

**The Lakewood Township Committee held a Meeting on Thursday, October 21, 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.....Menashe Miller**  
**Committee Members.....Robert Singer**  
**Raymond Coles**  
**Meir Lichtenstein**  
**Municipal Manager.....Michael Muscillo**  
**Municipal Attorney.....Jan L. 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. 2010-313 - Adopted**

**ROLL CALL**

**SALUTE TO THE FLAG AND PRAYER**

Mayor Langert asked for a moment of silence in memory of former Deputy Chief John Marshall who recently passed away.

**OPEN SESSION**

Motion by Committeeman Coles, second by Deputy Mayor Miller, and carried, to open the meeting.

**MOTION TO APPROVE MINUTES OF: 10/07/10**

Motion by Committeeman Coles, second by Deputy Mayor Miller, and carried, to approve the above Minutes.

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

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

**PRESENTATIONS: Ervin Oross – CDBG**

Mr. Oross and members of the CDBG Selection Committee presented funding allocations to the 2010 Community Development Block Grant recipients.

## **ORDINANCES FOR DISCUSSION:**

### **Transient Merchants, Peddlers & Hawkers License**

Committeeman Coles explained that one of their concerns was the need for vendors within the Industrial Park, and he would like to see the vendors being permitted to set up in the Industrial Park to provide food for the employees in the Park. He also suggested that a vendor be permitted to locate at the former site of the muster zone, and have the shelter moved to the current muster zone site at the First Street Parking Lot.

Deputy Mayor Miller agreed with Committeeman Coles recommendations.

Motion by Committeeman Coles, second by Deputy Mayor Miller, to place the above Ordinance on the Agenda for first reading at the next meeting to be held on November 4, 2010.

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

Abstain: Committeeman Singer

Ordinance to be placed on the Agenda for first reading at the meeting of November 4, 2010.

## **QUALITY OF LIFE**

Mayor Langert reviewed quality of life items from the previous meeting.

As to the issue of the traffic signal turning onto Route 9 off Central Avenue, and traffic along Central Avenue, Mr. Day advised that the State has not moved on this request, but the County has informed the State of the Township's concerns. They are awaiting a response.

As to the issue of the traffic signal at Squankum and County Line Roads, Mr. Day advised that the County will swap out the controller tomorrow.

As to the issue of striping the intersection of Eleventh Street and Forest Avenue, Mr. Day advised that he would like to stripe all those intersections, as they are on First, Second and Fourth Streets; but there are some issues with some of the streets. Eleventh Street, in particular, is a T-intersection, not a thru-intersection. In order to put striping there, they would have to put in curb ramps and sidewalks leading from the street to the sidewalk, because there is only a grass strip there now. Another issue is that parking is now permitted on that side of the street, and you are not permitted to park within twenty-five feet of a cross-walk, so you would lose approximately five parking spaces, from the crosswalks, and in between the crosswalks. On Twelfth Street, there is a

driveway where a crosswalk would come into, so you would not be permitted to do that at that intersection. Carey Street is a good example; it is a four-way intersection so you can put striping in as there are already curb ramps there. As to Tenth Street, the issues are the same as Twelfth Street; there is a driveway so you can not do it. As to Fifth through Eighth Streets, you will be able to do striping.

Committeeman Lichtenstein stated that Eleventh Street is important but he would like to revisit the issue, and speak to some of the residents in the area. As it is now, parking is at a premium. Before they eliminate any parking, he would want to talk to the residents. But at the intersections where there are no problems, he would recommend the striping be done.

Mayor Langert asked about the cost.

Mr. Arcchi explained that Public Works already has the equipment; they only have to purchase the materials.

The Committee agreed to proceed on the striping of the intersections.

As to the issues on High Street, Mr. Day advised he put in the request to the State.

As to the request for the installation of sidewalks on County Line Road, from Geffen Drive to Brook Road, Mr. Day advised that the County does not have any plans for the area, and they do not have an issue with the Township putting in sidewalks.

