes and that it is in the best interest of the general public and the Township of Lakewood that the rights and interests in and to same shall as a public right of way be vacated, released and extinguished; and
- (3) The owners of all property fronting or abutting this portion of Ostend Street have consented to this proposed vacation, and moreover all have agreed that this portion of Ostend proposed to be vacated should all become part of Lot 8 in Block 1051.09 instead of one half becoming part of Lot 4.05 in that block, as specifically requested by the owner of both of those lots and agreed to by the owner of Lot 47 in that block; and

WHEREAS, pursuant to *N.J.S.A. 40:67-1(b)*, the Township Committee must, by Ordinance, preserve the right of public utilities to maintain, repair and replace their existing utility facilities, including cable television facilities, in, adjacent to, over, or under the property or right-of-way to be vacated;

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. All public easements, rights and interests in a portion of Ostend Street as described in the attached Exhibit A are hereby vacated, released and extinguished except for all rights and privileges now possessed by public utilities, as defined in *N.J.S.A. 48:2-13*, and by any Cable Television Company, as defined in the "Cable Television Act," *N.J.S.A. 48:5A-1 et seq.*, to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated subject to the conditions described herein; all conditions, unless otherwise noted, shall be satisfied prior to said vacation being effective. Upon recordation of this vacation, all of the portion of Ostend hereby vacated shall become part of Block 1051.09 Lot 8.

SECTION 2. The Township Clerk shall publish, this ordinance, after being introduced and having passed a first reading, at least once not less than ten (10) days instead of one (1) week prior to the time fixed for further consideration for final passage, pursuant to *N.J.S.A. 40:49-6*.

SECTION 3. The Township Clerk shall, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, pursuant to *N.J.S.A. 40:49-6*.

SECTION 4. The Township Clerk shall within sixty (60) days after such ordinance becomes effective file a certified copy of the ordinance vacating the street with the office of the County Clerk in a special book set aside for dedications and vacations, pursuant to *N.J.S.A. 40:67-21*.

SECTION 5. 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: May 22, 2025

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 **May 22, 2025**

Lauren Kirkman, RMC, CMR
Township Clerk

(E)41.

2025-025 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Public Sale Of Block 459, Lot 7 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, At Open Public Sale Pursuant To N.J.S.A. 40a:12-1 Et Seq. (Beaver Street And Nussbaum Avenue)

WHEREAS, the Township of Lakewood is the owner of real property known as Block 459, Lot 7 in the Township of Lakewood, County of Ocean, State of New Jersey (the "Property"); and

WHEREAS, the Property is vacant land and fronts on Beaver Street and Nussbaum Avenue. The size and zone are as follows:

Block 459, Lot 7: size: approximately .55 acres; R-20 Zone

WHEREAS, the Property has been appraised by Gagliano & Company on behalf of Lakewood Township for public sale at a minimum bid price of \$515,000.00; and

WHEREAS, the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, has determined that the Property may be suited for residential development, houses of worship and schools, and accessory uses attendant thereto. It does not hold any intrinsic value for public use, and the sale of the Property will return the Property to the tax rolls of the Township of Lakewood. Thus, it is in the best interests of the Township of Lakewood to offer the Property for sale by public auction to the highest bidder via the submission of sealed bids to the Township Manager.

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 Block 430, Lot 40 located within the Township of Lakewood (hereinafter referred to as the "Property"):

SECTION 2. The Township Committee has determined it to be in the public interest to sell said Property by open public sale at auction to the highest bidder in accordance with NJ.S.A. 40A: 12-13(a).

SECTION 3. The Township Committee declares the Property to 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 is \$515,000.00

(b) The highest bidder will be the purchaser, subject to the provisions below.

(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 30 days of the date of 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 with the submission of its sealed bid, 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.

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 30 days of the date of acceptance of the bid 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.

(f) 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.

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

(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 at the public sale 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 a notice and a certified copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the municipal building and published in the authorized newspaper of the municipality.

SECTION 6. That, if sold, the Property shall be awarded to the highest bidder in excess of the minimum bid price for the Property.

SECTION 7. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 8. 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 9. 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE #2025-

ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PUBLIC SALE OF BLOCK 459, LOT 7 IN THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AT OPEN PUBLIC SALE PURSUANT TO N.J.S.A. 40A:12-1 ET SEQ. (BEAVER STREET AND NUSSBAUM AVENUE)

WHEREAS, the Township of Lakewood is the owner of real property known as Block 459, Lot 7 in the Township of Lakewood, County of Ocean, State of New Jersey (the "Property"); and

WHEREAS, the Property is vacant land and fronts on Beaver Street and Nussbaum Avenue. The size and zone are as follows:

Block 459, Lot 7: size: approximately .55 acres; R-20 Zone

WHEREAS, the Property has been appraised by Gagliano & Company on behalf of Lakewood Township for public sale at a minimum bid price of \$515,000.00; and

WHEREAS, the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, has determined that the Property may be suited for residential development, houses of worship and schools, and accessory uses attendant thereto. It does not hold any intrinsic value for public use, and the sale of the Property will return the Property to the tax rolls of the Township of Lakewood. Thus, it is in the best interests of the Township of Lakewood to offer the Property for sale by public auction to the highest bidder via the submission of sealed bids to the Township Manager.

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 Block 430, Lot 40 located within the Township of Lakewood (hereinafter referred to as the "Property"):

SECTION 2. The Township Committee has determined it to be in the public interest to sell said Property by open public sale at auction to the highest bidder in accordance with N.J.S.A. 40A: 12-13(a).

SECTION 3. The Township Committee declares the Property to 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 is \$515,000.00
- (b) The highest bidder will be the purchaser, subject to the provisions below.

(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 30 days of the date of 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 with the submission of its sealed bid, 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.
- 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 30 days of the date of acceptance of the bid 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.

(f) 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.

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

(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 at the public sale 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 a notice and a certified copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the municipal building and published in the authorized newspaper of the municipality.

SECTION 6. That, if sold, the Property shall be awarded to the highest bidder in excess of the minimum bid price for the Property.

SECTION 7. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 8. 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 9. This Ordinance shall take effect upon final passage and publication in accordance with law.

Introduced: May 22, 2025

Adopted:

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 **May 22, 2025**

Lauren Kirkman, RMC, CMR
Township Clerk

(E)42.

2025-026 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Changing The Name Of A Streets Known As Columbus Avenue, As Depicted On Tax Map Sheets 87 And 89 To Java Avenue Pursuant To And In Accordance With N.J.S.A. 40:67-1(K) Et Seq.

WHEREAS, the purpose of the within Ordinance is to change the name of portions of three streets designated as, pursuant to the request of Township officials.

WHEREAS, pursuant to the provisions of N.J.S.A. 40-67-1(k), et seq., the governing body of a municipality may make ordinances to provide for the changing of names of streets within the municipality, and pursuant to Lakewood Ordinance 18-814G, no street shall have a name that so nearly duplicates the name of an existing street so that confusion results; and

WHEREAS, a recent Major Subdivision seeks to develop a portion of a paper street known as Columbus Avenue, as it is depicted on Tax Sheets 87 and 89, but the opening of this paper street and maintaining its name as Columbus Avenue conflicts with another Columbus Avenue, an improved street depicted on Tax Sheet 26, and said development of the paper street using that name shall conflict and cause confusion with this already existing street in Lakewood Township; and

WHEREAS, the paper street known as Columbus Avenue is currently depicted on a Major Subdivision Plat filed in the Ocean County Courthouse a Map K 4391 on May 10, 2024 as part of the improvements to Block 457; and

WHEREAS, Francine Siegal, Acting Zoning Officer, has recommended the renaming of the entirety of the paper street known as Columbus Avenue as depicted on Tax Sheets 87 and 89 to eliminate this confusion with the already-improved street known as Columbus Avenue as shown on Tax Sheet 26, and she has further approved the availability of the name; and

WHEREAS, all the owners of property fronting on the paper street known as Columbus Avenue as depicted on Tax Sheets 87 and 89 have agreed to this renaming of the street to Java Avenue; and

WHEREAS, the change of the name will not impact any existing developed properties; and

WHEREAS, the Township Committee of the Township of Lakewood deems it fitting and appropriate to change the name of the paper street known as Columbus Avenue, as depicted on Tax Sheets 87 and 89 to Java Avenue.

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 name of the paper street known as Columbus Avenue, as depicted on Tax Sheets 87 and 89 is now designated and changed to Java Avenue for the reasons set forth above.

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

SECTION 3. 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

major subdivision map

tax sheet 26 72 77

tax sheet 87 89

ORDINANCE #2025-

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY CHANGING THE NAME OF A STREETS KNOWN AS COLUMBUS AVENUE, AS DEPICTED ON TAX MAP SHEETS 87 AND 89 TO JAVA AVENUE PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 40:67-1(K) ET SEQ.

WHEREAS, the purpose of the within Ordinance is to change the name of portions of three streets designated as, pursuant to the request of Township officials.

WHEREAS, pursuant to the provisions of N.J.S.A. 40-67-1(k), et seq., the governing body of a municipality may make ordinances to provide for the changing of names of streets within the municipality, and pursuant to Lakewood Ordinance 18-814G, no street shall have a name that so nearly duplicates the name of an existing street so that confusion results; and

WHEREAS, a recent Major Subdivision seeks to develop a portion of a paper street known as Columbus Avenue, as it is depicted on Tax Sheets 87 and 89, but the opening of this paper street and maintaining its name as Columbus Avenue conflicts with another Columbus Avenue, an improved street depicted on Tax Sheet 26, and said development of the paper street using that name shall conflict and cause confusion with this already existing street in Lakewood Township; and

WHEREAS, the paper street known as Columbus Avenue is currently depicted on a Major Subdivision Plat filed in the Ocean County Courthouse a Map K 4391 on May 10, 2024 as part of the improvements to Block 457; and

WHEREAS, Francine Siegal, Acting Zoning Officer, has recommended the renaming of the entirety of the paper street known as Columbus Avenue as depicted on Tax Sheets 87 and 89 to eliminate this confusion with the already-improved street known as Columbus Avenue as shown on Tax Sheet 26, and she has further approved the availability of the name; and

WHEREAS, all the owners of property fronting on the paper street known as Columbus Avenue as depicted on Tax Sheets 87 and 89 have agreed to this renaming of the street to Java Avenue; and

WHEREAS, the change of the name will not impact any existing developed properties; and

WHEREAS, the Township Committee of the Township of Lakewood deems it fitting and appropriate to change the name of the paper street known as Columbus Avenue, as depicted on Tax Sheets 87 and 89 to Java Avenue.

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 name of the paper street known as Columbus Avenue, as depicted on Tax Sheets 87 and 89 is now designated and changed to Java Avenue for the reasons set forth above.

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

SECTION 3. This Ordinance shall take effect immediately upon final passage and publication as required by law.

