

The Lakewood Township Committee held a Meeting on Thursday, August 5, 2010, in the Lakewood Municipal Building, at 6:30 PM for the Executive Session, and 7:30 PM for the Public Meeting, with the following present:

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

Adequate notice of this meeting has been provided in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6, by Resolution of the Township Committee adopted January 1, 2010 and published in the Asbury Park Press on January 6, 2010.

ROLL CALL

CLOSED SESSION

Resolution No. 2010-245 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

Motion by Committeeman Singer, second by Committeeman Coles, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 07/22/10

Motion by Committeeman Singer, second by Committeeman Coles, and carried, to approve the above Minutes.

Committeeman Lichtenstein abstained.

MOTION TO APPROVE CLOSED SESSION MINUTES: 07/22/10

Motion by Committeeman Coles, second by Committeeman Singer, and carried, to approve the above Closed Session Minutes.

Committeeman Lichtenstein abstained.

PRESENTATIONS - None

ORDINANCES FOR DISCUSSION: None

Comments from the public will be heard for a limit of one (1) hour. Each speaker will have four (4) minutes and shall be limited to one time at the podium.

Mayor Langert opened the meeting to the public.

Bill Hobday, 30 Schoolhouse Lane – Commented with regard to the Site Plan Ordinance, which has been carried to the meeting of August 19th.

Larry Simons, 7 Schoolhouse Court – Commented with regard to the Muster Zone.

Eric Russell – Commented with regard to the Site Plan Ordinance.

Joe Barina, Barina Auto Body, Ocean Avenue – Commented with regard to the proposed Township Impound Lot.

Jerome Robinson, Youth Education and Transition Services – Commented with regard to a new program, starting in January, which is called Fathers Now, which proposes to reconnect fathers with their children.

Carol Suchno, 59 Foxwood Road – Commented with regard to the recent dumping site.

Noreen Gill, 192 Coventry Drive – Commented with regard to the contract between the Township and Cedarbridge Development, and the Smart Growth Plan. Also commented on the status of the Farmers Market.

Vincent LoBello, 4 Mulberry Lane – Complained about the conditions in town, and the numerous illegal signs.

Nick _____, RW Lakeview Service, RW Towing – Requested to be included in discussions regarding the proposed Township Impound Lot.

Gary Grohn, Treasurer of the Garden State Towing Association – Commented with regard to the proposed Township Impound Lot.

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

Committeeman Singer responded to comments with regard to the placement of signs throughout the town; advised that it is the responsibility of the utility companies to remove signs off the poles; realtor signs are permitted, as are campaign signs for a certain period of time; stated that sale signs are not permitted and they should look into the removal of the signs. Also commented regarding the Cedarbridge Development Contract; it is an ongoing review and negotiation process. Also commented regarding the Office of Smart Growth.

Mayor Langert responded to comments regarding the Ordinance for the proposed Township Impound Lot, the Township Committee will meet with the Towers regarding this matter; a new Sign Ordinance being prepared by the Attorney, to be considered by the Township Committee; the Farmers Market, and the concerns that have been raised by the Department of Public Works and the Police Department, as well as the local merchants. When those concerns have been addressed, the Township Committee would be open to the possibility of having a Farmers Market in town.

CONSENT AGENDA

The items listed below are considered to be routine by the Township of Lakewood and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

- 1. Resolution authorizing the approval to submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the 2010/2011 Road Program Project. (NJDOT – SAGE)
Resolution No. 2010-246**
- 2. Resolution releasing a Maintenance Guarantee posted by AutoZone in connection with SP#1729 for Block 104, Lots 42 and 43, in the amount of \$10,880.00.
Resolution No. 2010-247**
- 3. Resolution releasing a Performance Guarantee posted by Joseph Rabinowitz in connection with Application SP#1914, Block 169, Lot 21, in the amount of \$13,300.00.
Resolution No. 2010-248**
- 4. Resolution releasing a Performance Guarantee posted by Kurteev in connection with Application SD#1559, Lot 73, in the amount of \$7,614.00.
Resolution No. 2010-249**
- 5. Resolution releasing a Performance Guarantee posted by Pine Trail Development, LLC in connection with Application SD#1676 and 1677, Block 775, Lots 3.02, 4.01, 4.02, 3.01, 11.01, 11.02, and 12, in the amount of \$34,240.00.
Resolution No. 2010-250**
- 6. Resolution authorizing the Sale of Surplus Personal Property no longer needed for Public Use on an Online Auction Website.
Resolution No. 2010-251**