As to the issue of permitting parking along Somerset Avenue, on the North side, close to County Line Road, Chief Lawson advised that Traffic & Safety looked at the area, and in the area near County Line Road it would not be a problem to remove the parking restriction. But as you get closer to the High School, there would be a problem.

As to the issue at the intersection of Eighth Street and Lexington Avenue, Chief Lawson advised that Traffic & Safety took a look at that intersection and did not find the history of accidents are more significant than other intersections. It was suggested that the Police Department step up enforcement in the area, which they have done, and have given summonses to people who are speeding in the area, which is contributing to the accidents.

As to the issue at Pearl Street and Bruce Street concerning graffiti and broken windows, Chief Lawson has increased surveillance in the area.

Comments from Committee Members:

Committeeman Lichtenstein stated that at the last meeting, there was an Ordinance on the Agenda for first reading regarding Ridge Avenue and Shemen Street, where they did not have the back-up information. He noted that the Ordinance is not back on the Agenda for first reading.

Mayor Langert advised he has received all the back-up information.

Deputy Mayor Miller advised he presented a letter to Engineering from the residents of Tori Court requesting that the pot holes be filled by the Developer.

Deputy Mayor Miller also advised that he previously had requested the Engineer to look at Vine Street from Cedarbridge Avenue to Pine Street to give a rough estimate as to what it would cost to finish. He asked Mr. Day to look at both Vine Street and Washington Street between Cedarbridge Avenue and Pine Street, and advise the Committee which is more cost effective; if they were to do one of those roads, which one would be more cost effective.

Committeeman Singer advised the Chief that he has received complaints that more and more school buses are parking on streets over-night around town, which is against the law. He suggested that the Police Department notify them that this is not permitted, and if it continues, they will receive a summons.

Mayor Langert thanked Committeeman Lichtenstein and Chief Lawson for the quality of life clean-up detail program.

Mayor Langert advised Public Works that he is constantly picking up garbage on the street on his way from Sixth Street to Fourth Street, walking from his office to the Municipal Building. He would like to see better litter pick-up. He feels it is a blight on the downtown area.

**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.

Gerry Ballwanz, Governors Road – Commented on an issue at a recent Planning Board Meeting regarding Georgian Court University. She advised that the Ordinance concerning the Planned Educational Campus is not on the website; the UDO is not being updated on the website. She also asked about the proposed Tree Ordinance. She also commented on the parking situation at the new development at Somerset Avenue and County Line Road.

Noreen Gill, 192 Coventry Drive – Commented on the traffic conditions in the downtown area; stated she was traveling north on Clifton Avenue at Tenth and Eleventh Streets, today and many students came out of the Yeshiva and ran in front of her car. Also complained about the amount of cars parked on both sides of Clifton Avenue and on the old Little League Field.

Larry Simons, 7 Schoolhouse Court – Complained about school buses parking on Kennedy Boulevard overnight. Also commented with regard to the muster zone; asked if it was a viable location, and was it being used.

Committeeman Coles advised they had a meeting today with seven or eight representatives from the Latino community who stated how happy they were with the steps that the Township has taken so far and requested a few additional improvements to the muster zone in order to increase compliance. One of the representatives, who represented forty to fifty day laborers requested that the two portable toilets be moved to a different part of the parking lot so that the owner of one of the buildings, who has volunteered to wash them down every day can do so, and has asked that some type of shelter be constructed to keep the laborers out of the rain. Committeeman Coles also suggested that they get in touch with the All Saints Episcopal Church, because when they proposed the zone there several years ago, the church had offered to open up their buildings so that people would have a place to come in out of the weather, possibly use the restrooms, and maybe be able to get something to eat, as well as for the people who do not get work, to have classrooms for ESL programs or other types of education.

Committeeman Coles added that there were no negative comments from all the leaders of the various communities. They appreciated the fact that the Township is dealing with the issue, and offered some suggestions as to how to make it better.

Mr. Simons stated that he has visited the site in the mornings, and he can count on one hand how many laborers are in the muster zone; the rest of them are over by the funeral home, and on the sidewalks. He feels it is not a viable area.

Bill Hobday, 30 Schoolhouse Lane – Commented with regard to the homeless site on Cedarbridge Avenue, and a recent fire at the site.