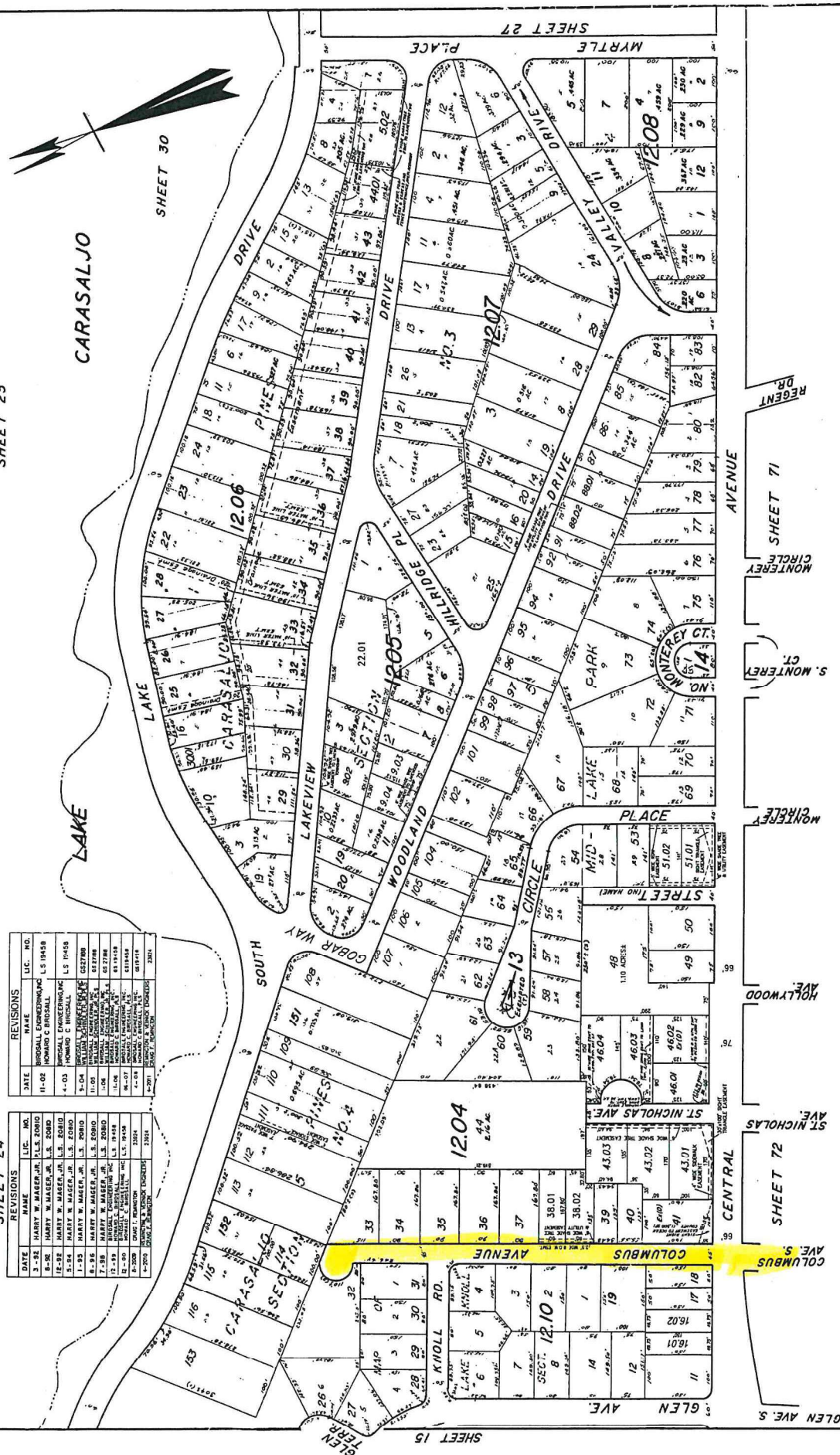
Introduced: May 22, 2025

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 **May 22, 2025**.

Lauren Kirkman, RMC,CMR
Township Clerk

[illegible]

NEW JERSEY DEPARTMENT OF THE TROOPERS
DIVISION OF TROOPERS
MILITARY HISTORY SECTION
APPROVED AS A SET FOR PRESENT TO THE
BOARDERS OF CHIEF OF STATES OF 1911-12.
FOR THE 12. 1911-12. DIVISION OF TROOPERS

P. 2. A. L. S.
12-1-1911. 1911-12. DIVISION OF TROOPERS
APR 05 1911. 1911-12. DIVISION OF TROOPERS

NOV 22 1963

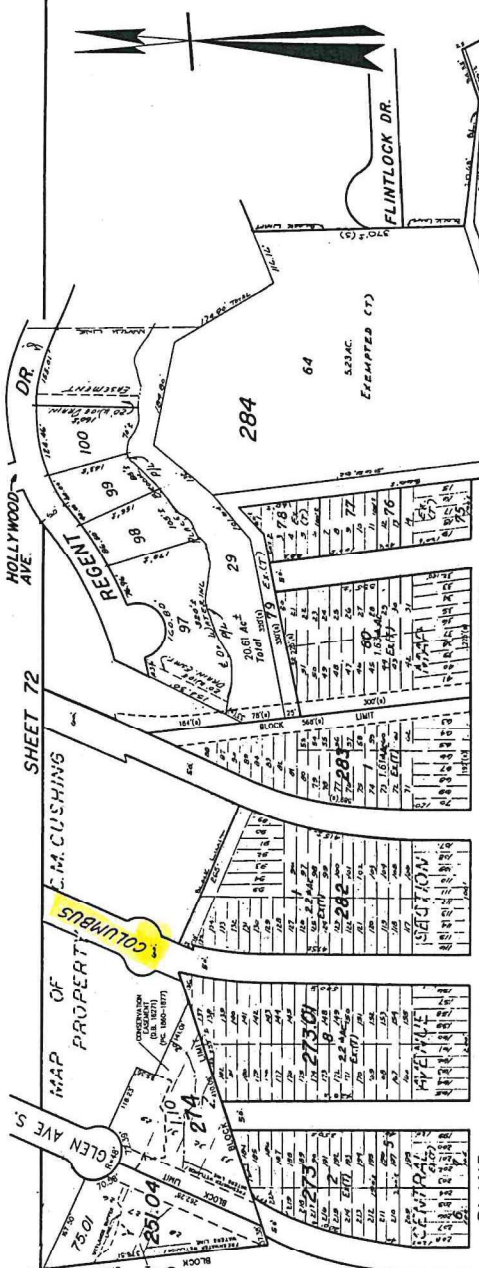
TAX MAP
LAKEWOOD TOWNSHIP
OCEAN COUNTY, N.J.
SCALE 1"=400' GEORGE B. MAROLL
LICENSED ENGINEER & SURVEYOR
1939

[illegible]



TAX MAP
LAKEWOOD TOWNSHIP
OCEAN COUNTY, N.J.

[illegible][illegible][illegible]

[illegible]

RECEIVED
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.
APR 05 1968
769

STATE TAX DEPARTMENT
Approved as a Tax Map According to the
Provisions of Chapter 175, Laws of 1913.
J. H. THAYER
State Tax Commissioner

Nov. 22, 1940.
Date

Nov. 22, 1940.
Recd. Nov. 22, 1940.

TAX MAP
KEWOOD TOWNSHIP
OCEAN COUNTY, N.J.
SCALE=1"=600' 1939
GEORGE B. WADDELL
LICENSED ENGINEER & SURVEYOR
LAKEWOOD, N.J.
REVISED 11-1-64 by
9/56 Bruce A. Harradine

11/67 Robert H. Posture
2/78 Donald A. DeSessa
4/88



NOTE: THE FOLLOWING LIST OF BLOCKS AND SUBJECT TO CROSS ACCESS LASAGMENTS FOR PARKING

TAX MAP
LAKEWOOD TOWNSHIP
OCEAN COUNTY, N.J.
SCALE: 1"=100' 1919
GEORGE B. WIDDILL
LICENSED ENGINEER & SURVEYOR
LAKEWOOD, N.J.
REVISED 12/23/2004
10150 DRIVE N. LONGMEAD

6-1-84 Rev. for Reevaluation
11-87 UPDATE - HARRY W. MAGEE, JR. - L-6.
11-88 UPDATE - HARRY W. MAGEE, JR. - L-5.
6-89 UPDATE - HARRY W. MAGEE, JR. - L-5.
8-89 CAL. FOR REEVALUATION - HARRY W. MAGEE, JR.

DATE	BY	REVISIONS
10-10-00	W. H. HARRIS	1. INITIAL PLAT
11-10-00	W. H. HARRIS	2. CORRECTION OF ERROR
12-10-00	W. H. HARRIS	3. CORRECTION OF ERROR
1-10-01	W. H. HARRIS	4. CORRECTION OF ERROR
2-10-01	W. H. HARRIS	5. CORRECTION OF ERROR
3-10-01	W. H. HARRIS	6. CORRECTION OF ERROR
4-10-01	W. H. HARRIS	7. CORRECTION OF ERROR
5-10-01	W. H. HARRIS	8. CORRECTION OF ERROR
6-10-01	W. H. HARRIS	9. CORRECTION OF ERROR
7-10-01	W. H. HARRIS	10. CORRECTION OF ERROR

(E)43.

2025-027 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Sale Of Block 440.07, Lot 2 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, At Private Sale Pursuant To N.J.S.A. 40a:12-1 Et Seq. (Nassau Street And Amsterdam Avenue)

WHEREAS, the Township of Lakewood is the owner of real property known as Block 440.07, Lot 2 (formerly designated as Block 440 Lot 2) in the Township of Lakewood, County of Ocean, State of New Jersey (collectively the “Property”); and

WHEREAS, the Property is located on Nassau Street and Amsterdam Avenue, and contains approximately 12,000 square feet in the R-20 Zone, rendering the lot as undersized; and

WHEREAS, the Township Committee, in consultation with its professionals, has determined the property has no planned public use and thus has agreed to the private sale thereof; and

WHEREAS, the Property has been appraised by Gagliano & Company on behalf of Lakewood Township for private sale at a minimum bid price of \$465,000.00; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) authorizes the Township to sell municipally owned real property at a private sale to an owner of real property contiguous thereto where the Township-owned Property is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of the said real property; and

WHEREAS, the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, has determined that the Property is not needed for public use, and the sale of the Property will return the Property to the tax rolls of the Township of Lakewood, and it is in the best interests of the Township of Lakewood to offer the Property for sale at a private sale to an owner of real property contiguous thereto, to the highest bidder; and

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 and State of New Jersey is the owner of Block 440.07, Lot 2 located within the Township of Lakewood. Note: no metes and bounds description will be supplied; successful bidder is to prepare and submit a metes and bounds description for inclusion in the deed of conveyance, and subject to all easements and restrictions of record and not of record.

SECTION 2. The Township Committee has determined it to be in the public interest to sell said Property at private sale to an owner of real property contiguous thereto to the highest bidder in accordance with N.J.S.A. 40A: 12-13(b)(5).

SECTION 3. N.J.S.A. 40A:12-13(b)(5) further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of said real property.

SECTION 4. The Township Committee declares the Property to be surplus and not needed for public use.

SECTION 5. The following conditions for the sale of the Property apply:

(a) The minimum bid for the Property shall be \$465,000.00

(b) The highest bidder will be the purchaser.