- 7. Resolution authorizing the Sale of Public Works Equipment for Scrap.
Resolution No. 2010-252**
- 8. Resolution for Renewal of Membership in the Ocean County Municipal
Joint Insurance Fund. (JIF Renewal)
Resolution No. 2010-253**

Motion by Committeeman Coles, second by Committeeman Lichtenstein, to approve Resolution Nos. 1 through 8 on the Consent Agenda.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Resolution Nos. 2010-246 through 2010-253 – Adopted.

ORDINANCE SECOND READING

An Ordinance of the Township of Lakewood, in the County of Ocean, New Jersey, amending Ordinance No. 97-29 of the Township finally adopted July 31, 1997 to provide for an amendment of the purpose set forth in Section 3(K) thereof and an amendment of Section 6(D).

Read by title only for second reading.

Mayor Langert opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.

The above Ordinance was adopted by Committeeman Coles, second by Committeeman Singer.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Ordinance No. 2010-51 adopted on second reading.

An Ordinance of the Township of Lakewood, in the County of Ocean, New Jersey, amending Ordinance No. 01-39 of the Township finally adopted July 19, 2001 to provide for an amendment of the purpose set forth in Section 3(A) thereof.

Read by title only for second reading.

Mayor Langert opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.

The above Ordinance was offered by Committeeman Singer, second by Committeeman Coles.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Ordinance No. 2010-52 adopted on second reading.

An Ordinance Releasing, Extinguishing and Vacating the Rights of the Public in a Portion of a Paper Street known as South Street in the Township of

Lakewood. (St. Vacation – portion South Street)

Read by title only for second reading.

Mayor Langert opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.

The above Ordinance was offered by Committeeman Coles, second by Committeeman Singer.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Ordinance No. 2010-53 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII (Unified Development Ordinance), Article VI (Subdivision and Site Plans) of the Revised General Ordinances of the Township of Lakewood. (Chapter XVIII, Section 18-601.02 B – Site Plan)

Read by title only for second reading.

Motion by Committeeman Singer, second by Committeeman Coles, that the above Ordinance is carried to the meeting of August 19, 2010.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Second reading and public hearing on Ordinance No. 2010-54 carried to the meeting of August 19, 2010.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter III (Police Regulations), Section 3-9 (Abandoned Motor Vehicles) of the Revised General Ordinances of the Township of Lakewood. (Chapter III, Section 3-9 – Abandoned Vehicles)

Read by title only for second reading.

Motion by Committeeman Coles, second by Committeeman Lichtenstein, that the above Ordinance is carried to the meeting of August 19, 2010.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Second reading and public hearing on Ordinance No. 2010-55 carried to the meeting of August 19, 2010.

ORDINANCE FIRST READING (Second reading and Public Hearing 08/19/10)

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII (Unified Development Ordinance), Article VIII (Design Standards) of the Revised General Ordinances of the Township of Lakewood, 1999. (Chapter XVIII, Sec. 18-824 – Site Disturbance)

Read by title only for first reading.

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

Mayor Langert requested that this Ordinance be reviewed by the Planning Board for review prior to second reading of the Ordinance.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Ordinance No. 2010-56 adopted on first reading. Second reading and public hearing to be held on August 19, 2010.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter III (Police Regulations) of the Revised General Ordinances of the Township of Lakewood, 1999, with New Section 3-25 (Bicycle Parking Racks, Securing Bicycles). (Chapter III, Sec. 3-25 – Bicycles)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Committeeman Singer.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Singer, Committeeman Singer and Mayor Langert.