Mayor Langert commented on the actions that the Township is undertaking in connection with the Township's lawsuit. It is moving slowly, but he is satisfied that the Township is doing what they need to be doing. He would have liked the situation to be resolved by now, and it concerns him that they are coming into cold weather.

Committeeman Lichtenstein suggested that they meet with the three emergency service providers, Police, EMS and Fire, and ask them if there is anything in the interim that the people living there need to do so they do not get hurt. The people living there are putting themselves in danger; they are refusing to move. The Township has offered them shelter, and the Township is now involved in a lawsuit. But if something goes wrong, it is the policeman, fireman, and EMT's who are going to get hurt. Committeeman Lichtenstein offered to meet with them to see if the Attorney could request the people they are dealing with to allow the Township to ask the residents to implement some measures that would be safer for the emergency responders.

Mayor Langert agreed, and thanked Committeeman Lichtenstein for the suggestion.

\_\_\_\_\_, 834 Ridge Avenue – Works for the Township. Complained that at 4<sup>th</sup> and Monmouth, from Park Avenue to Monmouth Avenue, there are a lot of traffic problems. Trucks and buses are unable to make the turn onto Fourth Street due to the construction in the area; complained about the parking and the speeding.

Mayor Langert asked Chief Lawson to provide enforcement in the area.

Chief Lawson asked to talk to the speaker after the meeting in order to get a clear picture of his concerns.

David Drukaroff, 1433 Laurelwood Avenue – Commented on pension and social security issues.

Joyce Blay, NJ News and Views, 1594 Crimson Road, Toms River – Asked Mayor Langert what is his role, as Liaison to the Zoning Board, since the Zoning Board grants variances to the Township Ordinance that Committee members adopted.

Mayor Langert answered he does not know that there is a Liaison to the Zoning Board.

Committeeman Coles added there is no official Liaison, but there has been an unofficial one several times.

Mayor Langert confirmed he is the unofficial Liaison to the Zoning Board.

Committeeman Coles added that the Mayor is technically on the Planning Board. To his knowledge, there is no official Liaison to the Zoning Board.

Mayor Langert advised that as a Liaison, to any board, or any committee, he would hope that the Committeeman is in contact with that department or that board, and be able to brief the other Committee members as to what is going on with that board, whether they are at those meetings or not. It is not necessary for a Committee member to attend any or all meetings that they are Liaison to, if they feel they can get the information that is necessary to inform the rest of the Committee as to what is going on with their board, or their department, or to handle issues with that board or department. There is no necessity for them to actually attend the meetings if they are in constant contact with those departments or those boards. As Liaisons, they all act as conduits of information back and forth as to what is going on with various boards and different departments in town.

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

Committeeman Lichtenstein advised that he has received some phone calls with regard to Fourteenth Street and Case Road. The road painting is poor in that area. As cars are utilizing that intersection, they do not know where to go. There have been a few near accidents. He asked that the painting be upgraded so people know where to drive.

Deputy Mayor Miller advised he received a request from residents on Ridge Avenue. Unfortunately there was a shooting in the area. They are asking for a street light survey on Ridge Avenue, from Park to Somerset. He asked that the Manager request the Purchasing Agent to look at the street lights in that area, to see if they are all on, if any need to be upgraded, or require increased wattage.

Mr. Day updated the Committee members regarding the requested traffic signal at James Street and Sunset Avenue; he spoke with the County today. Their contractor will be starting that signal next week; putting up the poles. They hope to have a light there by November.

At this time, the professionals left the meeting.

Committeeman Lichtenstein responded to comments as to his previous role as Zoning Board Liaison. The Zoning Board is a quasi-judicial body where individual applications, unlike at the Planning Board, are not influenced by the Township Committee. As Liaison, he would collect the information from the Board Secretary as to the applications, and would inform the Committee Members of the application projects.