(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 30 days of the date of 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 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) Each 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.
- 2) The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
- 3) The closing of title to the Property is "TIME OF THE ESSENCE" and must take place on a date as described above, 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.
- 4) The successful bidder shall consolidate the Property purchased with other contiguous lot or lots so as to be part of a reconfigured lot in conformance with the zoning requirements.
- 5) No variances shall be requested and/or permitted for either Property and there shall be no further subdivision of the Property until it is consolidated with a contiguous parcel.
- 6) The deed must be recorded within thirty (30) days of closing or title to the Property shall automatically revert back to the Township of Lakewood without the necessity of entry or reentry.
- 7) 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.
- 8) The purchaser(s) shall pay the cost of recording fees.
- 9) The purchaser(s) shall pay any and all realty transfer and "mansion" taxes assessed in connection with the sale of the Property.
- 10) With respect to the sale of the Property herein, NO real estate commission is owed.
- 11) 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.
- 12) No representation is made by the Township as to the utility, usability or environmental condition of the Property.
- 13) The purchaser will pay at the time of closing a fee per lot of \$155 to change the tax map.

(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 Quit Claim Deed. No title contingencies or conditions are permitted.

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

(g) 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 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.

(h) 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. 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. 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 6. That notice of the Township's intention to sell the Property and the minimum bid price therefor shall be sent by certified mail, return receipt requested, to all property owners listed on the municipal tax records who own properties contiguous to the Property.

SECTION 7. That said notice and a certified copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the municipal building.

SECTION 8. That any offer(s) for the Property may thereafter be made to the Municipal Manager for a period of twenty (20) days following the newspaper advertisement, for not less than the minimum price provided herein.

SECTION 9. That if more than one bid is received, the Municipal Manager may hold such bids without opening, advise the Township Committee of such multiple bids, and said Township Committee shall decide whether to invite said bidders to a public meeting for purposes of an open auction between the original submitting bidders, or to open said original bids.

SECTION 10. That, if sold, the Property shall be awarded to the highest bidder in excess of the minimum bid price for the Property.

SECTION 11. That the Township Committee of the Township of Lakewood may reconsider its decision to sell the subject Property within thirty (30) days after the enactment of this Ordinance and either offer the Property for sale at a public sale pursuant to N.J.S.A. 40A:12-13(a) or reject any or all bids and retain any or all of the Property for Township use.

SECTION 12. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 13. 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 14. 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE #2025-

ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 440.07, LOT 2 IN THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AT PRIVATE SALE PURSUANT TO *N.J.S.A. 40A:12-1 ET SEQ.* (NASSAU STREET AND AMSTERDAM AVENUE)

WHEREAS, the Township of Lakewood is the owner of real property known as Block 440.07, Lot 2 (formerly designated as Block 440 Lot 2) in the Township of Lakewood, County of Ocean, State of New Jersey (collectively the “Property”); and

WHEREAS, the Property is located on Nassau Street and Amsterdam Avenue, and contains approximately 12,000 square feet in the R-20 Zone, rendering the lot as undersized; and

WHEREAS, the Township Committee, in consultation with its professionals, has determined the property has no planned public use and thus has agreed to the private sale thereof; and

WHEREAS, the Property has been appraised by Gagliano & Company on behalf of Lakewood Township for private sale at a minimum bid price of \$465,000.00; and

WHEREAS, *N.J.S.A. 40A:12-13(b)(5)* authorizes the Township to sell municipally owned real property at a private sale to an owner of real property contiguous thereto where the Township-owned Property is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, *N.J.S.A. 40A:12-13(b)(5)* further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of the said real property; and

WHEREAS, the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, has determined that the Property is not needed for public use, and the sale of the Property will return the Property to the tax rolls of the Township of Lakewood, and it is in the best interests of the Township of Lakewood to offer the Property for sale at a private sale to an owner of real property contiguous thereto, to the highest bidder; and

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 and State of New Jersey is the owner of Block 440.07, Lot 2 located within the Township of Lakewood. Note: no metes and bounds description will be supplied; successful bidder is to prepare and submit a metes and bounds description for inclusion in the deed of conveyance, and subject to all easements and restrictions of record and not of record.

SECTION 2. The Township Committee has determined it to be in the public interest to sell said Property at private sale to an owner of real property contiguous thereto to the highest bidder in accordance with *N.J.S.A. 40A: 12-13(b)(5)*.

SECTION 3. *N.J.S.A. 40A:12-13(b)(5)* further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of said real property.

SECTION 4. The Township Committee declares the Property to be surplus and not needed for public use.

SECTION 5. The following conditions for the sale of the Property apply:

(a) The minimum bid for the Property shall be \$465,000.00

(b) The highest bidder will be the purchaser.

(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 30 days of the date of 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 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) Each 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.
- 2) The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
- 3) The closing of title to the Property is “TIME OF THE ESSENCE” and must take place on a date as described above, 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.
- 4) The successful bidder shall consolidate the Property purchased with other contiguous lot or lots so as to be part of a reconfigured lot in conformance with the zoning requirements.
- 5) No variances shall be requested and/or permitted for either Property and there shall be no further subdivision of the Property until it is

- consolidated with a contiguous parcel.
- 6) The deed must be recorded within thirty (30) days of closing or title to the Property shall automatically revert back to the Township of Lakewood without the necessity of entry or reentry.
 - 7) 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.
 - 8) The purchaser(s) shall pay the cost of recording fees.
 - 9) The purchaser(s) shall pay any and all realty transfer and "mansion" taxes assessed in connection with the sale of the Property.
 - 10) With respect to the sale of the Property herein, NO real estate commission is owed.
 - 11) 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.
 - 12) No representation is made by the Township as to the utility, usability or environmental condition of the Property.
 - 13) The purchaser will pay at the time of closing a fee per lot of \$155 to change the tax map.

(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 Quit Claim Deed. No title contingencies or conditions are permitted.

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

(g) 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 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.

(h) 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. 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. 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 6. That notice of the Township's intention to sell the Property and the minimum bid price therefor shall be sent by certified mail, return receipt requested, to all property owners listed on the municipal tax records who own properties contiguous to the Property.

SECTION 7. That said notice and a certified copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the municipal building.

SECTION 8. That any offer(s) for the Property may thereafter be made to the Municipal Manager for a period of twenty (20) days following the newspaper advertisement, for not less than the minimum price provided herein.

SECTION 9. That if more than one bid is received, the Municipal Manager may hold such bids without opening, advise the Township Committee of such multiple bids, and said Township Committee shall decide whether to invite said bidders to a public meeting for purposes of an open auction between the original submitting bidders, or to open said original bids.

SECTION 10. That, if sold, the Property shall be awarded to the highest bidder in excess of the minimum bid price for the Property.

SECTION 11. That the Township Committee of the Township of Lakewood may reconsider its decision to sell the subject Property within thirty (30) days after the enactment of this Ordinance and either offer the Property for sale at a public sale pursuant to *N.J.S.A. 40A:12-13(a)* or reject any or all bids and retain any or all of the Property for Township use.

SECTION 12. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 13. 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 14. This Ordinance shall take effect upon final passage and publication in accordance with law.

Introduced: May 22, 2025

Adopted:

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 **May 22, 2025**

Lauren Kirkman, RMC, CMR
Township Clerk

(E)44.

2025-028 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Sale Of Block 451, Lot 7 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, At Private Sale Pursuant To N.J.S.A. 40A:12-1 Et Seq. (Columbus Avenue)

WHEREAS, the Township of Lakewood is the owner of real property known as Block 451, Lot 7 in the Township of Lakewood, County of Ocean, State of New Jersey (collectively the "Property"); and

WHEREAS, the Property is located on Columbus Avenue, and contains approximately 12,000 square feet in the R-20 Zone, rendering the lot as undersized; and

WHEREAS, the Township Committee, in consultation with its professionals, has determined the property has no planned public use and thus has agreed to the private sale thereof; and

WHEREAS, the Property has been appraised by Gagliano & Company on behalf of Lakewood Township for private sale at a minimum bid price of \$275,000.00; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) authorizes the Township to sell municipally owned real property at a private sale to an owner of real property contiguous thereto where the Township-owned Property is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of the said real property; and

WHEREAS, the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, has determined that the Property is not needed for public use, and the sale of the Property will return the Property to the tax rolls of the Township of Lakewood, and it is in the best interests of the Township of Lakewood to offer the Property for sale at a private sale to an owner of real property contiguous thereto, to the highest bidder; and

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 and State of New Jersey is the owner of Block 451, Lot 7 located within the Township of Lakewood. Note: no metes and bounds description will be supplied; successful bidder is to prepare and submit a metes and bounds description for inclusion in the deed of conveyance, and subject to all easements and restrictions of record and not of record.

SECTION 2. The Township Committee has determined it to be in the public interest to sell said Property at private sale to an owner of real property contiguous thereto to the highest bidder in accordance with N.J.S.A. 40A: 12-13(b)(5).

SECTION 3. N.J.S.A. 40A:12-13(b)(5) further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of said real property.

SECTION 4. The Township Committee declares the Property to be surplus and not needed for public use.

SECTION 5. The following conditions for the sale of the Property apply:

(a) The minimum bid for the Property shall be \$275,000.00

(b) The highest bidder will be the purchaser.

(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 30 days of the date of 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 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) Each 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.
- 2) The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
- 3) The closing of title to the Property is "TIME OF THE ESSENCE" and must take place on a date as described above, 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.
- 4) The successful bidder shall consolidate the Property purchased with other contiguous lot or lots so as to be part of a reconfigured lot in conformance with the zoning requirements.
- 5) No variances shall be requested and/or permitted for either Property and there shall be no further subdivision of the Property until it is consolidated with a contiguous parcel.
- 6) The deed must be recorded within thirty (30) days of closing or title to the Property shall automatically revert back to the Township of Lakewood without the necessity of entry or reentry.
- 7) 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.
- 8) The purchaser(s) shall pay the cost of recording fees.
- 9) The purchaser(s) shall pay any and all realty transfer and "mansion" taxes assessed in connection with the sale of the Property.
- 10) With respect to the sale of the Property herein, NO real estate commission is owed.
- 11) 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.
- 12) No representation is made by the Township as to the utility, usability or environmental condition of the Property.
- 13) The purchaser will pay at the time of closing a fee per lot of \$155 to change the tax map.

(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 Quit Claim Deed. No title contingencies or conditions are permitted.

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

(g) 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 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.

(h) 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. 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. 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 6. That notice of the Township's intention to sell the Property and the minimum bid price therefor shall be sent by certified mail, return receipt requested, to all property owners listed on the municipal tax records who own properties contiguous to the Property.

SECTION 7. That said notice and a certified copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the municipal building.

SECTION 8. That any offer(s) for the Property may thereafter be made to the Municipal Manager for a period of twenty (20) days following the newspaper advertisement, for not less than the minimum price provided herein.

SECTION 9. That if more than one bid is received, the Municipal Manager may hold such bids without opening, advise the Township Committee of such multiple bids, and said Township Committee shall decide whether to invite said bidders to a public meeting for purposes of an open auction between the original submitting bidders, or to open said original bids.

SECTION 10. That, if sold, the Property shall be awarded to the highest bidder in excess of the minimum bid price for the Property.

SECTION 11. That the Township Committee of the Township of Lakewood may reconsider its decision to sell the subject Property within thirty (30) days after the enactment of this Ordinance and either offer the Property for sale at a public sale pursuant to N.J.S.A. 40A:12-13(a) or reject any or all bids and retain any or all of the Property for Township use.