Ordinance No. 2010-57 adopted on first reading. Second reading and public hearing to be held on August 19, 2010.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter III (Police Regulations) of the Revised General Ordinances of the Township of Lakewood, 1999, with New Section 3-23 (Defacing Public and Private Property). (Chapter III, Sec. 3-23 – Defacing Property)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Lichtenstein, second by Committeeman Singer.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Ordinance No. 2010-58 adopted on first reading. Second reading and public hearing to be held on August 19, 2010.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XXXII (Stormwater Management) of the Revised General Ordinances of the Township of Lakewood, 1999, by the addition of New Section 32-3 (Refuse Containers – Dumpsters). (Chapter XXXII, Sec. 32-3 – Refuse Containers/Dumpsters)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Committeeman Singer.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Ordinance No. 2010-59 adopted on first reading. Second reading and public hearing to be held on August 19, 2010.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVI (Property Maintenance) of the Revised General Ordinances of the Township of Lakewood, 1999, with new Section 16-4 (Graffiti Abatement). (Chapter XVI, Sec. 16-4 – Graffiti)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Singer, second by Committeeman Lichtenstein.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Mayor Langert thanked Mr. Wouters for the preparation and presentation of this Ordinance to the Committee.

Ordinance No. 2010-60 adopted on first reading. Second reading and public hearing to be held on August 19, 2010.

Mayor Langert recused himself from discussion and participation in the vote on the following Ordinance. The gavel was passed to Committeeman Singer.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII (Unified Development Ordinance), Article X (Conditional use Requirements) of the Revised General Ordinances of the Township of Lakewood. (Chapter XVIII, Sec. 18-1014 – Duplexes)

Read by title only for first reading.

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

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer.

This Ordinance is also to be forwarded to the Planning Board for their review prior to second reading.

Ordinance No. 2010-61 adopted on first reading. Second reading and public hearing to be held on August 19, 2010.

Mayor Langert returned to the dais.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII (Unified Development Ordinance), Article VIII (Design Standards) of the Revised General Ordinances of the Township of Lakewood. (Chapter XVIII, Section 18-801 Off-Street Parking/Loading & Circulation)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Committeeman Singer.

Mayor Langert requested this Ordinance be forwarded to the Planning Board for their review prior to second reading of the Ordinance.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Ordinance No. 2010-62 adopted on first reading. Second reading and public hearing to be held on August 19, 2010.

The following Ordinance was withdrawn from the Agenda.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII (Unified Development Ordinance), Article VII (Design Standards) of the Revised General Ordinances of the Township of Lakewood, adding New Section 18-826 (Private Storm Drain Inlet Retrofitting). (Chapter SVIII, Sec. 18-826 – Storm Drain Retrofitting)

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, repealing Chapter XIX entitled "Protection of Trees" and replacing it with new Chapter XIX entitled "Protection of Trees". (Chapter XIX, Protection of Trees)

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Committeeman Singer.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Ordinance No. 2010-63 adopted on first reading. Second reading and public hearing to be held on August 19, 2010.

CORRESPONDENCE

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

Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to approve the above correspondence items.

Committeeman Lichtenstein offered two items of correspondence that were not on the Agenda.

1. From the Fire Department, approved by the Police, requesting on October 3rd, the closing of a portion of Monmouth Avenue from 10:00 AM until 2:00 PM for the Annual Fire Prevention Program.

Motion by Committeeman Singer, second by Committeeman Coles, and carried, approving this request.

2. The closing of 12th Street for a school, on August 19th, pending approval by the Chief of Police.

Motion by Committeeman Coles, second by Committeeman Singer, and carried, approving this request, pending approval of the Chief of Police.

MOTION TO APPROVE BILL LIST OF: 08/03/10

Motion by Committeeman Lichtenstein, second by Committeeman Coles.

On Roll Call – Affirmative: Committeeman Coles, Committeeman Lichtenstein, Committeeman Singer and Mayor Langert.

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Committeeman Coles congratulated Deputy Mayor Miller on his promotion to Major Select Menashe Miller; a ceremony will be hosted by the Township Committee at a meeting in December.

Mayor Langert commented with regard to the Tree Preservation Ordinance.

ADJOURNMENT

Motion by Committeeman Coles, second by Committeeman Singer, and carried, to adjourn the meeting. Meeting adjourned at 8:20 PM.