SECTION 12. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 13. 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 14. 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE #2025-

ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 451, LOT 7 IN THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AT PRIVATE SALE PURSUANT TO N.J.S.A. 40A:12-1 ET SEQ. (COLUMBUS AVENUE)

WHEREAS, the Township of Lakewood is the owner of real property known as Block 451, Lot 7 in the Township of Lakewood, County of Ocean, State of New Jersey (collectively the "Property"); and

WHEREAS, the Property is located on Columbus Avenue, and contains approximately 12,000 square feet in the R-20 Zone, rendering the lot as undersized; and

WHEREAS, the Township Committee, in consultation with its professionals, has determined the property has no planned public use and thus has agreed to the private sale thereof; and

WHEREAS, the Property has been appraised by Gagliano & Company on behalf of Lakewood Township for private sale at a minimum bid price of \$275,000.00; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) authorizes the Township to sell municipally owned real property at a private sale to an owner of real property contiguous thereto where the Township-owned Property is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of the said real property; and

WHEREAS, the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, has determined that the Property is not needed for public use, and the sale of the Property will return the Property to the tax rolls of the Township of Lakewood, and it is in the best interests of the Township of Lakewood to offer the Property for sale at a private sale to an owner of real property contiguous thereto, to the highest bidder; and

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 and State of New Jersey is the owner of Block 451, Lot 7 located within the Township of Lakewood. Note: no metes and bounds description will be supplied; successful bidder is to prepare and submit a metes and bounds description for inclusion in the deed of conveyance, and subject to all easements and restrictions of record and not of record.

SECTION 2. The Township Committee has determined it to be in the public interest to sell said Property at private sale to an owner of real property contiguous thereto to the highest bidder in accordance with *N.J.S.A. 40A: 12-13(b)(5)*.

SECTION 3. *N.J.S.A. 40A:12-13(b)(5)* further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of said real property.

SECTION 4. The Township Committee declares the Property to be surplus and not needed for public use.

SECTION 5. The following conditions for the sale of the Property apply:

(a) The minimum bid for the Property shall be \$275,000.00

(b) The highest bidder will be the purchaser.

(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 30 days of the date of 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 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) Each 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.
- 2) The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
- 3) The closing of title to the Property is “TIME OF THE ESSENCE” and must take place on a date as described above, 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.
- 4) The successful bidder shall consolidate the Property purchased with other contiguous lot or lots so as to be part of a reconfigured lot in conformance with the zoning requirements.
- 5) No variances shall be requested and/or permitted for either Property and there shall be no further subdivision of the Property until it is consolidated with a contiguous parcel.

- 6) The deed must be recorded within thirty (30) days of closing or title to the Property shall automatically revert back to the Township of Lakewood without the necessity of entry or reentry.
- 7) 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.
- 8) The purchaser(s) shall pay the cost of recording fees.
- 9) The purchaser(s) shall pay any and all realty transfer and "mansion" taxes assessed in connection with the sale of the Property.
- 10) With respect to the sale of the Property herein, NO real estate commission is owed.
- 11) 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.
- 12) No representation is made by the Township as to the utility, usability or environmental condition of the Property.
- 13) The purchaser will pay at the time of closing a fee per lot of \$155 to change the tax map.

(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 Quit Claim Deed. No title contingencies or conditions are permitted.

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

(g) 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 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.

(h) 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. 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. 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 6. That notice of the Township's intention to sell the Property and the minimum bid price therefor shall be sent by certified mail, return receipt requested, to all property owners listed on the municipal tax records who own properties contiguous to the Property.

SECTION 7. That said notice and a certified copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the municipal building.

SECTION 8. That any offer(s) for the Property may thereafter be made to the Municipal Manager for a period of twenty (20) days following the newspaper advertisement, for not less than the minimum price provided herein.

SECTION 9. That if more than one bid is received, the Municipal Manager may hold such bids without opening, advise the Township Committee of such multiple bids, and said Township Committee shall decide whether to invite said bidders to a public meeting for purposes of an open auction between the original submitting bidders, or to open said original bids.

SECTION 10. That, if sold, the Property shall be awarded to the highest bidder in excess of the minimum bid price for the Property.

SECTION 11. That the Township Committee of the Township of Lakewood may reconsider its decision to sell the subject Property within thirty (30) days after the enactment of this Ordinance and either offer the Property for sale at a public sale pursuant to *N.J.S.A. 40A:12-13(a)* or reject any or all bids and retain any or all of the Property for Township use.

SECTION 12. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 13. 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 14. This Ordinance shall take effect upon final passage and publication in accordance with law.

Introduced: May 22, 2025

Adopted:

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 **May 22, 2025**

Lauren Kirkman, RMC, CMR
Township Clerk

(E)45.

2025-029 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Sale Of Block 456, Lot 6 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, At Private Sale Pursuant To N.J.S.A. 40A:12-1 Et Seq. (Beaver Street And Amsterdam Avenue)

WHEREAS, the Township of Lakewood is the owner of real property known as Block 456, Lot 6 in the Township of Lakewood, County of Ocean, State of New Jersey (collectively the "Property"); and

WHEREAS, the Property is located on Beaver Street and Amsterdam Avenue, and contains approximately 16,000 square feet in the R-20 Zone, rendering the lot as undersized; and

WHEREAS, the Township Committee, in consultation with its professionals, has determined the property has no planned public use and thus has agreed to the private sale thereof; and

WHEREAS, the Property has been appraised by Gagliano & Company on behalf of Lakewood Township for private sale at a minimum bid price of \$470,000.00; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) authorizes the Township to sell municipally owned real property at a private sale to an owner of real property contiguous thereto where the Township-owned Property is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of the said real property; and

WHEREAS, the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, has determined that the Property is not needed for public use, and the sale of the Property will return the Property to the tax rolls of the Township of Lakewood, and it is in the best interests of the Township of Lakewood to offer the Property for sale at a private sale to an owner of real property contiguous thereto, to the highest bidder; and

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 and State of New Jersey is the owner of Block 456, Lot 6 located within the Township of Lakewood. Note: no metes and bounds description will be supplied; successful bidder is to prepare and submit a metes and bounds description for inclusion in the deed of conveyance, and subject to all easements and restrictions of record and not of record.

SECTION 2. The Township Committee has determined it to be in the public interest to sell said Property at private sale to an owner of real property contiguous thereto to the highest bidder in accordance with N.J.S.A. 40A: 12-13(b)(5).

SECTION 3. N.J.S.A. 40A:12-13(b)(5) further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of said real property.

SECTION 4. The Township Committee declares the Property to be surplus and not needed for public use.

SECTION 5. The following conditions for the sale of the Property apply:

(a) The minimum bid for the Property shall be \$470,000.00

(b) The highest bidder will be the purchaser.

(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 30 days of the date of 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 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) Each 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.
- 2) The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
- 3) The closing of title to the Property is "TIME OF THE ESSENCE" and must take place on a date as described above, 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.
- 4) The successful bidder shall consolidate the Property purchased with other contiguous lot or lots so as to be part of a reconfigured lot in conformance with the zoning requirements.
- 5) No variances shall be requested and/or permitted for either Property and there shall be no further subdivision of the Property until it is consolidated with a contiguous parcel.
- 6) The deed must be recorded within thirty (30) days of closing or title to the Property shall automatically revert back to the Township of Lakewood without the necessity of entry or reentry.
- 7) 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.
- 8) The purchaser(s) shall pay the cost of recording fees.
- 9) The purchaser(s) shall pay any and all realty transfer and "mansion" taxes assessed in connection with the sale of the Property.
- 10) With respect to the sale of the Property herein, NO real estate commission is owed.
- 11) 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.
- 12) No representation is made by the Township as to the utility, usability or environmental condition of the Property.
- 13) The purchaser will pay at the time of closing a fee per lot of \$155 to change the tax map.

(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 Quit Claim Deed. No title contingencies or conditions are permitted.

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

(g) 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 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.

(h) 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. 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. 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 6. That notice of the Township's intention to sell the Property and the minimum bid price therefor shall be sent by certified mail, return receipt requested, to all property owners listed on the municipal tax records who own properties contiguous to the Property.

SECTION 7. That said notice and a certified copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the municipal building.

SECTION 8. That any offer(s) for the Property may thereafter be made to the Municipal Manager for a period of twenty (20) days following the newspaper advertisement, for not less than the minimum price provided herein.

SECTION 9. That if more than one bid is received, the Municipal Manager may hold such bids without opening, advise the Township Committee of such multiple bids, and said Township Committee shall decide whether to invite said bidders to a public meeting for purposes of an open auction between the original submitting bidders, or to open said original bids.

SECTION 10. That, if sold, the Property shall be awarded to the highest bidder in excess of the minimum bid price for the Property.

SECTION 11. That the Township Committee of the Township of Lakewood may reconsider its decision to sell the subject Property within thirty (30) days after the enactment of this Ordinance and either offer the Property for sale at a public sale pursuant to N.J.S.A. 40A:12-13(a) or reject any or all bids and retain any or all of the Property for Township use.

SECTION 12. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 13. 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 14. 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE #2025-

ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 456, LOT 6 IN THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AT PRIVATE SALE PURSUANT TO *N.J.S.A. 40A:12-1 ET SEQ.* (BEAVER STREET AND AMSTERDAM AVENUE)

WHEREAS, the Township of Lakewood is the owner of real property known as Block 456, Lot 6 in the Township of Lakewood, County of Ocean, State of New Jersey (collectively the “Property”); and

WHEREAS, the Property is located on Beaver Street and Amsterdam Avenue, and contains approximately 16,000 square feet in the R-20 Zone, rendering the lot as undersized; and

WHEREAS, the Township Committee, in consultation with its professionals, has determined the property has no planned public use and thus has agreed to the private sale thereof; and

WHEREAS, the Property has been appraised by Gagliano & Company on behalf of Lakewood Township for private sale at a minimum bid price of \$470,000.00; and

WHEREAS, *N.J.S.A. 40A:12-13(b)(5)* authorizes the Township to sell municipally owned real property at a private sale to an owner of real property contiguous thereto where the Township-owned Property is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, *N.J.S.A. 40A:12-13(b)(5)* further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of the said real property; and

WHEREAS, the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, has determined that the Property is not needed for public use, and the sale of the Property will return the Property to the tax rolls of the Township of Lakewood, and it is in the best interests of the Township of Lakewood to offer the Property for sale at a private sale to an owner of real property contiguous thereto, to the highest bidder; and

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 and State of New Jersey is the owner of Block 456, Lot 6 located within the Township of Lakewood. Note: no metes and bounds description will be supplied; successful bidder is to prepare and submit a metes and bounds description for inclusion in the deed of conveyance, and subject to all easements and restrictions of record and not of record.

SECTION 2. The Township Committee has determined it to be in the public interest to sell said Property at private sale to an owner of real property contiguous thereto to the highest bidder in accordance with *N.J.S.A. 40A: 12-13(b)(5)*.

SECTION 3. *N.J.S.A. 40A:12-13(b)(5)* further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of said real property.

SECTION 4. The Township Committee declares the Property to be surplus and not needed for public use.

SECTION 5. The following conditions for the sale of the Property apply:

(a) The minimum bid for the Property shall be \$470,000.00

(b) The highest bidder will be the purchaser.

(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 30 days of the date of 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 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) Each 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.
- 2) The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
- 3) The closing of title to the Property is “TIME OF THE ESSENCE” and must take place on a date as described above, 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.
- 4) The successful bidder shall consolidate the Property purchased with other contiguous lot or lots so as to be part of a reconfigured lot in conformance with the zoning requirements.
- 5) No variances shall be requested and/or permitted for either Property and there shall be no further subdivision of the Property until it is

- consolidated with a contiguous parcel.
- 6) The deed must be recorded within thirty (30) days of closing or title to the Property shall automatically revert back to the Township of Lakewood without the necessity of entry or reentry.
 - 7) 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.
 - 8) The purchaser(s) shall pay the cost of recording fees.
 - 9) The purchaser(s) shall pay any and all realty transfer and "mansion" taxes assessed in connection with the sale of the Property.
 - 10) With respect to the sale of the Property herein, NO real estate commission is owed.
 - 11) 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.
 - 12) No representation is made by the Township as to the utility, usability or environmental condition of the Property.
 - 13) The purchaser will pay at the time of closing a fee per lot of \$155 to change the tax map.

(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 Quit Claim Deed. No title contingencies or conditions are permitted.

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

(g) 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 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.

(h) 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. 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. 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 6. That notice of the Township's intention to sell the Property and the minimum bid price therefor shall be sent by certified mail, return receipt requested, to all property owners listed on the municipal tax records who own properties contiguous to the Property.

SECTION 7. That said notice and a certified copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the municipal building.

SECTION 8. That any offer(s) for the Property may thereafter be made to the Municipal Manager for a period of twenty (20) days following the newspaper advertisement, for not less than the minimum price provided herein.

SECTION 9. That if more than one bid is received, the Municipal Manager may hold such bids without opening, advise the Township Committee of such multiple bids, and said Township Committee shall decide whether to invite said bidders to a public meeting for purposes of an open auction between the original submitting bidders, or to open said original bids.

SECTION 10. That, if sold, the Property shall be awarded to the highest bidder in excess of the minimum bid price for the Property.

SECTION 11. That the Township Committee of the Township of Lakewood may reconsider its decision to sell the subject Property within thirty (30) days after the enactment of this Ordinance and either offer the Property for sale at a public sale pursuant to *N.J.S.A. 40A:12-13(a)* or reject any or all bids and retain any or all of the Property for Township use.

SECTION 12. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 13. 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 14. This Ordinance shall take effect upon final passage and publication in accordance with law.

Introduced: May 22, 2025

Adopted:

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 **May 22, 2025**

Lauren Kirkman, RMC, CMR
Township Clerk

(F)46.

2025-017 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Article IX ("Zoning Districts And Regulations") Section 18-1001 ("Adult Communities") 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 18-1001 be and hereby is amended and supplemented with a new subparagraph 5 in Paragraph D. Permitted accessory uses as follows: 18-1001 Adult Communities

* * *

D. Permitted accessory uses. The accessory uses of buildings and structures in an ACP shall be limited to the following:

* * *

5. Decks, as defined at 18-200, to be constructed which will connect to a residential dwelling, provided the deck meets the following criteria outlined below:

- a. The deck shall not be located in any required front yard.
- b. The deck shall be located at least 5 feet from any side yard property line and/or 8 feet from any rear yard property line.
- c. In no case shall the deck be constructed more than three (3) feet above the proposed finished grade.
- d. The gross footprint area of the deck shall not exceed two hundred and sixty five (265) square feet.
- e. The deck shall not be permitted to encroach in any drainage or conservation easement.
- f. The Homeowners Association, as defined in Section 18-1001 M. and required in all Adult Community Projects, shall confirm in writing that it has no objection to the location of the proposed deck.
- g. The owner(s) of the contiguous properties adjacent to the property upon which the deck is to be constructed shall confirm in writing that they have no objection to the location of the proposed deck. This requirement is unnecessary if the requestor also owns the adjacent property.
- h. The Zoning Officer may issue a zoning permit for construction of a deck complying with the above requirements without the need of the requestor to apply for site plan, conditional use, or an exempt site plan exception.

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.

Introduced: April 10, 2025

Adopted:

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE #2025-

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE IX ("ZONING DISTRICTS AND REGULATIONS") SECTION 18-1001 ("ADULT COMMUNITIES") 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 18-1001 be and hereby is amended and supplemented with a new subparagraph 5 in Paragraph D. Permitted accessory uses as follows:

18-1001 Adult Communities

* * *

D. Permitted accessory uses. The accessory uses of buildings and structures in an ACP shall be limited to the following:

* * *

5. Decks, as defined at 18-200, to be constructed which will connect to a residential dwelling, provided the deck meets the following criteria outlined below:

- a. The deck shall not be located in any required front yard.
- b. The deck shall be located at least 5 feet from any side yard property line and/or 8 feet from any rear yard property line.
- c. In no case shall the deck be constructed more than three (3) feet above the proposed finished grade.
- d. The gross footprint area of the deck shall not exceed two hundred and sixty five (265) square feet.
- e. The deck shall not be permitted to encroach in any drainage or conservation easement.

- f. The Homeowners Association, as defined in Section 18-1001 M. and required in all Adult Community Projects, shall confirm in writing that it has no objection to the location of the proposed deck.
- g. The owner(s) of the contiguous properties adjacent to the property upon which the deck is to be constructed shall confirm in writing that they have no objection to the location of the proposed deck. This requirement is unnecessary if the requestor also owns the adjacent property.
- h. The Zoning Officer may issue a zoning permit for construction of a deck complying with the above requirements without the need of the requestor to apply for site plan, conditional use, or an exempt site plan exception.

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.

Introduced: April 10, 2025

Adopted:

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 **April 10, 2025.**

Lauren Kirkman, RMC CMR

Township Clerk

(F)47.

2025-018 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Granting A 35 Foot Wide Utility Easement To The Lakewood Township Municipal Utilities Authority For Purposes Of Providing Underground Utilities In A Portion Of Block 1248.40, Lot 35 And Block 1248.42, Lot 1.61 On The Tax Map Of The Township Of Lakewood

WHEREAS, Lakewood Township is the owner of Block 1248.40, Lot 35 on the Lakewood Township Tax Map, by way of the Deed dated March 5, 2024, recorded March 14, 2024 at OR Book 19630, Page 1911, from New Hampshire 54, LLC to the Township; and

WHEREAS, Lakewood Township is the owner of Block 1248.42, Lot 1.61, deeded to the Township by Somerset NH Equity, LLC, on March 6, 2024, recorded April 3, 2024 at OR Book 19647, Page 274; and

WHEREAS, these two lots are depicted on Tax Sheet 168.01 and were Deeded to the Township by these aforementioned respective Grantors/Developers for purposes for providing an emergency accessway between Lennox Drive and Budleman Way in recently approved subdivisions; and

WHEREAS, Lakewood Township has determined Lakewood Township Municipal Utilities Authority requires a 35 foot wide easement over a portion of these properties to construct utility piping that will provide for public water and sewer services to these recently approved subdivisions; and

WHEREAS, the Township Committee has determined the granting of these easements over the aforementioned properties as depicted on the attached Tax Map and described in the attached Metes and Bounds description of the easement areas, incorporated by reference herein and made a part of this Ordinance, is in the public interest and shall be in a form approved by the Township Attorney; and

WHEREAS, the granting of easements requires the approval by Ordinance by the Township Committee pursuant to N.J.S.A. . 40A:12-5 and N.J.S.A. 40A:12-13.

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

SECTION 1. The Township of Lakewood, Ocean County, New Jersey hereby grants, and the Mayor and Township Clerk are hereby authorized to execute, the attached easements to the Lakewood Township Municipal Utilities Authority and the Township Attorney is hereby authorized to record the document with the Ocean County Clerk.

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE #2025-

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY GRANTING A 35 FOOT WIDE UTILITY EASEMENT TO THE LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR PURPOSES OF PROVIDING UNDERGROUND UTILITIES IN A PORTION OF BLOCK 1248.40, LOT 35 AND BLOCK 1248.42, LOT 1.61 ON THE TAX MAP OF THE TOWNSHIP OF LAKEWOOD.

WHEREAS, Lakewood Township is the owner of Block 1248.40, Lot 35 on the Lakewood Township Tax Map, by way of the Deed dated March 5, 2024, recorded March 14, 2024 at OR Book 19630, Page 1911, from New Hampshire 54, LLC to the Township; and

WHEREAS, Lakewood Township is the owner of Block 1248.42, Lot 1.61, deeded to the Township by Somerset NH Equity, LLC, on March 6, 2024, recorded April 3, 2024 at OR Book 19647, Page 274; and

WHEREAS, these two lots are depicted on Tax Sheet 168.01 and were Deeded to the Township by these aforementioned respective Grantors/Developers for purposes for providing an emergency accessway between Lennox Drive and Budleman Way in recently approved subdivisions; and

WHEREAS, Lakewood Township has determined Lakewood Township Municipal Utilities Authority requires a 35 foot wide easement over a portion of these properties to construct utility piping that will provide for public water and sewer services to these recently approved subdivisions; and

WHEREAS, the Township Committee has determined the granting of these easements over the aforementioned properties as depicted on the attached Tax Map and described in the attached Metes and Bounds description of the easement areas, incorporated by reference herein and made a part of this Ordinance, is in the public interest and shall be in a form approved by the Township Attorney; and

WHEREAS, the granting of easements requires the approval by Ordinance by the Township Committee pursuant to N.J.S.A. . 40A:12-5 and N.J.S.A. 40A:12-13.

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

SECTION 1. The Township of Lakewood, Ocean County, New Jersey hereby grants, and the Mayor and Township Clerk are hereby authorized to execute, the attached easements to the Lakewood Township Municipal Utilities Authority and the Township Attorney is hereby authorized to record the document with the Ocean County Clerk.

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 **April 10, 2025.**

Lauren Kirkman, RMC CMR
Township Clerk

(F)48.

2025-019 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey Amending And Supplementing Chapter 24 "Taxation" Specifically Section 24-2 ("Hotel And Motel Room Occupancy Tax") 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 Chapter 2 "Taxation" specifically Section 24-2.2 "Hotel and Motel Room Occupancy Tax-Establishment" of the Revised General Ordinances of the Township of Lakewood be revised as follows:

§ 24-2.2Establishment.

There is hereby established a Hotel and Motel Room Occupancy Tax in the Township of Lakewood which shall be fixed at a uniform percentage rate of - 3% on charges or rent for every occupancy of a hotel or motel room in the Township of Lakewood of a room or rooms in a hotel subject to taxation pursuant to subsection (d) of section 3 of P.L. 1966, c. 40, N.J.S.A. 54:32B-3 (sales tax). The Hotel and Motel Room Occupancy Tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel room.

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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE #2025-

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 24 "TAXATION" SPECIFICALLY SECTION 24-2 ("HOTEL AND MOTEL ROOM OCCUPANCY TAX") 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 Chapter 2 "Taxation" specifically Section 24-2.2 "Hotel and Motel Room Occupancy Tax-Establishment" of the Revised General Ordinances of the Township of Lakewood be revised as follows:

§ 24-2.2 Establishment.

There is hereby established a Hotel and Motel Room Occupancy Tax in the Township of Lakewood which shall be fixed at a uniform percentage rate of ~~2%~~ 3% on charges or rent for every occupancy of a hotel or motel room in the Township of Lakewood of a room or rooms in a hotel subject to taxation pursuant to subsection (d) of section 3 of P.L. 1966, c. 40, N.J.S.A. 54:32B-3 (sales tax). The Hotel and Motel Room Occupancy Tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel room.

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: April 10, 2025

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 **April 10, 2025.**

Lauren Kirkman, RMC, CMR
Township Clerk

(F)49.

2025-020 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Opting Into The Garden State C-Pace Program To Facilitate And Finance C-Pace Projects

WHEREAS, facilitating the direct financing of clean energy and resiliency-related improvements (“C-PACE Projects”) on commercial and certain other types of property will enable [insert name of municipality] (“Municipality”) in the County of [insert name of county] (“County”) to contribute toward the goals of community sustainability and the reduction of greenhouse gas, carbon emissions and energy consumption, while also providing a valuable service to the citizens of this community that will create jobs and strengthen our ratable base; and

WHEREAS, the Legislature and the Governor of the State of New Jersey (the “State”) have declared it to be the public policy of this State to invest in clean energy and resiliency-related improvements to conserve our resources and allay the impact of natural disasters; and

WHEREAS, the Legislature and the Governor of the State have authorized the establishment of the Garden State C-PACE Program, pursuant to P.L. 2021, c. 201 (N.J.S.A. 34:1B-374 et seq.) (the “Act”); and

WHEREAS, pursuant to the Act, the New Jersey Economic Development Authority (the “Authority”) has issued Guidelines for the Garden State C-PACE Program; and

WHEREAS, any capitalized terms used in this Ordinance if not defined herein shall have their meaning as set forth in the Program Guidelines; and

WHEREAS, pursuant to the Act and the Program Guidelines, municipalities may “opt in” to the Garden State C-PACE Program to facilitate the Direct Financing of C-PACE Projects; and

WHEREAS, in order to participate in the Garden State C-PACE Program, a municipality must adopt an opt-in ordinance authorizing it to enter into a Garden State Program Agreement with the Authority; and

WHEREAS, in compliance with the Act and the Program Guidelines, and in order to facilitate Direct Financing pursuant to the Garden State C-PACE Program, this Ordinance authorizes the creation of C-PACE Assessments to be imposed on Eligible Properties located within the Municipality, at the request of their Eligible Owners; and

WHEREAS, pursuant to the Act and the Program Guidelines, a C-PACE Assessment shall be considered a single, continuous first lien, paramount to all prior or subsequent alienations and descents or encumbrances thereon, except subsequent taxes, charges or assessments, and such lien shall not be extinguished by the Municipality’s in rem foreclosure proceedings; and

WHEREAS, pursuant to the Act and the Program Guidelines, a C-PACE Assessment shall be treated as a municipal lien rather than a contractual lien for all purposes of law; and

WHEREAS, a C-PACE Assessment shall be entered into voluntarily by an Eligible Owner to facilitate the Direct Financing of a C-PACE Project with a loan from a Qualified Capital Provider, the repayment of which is made by way of the C-PACE Assessment on the Eligible Property on which the C-PACE Project is or will be located; and

WHEREAS, opting-in to the Garden State C-PACE Program is in the best interests of the health, safety, and welfare of the Municipality and will generate more economic opportunities for citizens, property owners, and commercial businesses alike; and

WHEREAS, the Municipality, pursuant to the Act and the Garden State C-PACE Program Guidelines and Supplemental Guidelines, as may be amended from time to time (collectively the “Program Guidelines”), does hereby declare its commitment to opt in and participate in the Garden State C-PACE Program and to enter into a Garden State Program Agreement with the Authority; and

WHEREAS, the Municipality further declares that participating in the Garden State C-PACE Program is a valid public purpose; and

WHEREAS, if and to the extent there is any inconsistency between this Ordinance and the Act or Program Guidelines, this Ordinance shall be construed consistently with the provisions and requirements of the Act and the Program Guidelines and in case of conflict the Act and the Program Guidelines shall control.

NOW, THEREFORE BE IT ORDAINED, by the governing body of the Municipality as follows:

1. Scope and Purpose; Approval of Certain C-PACE Project Documents

A. Pursuant to the Act, this Ordinance shall constitute the Municipality's "opt-in" ordinance that authorizes participation in the Garden State C-PACE Program, which shall be available to Eligible Properties situated within the Municipality and authorizes execution of a Garden State Program Agreement.

B. The Municipality shall accept C-PACE Projects in accordance with the Garden State Program Agreement to be entered into with the Authority.

C. In accordance with the Act, the Municipality shall levy, bill, collect, remit, and enforce C-PACE Assessments with respect to participating Eligible Properties located within the Municipality.

D. The [select: Mayor, municipal manager or business administrator (as appropriate to the form of local government), municipal clerk] or any of their designees in writing are designated as the "Authorized Officers" for purposes of executing and delivering the various agreements and documents authorized by this Ordinance.

E. An Authorized Officer is hereby authorized and directed to enter into the Garden State Program Agreement with the Authority in substantially the form attached as Exhibit A hereto.

F. An Authorized Officer under the direction of the [select: Mayor or municipal manager (as appropriate to the form of government)] is hereby authorized and directed to (i) enter into C-PACE Assessment Agreements, Notices of Assessment, and any other Uniform Assessment Documents with Eligible Owners, and arrange for the recording of such documents in the Recording Office of the County; and (ii) enter into Assignment Agreements and any other Uniform Assessment Documents with Qualified Capital Providers, and arrange for the recording of such documents in the Recording Office of the County.

2. Definitions

Such terms and meanings as defined in this Ordinance or in the Program Guidelines shall be applicable to municipal actions and municipal documents required to carry out the purposes of this Ordinance.

3. Criteria For Qualifying A C-PACE Project For A C-PACE Assessment

To qualify for a C-PACE Assessment, a proposed project must meet the criteria in the Program Guidelines for eligibility and have been approved by the Authority.

4. Municipal C-PACE Liaison

The [select: Mayor or municipal manager (as appropriate to the form of government)] shall designate a municipal official, who shall be known as the "Municipal C-PACE Liaison," to serve as the Municipality's liaison to the Garden State C-PACE Program. The Municipality shall have a designated Municipal C-PACE Liaison at all times during the Municipality's participation in the Garden State C-PACE Program. The Municipal C-PACE Liaison shall be or become qualified as described in the Garden State Program Agreement and shall have the responsibilities and obligations set forth in the Garden State Program Agreement.

5. Municipal C-PACE Fees; Recording of C-PACE Project Documents

Municipal C-PACE fees and the recording of Uniform Assessment Documents for a C-PACE Project shall be as set forth in the Garden State Program Agreement. The amount of any fee shall not be revised without providing prior written notice to the Authority, and shall not exceed the amount set forth in the Program Guidelines. Any increase in the amount of a fee shall not apply retroactively to any prior fee paid for which a completed C-PACE Project application was submitted but shall apply to all prospective fees for all C-PACE Projects, including any C-PACE Project with an existing C-PACE Assessment.

6. Forms of Uniform Assessment Documents and Related Documents

A. All Uniform Assessment Documents, financial documents, or other documents in the form set forth in the Uniform Assessment Documents to be entered into between the Municipality and an Eligible Owner or a Qualified Capital Provider shall be subject to review by the [select: Mayor or municipal manager (as appropriate to the form of government)] or their designee to determine their substantive adherence to the forms as set forth in the Uniform Assessment Documents and shall be approved by resolution of the governing body, prior to execution of any such documents. All C-PACE Project Documents, such other Uniform Assessment Documents, and other related documents to be entered into in connection with the Garden State C-PACE Program shall be in compliance with the Act, this Ordinance, the Garden State Program Agreement, and the Program Guidelines.

B. All final documents to be executed by the Municipality in connection with its participation in the Garden State C-PACE Program shall be subject to review and approval by the Municipal Attorney.

7. Acceptance of Projects

A. Pursuant to Section 1 of this Ordinance, the Municipality hereby agrees to accept C-PACE Projects pursuant to the Garden State C-PACE Program in accordance with the Act, the Program Guidelines, and the Garden State Program Agreement entered into with the Authority.

B. All C-PACE Projects and Eligible Owners shall have satisfied the criteria set forth in Section 3 of this Ordinance.

8. Collection, Enforcement and Remittance

A. If any payment of a C-PACE Assessment is not made when that payment shall have become due, or later, consistent with any grace period provided or extended by the Municipality for the payment of property tax bills as may be permitted or required by law, the Municipality shall impose interest thereon ("statutory interest") at the same rate as may be imposed upon unpaid property taxes in the Municipality. Such statutory interest shall be in addition to any accrued interest and any amount fixed as a penalty for delinquency pursuant to the Direct Financing Agreement.

B. All delinquent payments of C-PACE Assessments, together with statutory interest thereon, accrued interest, and any penalties for such delinquency, shall be collected and enforced in the same manner as unpaid property taxes, which may include accelerated tax sales. The proceeds of the tax sale shall also pay the outstanding past unpaid amounts of the C-PACE Assessment. The remaining balance not delinquent on a C-PACE Assessment shall not be subject to acceleration or extinguishment in the event of a default in payment.

C. Any statutory interest collected by the Municipality on a delinquent C-PACE Assessment shall be retained by the Municipality. Any accrued interest, or any amount fixed as a penalty for delinquency pursuant to the Direct Financing Agreement shall be remitted to the Qualified Capital Provider.

D. If a Property Owner is delinquent on a C-PACE Assessment as well as delinquent on taxes, charges, or other assessments, the Municipality shall apply any payment made by the Property Owner to any and all such other delinquencies before being applied to any delinquent C-PACE Assessment.

E. In the event that any lien on an Eligible Property shall be exposed to tax sale, pursuant to the "tax sale law," N.J.S.A. 54:5-1 et seq., and is struck off and sold to the Municipality, the C-PACE Assessment shall survive any subsequent action to foreclose the right of redemption and continue as a first lien upon the real estate described in the C-PACE Assessment, paramount to all prior or subsequent alienations and descents of the real estate or encumbrances, except subsequent taxes, charges, or other assessments.

F. While the Municipality holds the lien or owns the Eligible Property, the Municipality shall not be responsible for or required to make any payment from its treasury or any other source in furtherance of or to satisfy the C-PACE Assessment.

G. The Municipality shall not bear any other responsibility in furtherance or satisfaction of a C-PACE Assessment, except that a Qualified Capital Provider may seek to compel the Municipality to enforce a lien through an action to foreclose.

H. The Municipality's appropriate administrative personnel are authorized to make payments to the Qualified Capital Provider or its designee in accordance with the Assignment Agreement without the necessity of prior approval from the governing body, in accordance with N.J.S.A. 40A:5-17 and the appropriate provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq.

9. Public Funds Not To Be Utilized To Pay Delinquent Assessment

A. The Municipality shall not be responsible for or required to make any payment from its funds or any other source of public funds in furtherance of or to satisfy the C-PACE Assessment.

B. This Ordinance shall not be construed to confer any right of action or property interest upon any party participating in a C-PACE transaction with the Municipality, nor shall it be interpreted to pledge, offer, or encumber the full faith and credit of the Municipality for any C-PACE lien or C-PACE Assessment.

10. Revenue From The C-PACE Assessment Not A Part of General Fund

A. The C-PACE Assessment in respect of a C-PACE Project shall be assigned directly by the Municipality, and any assignee thereof, to the Qualified Capital Provider with respect to such C-PACE Project, as security for the Direct Financing.

B. Such assignment shall be an absolute assignment of all of the Municipality's right, title, and interest in and to the C-PACE Assessment, except for its obligations to levy, bill, collect, remit, and enforce C-PACE

Assessments. The proceeds of a C-PACE Assessment shall be considered “special revenues” owned by the Qualified Capital Provider pursuant to chapter 9 of the federal bankruptcy code, U.S.C. Title 11.

C. Pursuant to N.J.S.A 34:1B-378, C-PACE Assessments assigned shall not be included in the Municipality’s general funds, or be subject to any laws regarding the receipt, deposit, investment, or appropriation of public funds, and shall retain such status notwithstanding enforcement of the C-PACE Assessment by the Municipality or its assignee.

D. If the Municipality is otherwise subject to tax or revenue sharing pursuant to law, the C-PACE Assessments shall not be considered part of the tax or revenue sharing formula or calculation of municipal revenues for the purpose of determining whether the Municipality is obligated to make payment to, or receive a credit from, any tax sharing or revenue sharing pool. However, the redemption of any delinquent and unpaid C-PACE Assessments, including any interest, penalties, or other charges related thereto, shall be paid no later than on the first available tax bill after the property has been sold after an action to foreclose the right of redemption.

11. Independent Sections, Conflicts & Effective Date

A. Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void, invalid or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof which shall survive in full force and effect.

B. All ordinances and parts of ordinances that conflict with or that are inconsistent with this Ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

C. This Ordinance shall take effect after final adoption and approval following 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 **May 22, 2025**.

Lauren Kirkman RMC, CMR
Township Clerk

ATTACHMENTS:

Description

ordinance

ORDINANCE 2025-

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, OPTING INTO THE GARDEN STATE C-PACE PROGRAM TO FACILITATE AND FINANCE C-PACE PROJECTS

WHEREAS, facilitating the Direct Financing of commercial property assessed clean energy projects (“C-PACE Projects”) on commercial and certain other types of property will enable Lakewood Township to contribute toward the goals of community sustainability and the reduction of greenhouse gas, carbon emissions and energy consumption, while also providing a valuable service to the citizens of this community that will create jobs and strengthen our ratable base; and

WHEREAS, the Legislature and the Governor of the State of New Jersey (the “State”) have declared it to be the public policy of this State to invest in clean energy and resiliency-related improvements to conserve our resources and allay the impact of natural disasters; and

WHEREAS, the Legislature and the Governor of the State have authorized the establishment of the Garden State C-PACE Program, pursuant to P.L. 2021, c. 201 (N.J.S.A. 34:1B-374 et seq.) (the “Act”); and

WHEREAS, pursuant to the Act, the New Jersey Economic Development Authority (the “NJEDA”) has issued Guidelines for the Garden State C-PACE Program (the “Program Guidelines”); and

WHEREAS, pursuant to the Act and the Program Guidelines, municipalities may “opt in” to the Garden State C-PACE Program to facilitate the Direct Financing of C-PACE Projects; and

WHEREAS, in order to participate in the Garden State C-PACE Program, a municipality must adopt an opt-in ordinance authorizing it to enter into a Garden State Program Agreement with the New Jersey Economic Development Authority or such other entity as may be statutorily authorized to enter into a Garden State Program Agreement with a municipality; and

WHEREAS, in compliance with the Act and the Program Guidelines, and in order to facilitate Direct Financing pursuant to the Garden State C-PACE Program, this Ordinance authorizes the creation of C-PACE Assessments to be imposed on Properties located within the Municipality, at the request of their Eligible Owners; and

WHEREAS, pursuant to the Act and the Program Guidelines, a C-PACE Assessment shall be considered a single, continuous first lien, paramount to all prior or subsequent alienations and descents or encumbrances thereon, except subsequent taxes, charges or assessments, and such lien shall not be extinguished by the Municipality’s *in rem* foreclosure proceedings; and

WHEREAS, pursuant to the Act and the Program Guidelines, a C-PACE Assessment shall be treated as a municipal lien rather than a contractual lien for all purposes of law; and

WHEREAS, a C-PACE Assessment shall be entered into voluntarily by an Eligible Owner and all Property Owners to facilitate the Direct Financing of a C-PACE Project with a loan from a Qualified Capital Provider, the repayment of which is made by way of the C-PACE Assessment on the Eligible Property on which the C-PACE Project is or will be located; and

WHEREAS, opting-in to the Garden State C-PACE Program is in the best interests of the health, safety, and welfare of Lakewood Township and will generate more economic opportunities for citizens, property owners, and commercial businesses alike; and

WHEREAS, Lakewood Township, pursuant to the Act and the Guidelines, does hereby declare its commitment to opt in and participate in the Garden State C-PACE Program and to enter into a Garden State Program Agreement with the Authority; and

WHEREAS, Lakewood Township further declares that participating in the Garden State C-PACE Program is a valid public purpose; and

WHEREAS, if and to the extent there is any inconsistency between this Ordinance and the Act or Program Guidelines, this Ordinance shall be construed consistently with the provisions and requirements of the Act and the Program Guidelines.

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

SECTION 1. That Chapter 2 entitled “Administration”, creating Article XXII, of the Revised General Ordinances of the Township of Lakewood entitled "C-PACE Projects" Section 2-97 be and hereby is amended and supplemented as follows:

1. Scope and Purpose; Approval of Certain C-PACE Project Documents

A. Pursuant to the Act, this Ordinance shall constitute the Lakewood Township “opt-in” ordinance that authorizes participation in the Garden State C-PACE Program, which shall be available to qualifying Properties situated within the Municipality and authorizes execution of a Garden State Program Agreement.

B. The Lakewood Township shall accept C-PACE Projects in accordance with the Garden State Program Agreement to be entered into with the Authority.

C. In accordance with the Act, the Municipality shall levy, bill, collect, remit, and enforce C-PACE Assessments with respect to participating Properties located within the Municipality.

D. The Mayor and the Municipal Clerk or such other appropriate municipal personnel under the direction of the Mayor are hereby authorized and directed to enter into a

Garden State Program Agreement with the Authority. The Garden State Program Agreement shall be subject to review by the Municipal Attorney and shall be approved by resolution of the governing body, prior to execution of any such document.

E. The Mayor and Municipal Clerk, or such other appropriate municipal personnel under the direction of the Mayor, are hereby authorized and directed to (i) enter into C-PACE Assessment Agreements and Notices of Assessment with Eligible Owners and Property Owners, and arrange for the recording of such documents in the County of Ocean Recording Office; and (ii) enter into Assignment Agreements with Qualified Capital Providers, and arrange for the recording of such documents in the County of Ocean Recording Office. The standard forms of the C-PACE Assessment Agreement, Notice of Assessment, and Assignment Agreement, as prepared by the Authority, shall be subject to review by the Mayor or Mayor's designee and the Municipal Attorney and shall be approved by resolution of the governing body, prior to such forms being used in connection with C-PACE Projects.

2. Definitions

A. As used in this Ordinance, the following terms shall have the following meanings. In addition, such terms and meanings shall be applicable to municipal actions and municipal documents required to carry out the purposes of this Ordinance. Capitalized terms used but not defined in this Ordinance shall have the meanings given such terms in the Program Guidelines.

1. "Annual Servicing Fee" shall mean the Annual Servicing Fee described in Section 5 hereof and authorized by the Act and the Program Guidelines.

2. "Assessment Amendment Fee" shall mean the Assessment Amendment Fee described in Section 5 hereof and authorized by the Act and the Program Guidelines.

3. "Assignment Agreement" shall have the meaning assigned in the Program Guidelines.

4. "Authority" shall mean the New Jersey Economic Development Authority, or such other entity as the New Jersey Economic Development Authority may designate pursuant to N.J.S.A. 34:1B-377(c) as authorized to enter into a Garden State Program Agreement with a municipality.

5. "Closing Fee" shall mean the Closing Fee described in Section 5 hereof and authorized under the Act and the Program Guidelines.

6. "C-PACE" shall mean commercial property assessed clean energy.

7. "C-PACE Assessment" shall have the meaning given such term in the Program Guidelines.

8. "C-PACE Assessment Agreement" shall have the meaning given such term

in the Program Guidelines.

9. “C-PACE Project” shall have the meaning given to such term in the Program Guidelines.

10. “C-PACE Project Document” or “C-PACE Project Documents” shall mean, individually or collectively as the case may be, with respect to each C-PACE Project, the related C-PACE Assessment Agreement, Notice of Assessment, and Assignment Agreement, and, if applicable, Notice of Amendment of Assessment and/or any amendments to any of the foregoing.

11. “Direct Financing” shall have the meaning given such term in the Program Guidelines.

12. “Direct Financing Agreement” shall mean an agreement entered into between a Qualified Capital Provider and an Eligible Owner regarding the Direct Financing provided by the Qualified Capital Provider.

13. “Electric Vehicle Charging Infrastructure” shall have the meaning given such term in the Act and the Program Guidelines.

14. “Eligible Owner” shall have the meaning given such term in the Program Guidelines.

15. “Eligible Property” shall have the meaning given to such term in the Program Guidelines.

16. “Energy Efficiency Improvement” shall have the meaning given such term in the Act and the Program Guidelines.

17. “Flood Resistant Construction Improvement” shall have the meaning given such term in the Act and the Program Guidelines.

18. “Garden State C-PACE Program” shall mean the program established by the Authority pursuant to N.J.S.A. 34:1B-377 and N.J.S.A. 34:1B-378.

19. “Garden State C-PACE Program Guidelines” or “Program Guidelines” shall mean the guidelines adopted by the Authority, as the same may be revised or amended from time to time, and which shall include all program-related documents, prepared, and published by the Authority that apply to the Garden State C-PACE Program, including the form of this Ordinance.

20. “Garden State Program Agreement” shall have the meaning given such term in the Program Guidelines.

21. “Hurricane Resistant Construction Improvement” shall have the meaning

given such term in the Act and the Program Guidelines.

22. “Microgrid” shall have the meaning given such term in the Act and the Program Guidelines.

23. “Municipality” shall mean the Municipality adopting this Ordinance.

24. “Notice of Amendment of Assessment” shall have the meaning given such term in the Program Guidelines.

25. “Notice of Assessment” shall have the meaning given such term in the Program Guidelines.

26. “Property” shall have the meaning given such term in the Program Guidelines.

27. “Property Owner” shall have the meaning given such term in the Program Guidelines.

28. “Qualified Capital Provider” shall have the meaning given such term in the Program Guidelines, and such Qualified Capital Provider’s successors and assigns.

29. “Rebilling Fee” shall mean the Rebilling Fee described in Section 5 hereof and authorized by the Act and the Program Guidelines.

30. “Renewable Energy System” shall have the meaning given such term in the Act and the Program Guidelines.

31. “Stormwater Management System” shall have the meaning given such term in the Act and the Program Guidelines.

32. “Uniform Assessment Documents” shall have the meaning given such term in the Program Guidelines.

33. “Water Conservation Improvement” shall have the meaning given such term in the Act and the Program Guidelines.

3. Criteria For Qualifying A C-PACE Project For A C-PACE Assessment

A. To qualify for a C-PACE Assessment, a proposed project must meet the criteria in the Program Guidelines for eligibility.

4. Municipal C-PACE Liaison

A. The Mayor shall designate a municipal official, who shall be known as the Municipal C-PACE Liaison, to serve as the Municipality’s liaison to the Garden State C-PACE

Program. The Municipality shall have a designated Municipal C-PACE Liaison at all times during the Municipality's participation in the Garden State C-PACE Program.

B. The Municipal C-PACE Liaison shall be qualified by training and experience to serve in that role.

C. The Municipal C-PACE Liaison shall be responsible for ensuring the Municipality's compliance with the Garden State C-PACE Program, including compliance with the Program Guidelines, compliance with the Garden State Program Agreement, enforcement of C-PACE Assessments, and establishment of the appropriate municipal processes to fully participate in the Garden State C-PACE Program.

D. The Municipal C-PACE Liaison shall also be responsible for maintaining records and reporting such events as required by the Garden State Program Agreement.

5. Municipal C-PACE Fees; Recording of C-PACE Project Documents

A. Closing Fee: The Municipality shall be entitled to charge an Eligible Owner a Closing Fee at the closing of the Direct Financing for the Municipality's activities to prepare for the ongoing billing, collecting, and remittance of the C-PACE Assessment with respect to a C-PACE Project. The amount of the Closing Fee shall be set forth in the Garden State Program Agreement, shall not be revised without providing prior written notice to the Authority, and shall not exceed the amount set forth in the Program Guidelines. Any increase in the amount of the Closing Fee shall not apply with respect to any C-PACE Project for which the Eligible Owner's completed application to the Authority was filed prior to the date of implementation of the increase.

B. Annual Servicing Fee: The Municipality shall be entitled to charge an Eligible Owner an Annual Servicing Fee with respect to each C-PACE Project of the Eligible Owner, for the Municipality's billing, collection, and remittance services rendered with respect to such C-PACE Project. The Annual Servicing Fee shall be charged each calendar year, or part thereof, in which a C-PACE Assessment is in effect with respect to such C-PACE Project. The Annual Servicing Fee may be billed together with the C-PACE Assessment amount and payable in respect of one quarter each year, such amount to be retained by the Municipality before remitting the balance to the Qualified Capital Provider, or the Annual Servicing Fee may be billed separately. The amount of the Annual Servicing Fee shall be set forth in the Garden State Program Agreement between the Authority and the Municipality, shall not be revised without providing prior written notice to the Authority, and shall not exceed the amount set forth in the Program Guidelines. Any increase in the amount of the Annual Servicing Fee shall not apply retroactively to any prior Annual Servicing Fee paid for a C-PACE project that was previously approved but shall apply to all prospective Annual Service Fees for all C-PACE Projects, including any C-PACE Project with an existing C-PACE Assessment.

C. Rebilling Fee: The Municipality shall be entitled to charge a Rebilling Fee to the Eligible Owner each time that the Eligible Owner requests a change in the Repayment Schedule of the C-PACE Assessment, requiring the Municipality to reissue a bill for the C-PACE

Assessment during the course of the same annual billing cycle. The amount of the Rebilling Fee shall be set forth in the Garden State Program Agreement between the Authority and the Municipality, shall not be revised without providing prior written notice to the Authority, and shall not exceed the amount set forth in the Program Guidelines. Any increase in the amount of the Rebilling Fee shall not apply retroactively to any prior Rebilling Fee paid for a C-PACE Project that was previously approved but shall apply to all prospective Rebilling Fees for all C-PACE Projects, including any C-PACE Project with an existing C-PACE Assessment.

D. Assessment Amendment Fee: The Municipality shall be entitled to charge an Eligible Owner an Assessment Amendment Fee each time that the Eligible Owner and the Qualified Capital Provider jointly request the Municipality to execute an amendment to any CPACE Project Document. The Assessment Amendment Fee shall be paid when the request to amend the C-PACE Project Documents is made by the Eligible Owner and the Qualified Capital Provider. The amount of the Assessment Amendment Fee shall be set forth in the Garden State Program Agreement between the Authority and the Municipality, shall not be revised without providing prior written notice to the Authority, and shall not exceed, for each occurrence of an amendment, the amount set forth in the Program Guidelines. Any increase in the amount of the Assessment Amendment Fee shall not apply retroactively to any prior Assessment Amendment Fee paid for a C-PACE Project that was previously approved but shall apply to all prospective Assessment Amendment Fees for all C-PACE Projects, including any C-PACE Project with an existing C-PACE Assessment.

E. Recording of C-PACE Project Documents: The Municipality shall have the right to designate in the Garden State Program Agreement whether the responsibility to record or arrange for the recording of the C-PACE Project Documents or amendments shall be the Municipality's responsibility or the Capital Provider's responsibility. The Municipality's designation as set forth in the Garden State Program Agreement shall not be revised without providing prior written notice to the Authority, and any such revision shall not apply retroactively to any recording for a C-PACE Project that was previously approved but shall apply to all prospective recordings for all C-PACE Projects, including any C-PACE Project with an existing C-PACE Assessment.

6. Forms of Uniform Assessment Documents and Related Documents

A. In addition to the forms of the C-PACE Project Documents, all such other Uniform Assessment Documents, financial documents, or other documents to be entered into between the Municipality and an Eligible Owner, Property Owners, or a Qualified Capital Provider shall be subject to review by the Mayor or the Mayor's designee and the Municipal Attorney and shall be approved by resolution of the governing body, prior to execution of any such document

B. All C-PACE Project Documents, such other Uniform Assessment Documents, and other related documents to be entered into in connection with the Garden State CPACE Program shall be in compliance with the Act, this Ordinance, the Garden State Program Agreement, and the Garden State C-PACE Program Guidelines.

C. All final documents to be executed by the Municipality in connection with its participation in the Garden State C-PACE Program shall be subject to review and approval by the Municipal Attorney.

D. The definitions codified in Section 2 above shall be applicable to all documents created by the Municipality in connection to its participation in the Garden State CPACE Program.

7. Acceptance of Projects

A. Pursuant to Section 1 of this Ordinance, the Municipality hereby agrees to accept C-PACE Projects pursuant to the Garden State C-PACE Program in accordance with the Act, the Program Guidelines, and the Garden State Program Agreement entered into with the Authority.

B. All C-PACE Projects and Eligible Owners shall have satisfied the criteria set forth in Section 3 of this Ordinance.

8. Collection, Enforcement and Remittance

A. If any payment of a C-PACE Assessment is not made when that payment shall have become due, or later, consistent with any grace period provided or extended by the Municipality for the payment of property tax bills as may be permitted or required by law, interest thereon shall be imposed at the same rate as may be imposed upon unpaid property taxes in the Municipality. The statutory interest shall be in addition to any accrued interest and any amount fixed as a penalty for delinquency pursuant to the Direct Financing Agreement.

B. The delinquent amounts shall be collected and enforced in the same manner as unpaid property taxes, including by accelerated tax sale. The proceeds of the sale shall also pay the outstanding past unpaid amounts of the C-PACE Assessment. However, the remaining balance not delinquent on a C-PACE Assessment shall not be subject to acceleration or extinguishment in the event of a default in payment.

C. Any statutory interest collected by the Municipality on a delinquent CPACE Assessment shall be retained by the Municipality. Any accrued interest, or any amount fixed as a penalty for delinquency pursuant to the Direct Financing Agreement shall be remitted to the Qualified Capital Provider.

D. If the Property Owner is delinquent on a C-PACE Assessment as well as delinquent on taxes, charges, or other assessments, any payment shall be applied towards any and all such other delinquencies before being applied to any delinquent C-PACE Assessment.

E. In the event that any lien on the Eligible Property shall be exposed to tax sale, pursuant to the "tax sale law," N.J.S.A. 54:5-1 et seq., and is struck off and sold to the Municipality, the C-PACE Assessment shall survive any subsequent action to foreclose the right

of redemption and continue as a first lien upon the real estate described in the C-PACE Assessment, paramount to all prior or subsequent alienations and descents of the real estate or encumbrances, except subsequent taxes, charges, or other assessments.

F. While the Municipality holds the lien or owns the Eligible Property, the Municipality shall not be responsible for or required to make any payment from its funds or any other source in furtherance of or to satisfy the C-PACE Assessment. The Municipality shall not bear any other responsibility in furtherance or satisfaction of a C-PACE Assessment, except that a Qualified Capital Provider may seek to compel the Municipality to enforce a lien through an action to foreclose.

G. The Municipality's appropriate administrative personnel are authorized to make payments to the Qualified Capital Provider or its designee in accordance with the Assignment Agreement without the necessity of prior approval from the governing body, in accordance with N.J.S.A 40A:5-17 and the appropriate provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq.

9. Public Funds Not To Be Utilized To Pay Delinquent Assessment

A. The Municipality shall not be responsible for or required to make any payment from its funds or any other source of public funds in furtherance of or to satisfy the C-PACE Assessment.

B. This Ordinance shall not be construed to confer any right of action or property interest upon any party participating in a C-PACE transaction with the Municipality, nor shall it be interpreted to pledge, offer, or encumber the full faith and credit of the Municipality for any C-PACE lien or C-PACE Assessment.

10. Revenue From The C-PACE Assessment Not A Part of General Fund

A. All C-PACE Assessments in respect of a C-PACE Project shall be assigned directly by the Municipality, and any assignee thereof, to the Qualified Capital Provider with respect to such C-PACE Project, as security for the Direct Financing.

B. Such assignment shall be an absolute assignment of all of the Municipality's right, title, and interest in and to the C-PACE Assessment, except for its obligations to levy, bill, collect, remit, and enforce C-PACE Assessments. The proceeds of a C-PACE Assessment shall be considered "special revenues" owned by the Qualified Capital Provider pursuant to chapter 9 of the federal bankruptcy code.

C. Pursuant to N.J.S.A 34:1B-378, C-PACE Assessments assigned shall not be included in the Municipality's general funds, or be subject to any laws regarding the receipt, deposit, investment, or appropriation of public funds, and shall retain such status notwithstanding enforcement of the C-PACE Assessment by the Municipality or its assignee.

D. If the Municipality is otherwise subject to tax or revenue sharing pursuant

to law, the C-PACE Assessments shall not be considered part of the tax or revenue sharing formula or calculation of municipal revenues for the purpose of determining whether the Municipality is obligated to make payment to, or receive a credit from, any tax sharing or revenue sharing pool. However, the redemption of any delinquent and unpaid C-PACE Assessments, including any interest, penalties, or other charges related thereto, shall be paid no later than on the first available tax bill after the property has been sold after an action to foreclose the right of redemption.

11. Independent Sections, Conflicts & Effective Date

A. Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void, invalid or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof which shall survive in full force and effect.

B. All ordinances and parts of ordinances that conflict with or that are inconsistent with this Ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

C. This Ordinance shall take effect after final adoption and approval following publication in accordance with law.

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.

Introduced: April 10, 2025

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 **April 10, 2025.**

Lauren Kirkman, RMC, CMR
Township Clerk