Mayor Langert responded to Mrs. Ballwanz's concerns regarding Ordinances not being on the website. He plans to meet with the Manager as to the status of the website development; also responded to her questions about parking on Somerset Avenue. He has asked the Engineering Department to come up with a minimum parking requirement for any house that is built in Lakewood. He is looking for a minimum of four off-street parking spaces to be provided for any house that is built in Lakewood, including townhouses and duplexes. He is looking for four parking spaces per dwelling. He hopes that is something they will see in the near future.

As to the Tree Ordinance, Mayor Langert asked for this Ordinance to be put on the Agenda to begin with, and he has been pushing it, along with the Committee, but he brought it to the floor. They are not delaying, but they have to be realistic. They have had meetings with the Developers, and they understand there has to be protection for trees.

With regard to the traffic on Clifton Avenue, Mayor Langert advised that he does not drive on Clifton Avenue around 2:00 PM. He would rather drive down Lexington Avenue and come up Sixth Street, or drive on Monmouth Avenue. He does not drive down Clifton Avenue at that time of day. He apologized for the traffic; he understands what it is like, but does not understand anyone running into her car. As for parking on the Little League field, they had a request from the school, that since that field is scheduled to be parking lot, they requested to be permitted to park on it now. The Township contacted the DEP, who gave their blessing. Therefore, the students are now permitted to park on the grass. He advised they will review the parking situation on both sides of Clifton Avenue.

As to the muster zone, Mayor Langert believes it is a viable location, and he believes it will be more viable in the future.

As to pension costs, Mayor Langert advised that the Township will be facing an additional \$900,000 in pension contributions in 2011. He further advised Mr. Drukaroff to expect his pay and benefits to go down, and his taxes to go up.

## **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 Renewal of Towing Licenses for the year 2010-2011.  
Resolution No. 2010-314**
- 2. Resolution authorizing a State contract purchase of three (3) 2011 Chevrolet Tahoes SSV Police vehicles from Day/Municipal Equipment Enterprises.  
Resolution No. 2010-315**
- 3. Resolution authorizing the Award of a Professional Services Contract to Birdsall Services Group: Receptor Evaluation/Preliminary Assessment former Public Works Facility.  
Resolution No. 2010-316**
- 4. Resolution releasing a Performance Guarantee posted by Beth Am Shalom in connection with application ZB# 3662A. Block 1160.04, Lot 47, in the amount of \$223,310.00.  
Resolution No. 2010-317**
- 5. Resolution releasing a Performance Guarantee posted by Somerset Chestnut, LLC in connection with application ZB# 3471, Block 1051, Lots 45, and 46, in the amount of \$1,291,661.00.  
Resolution No. 2010-318**
- 6. Resolution authorizing the Township of Lakewood Tax Collector to cancel Taxes for Block 536, Lot 177 for the years 2009 and 2010.  
Resolution No. 2010-319**
- 7. Resolution accepting a bid on the following parcel, Block 197, Lot 7, as a result of the Private Land Sale of an undersized parcel in the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:12-1 et seq.**

## **Resolution No. 2010-320**

Motion by Committeeman Coles, second by Deputy Mayor Miller, to approve Resolution Nos. 1 through 7 on the Consent Agenda.

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

Negative: Committeeman Singer

Committeeman Singer abstained on Resolution No. 4

**Resolution Nos. 2010-314 through 2010-320 – Adopted.**

## **ORDINANCE SECOND READING**

**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.

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.

**Ordinance No. 2010-55 died due to lack of Motion.**

**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 second reading.

Motion by Committeeman Coles, second by Deputy Mayor Miller, that the above Ordinance be carried to November 18, 2010.

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

**Second reading and public hearing on Ordinance No. 2010-63 carried to the meeting of November 18, 2010.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVIII (Unified Development Ordinance), Article IX (Zoning Districts and Regulations), Section 18-902H (Multi-Family Residential (R-M), of the Revised General Ordinances of the Township of Lakewood 1999. (Chapter XVIII, Section 18-902H)**

Read by title only for second reading.

Mayor Langert opened the meeting to the public.

Gerry Ballwanz – She noticed on the two prior Ordinances there is an indication as to what the Ordinance is all about. This Ordinance does not say what it is for. Unless you know what 902 deals with the Multi-Family Zone, you would not know what this is

about. She does not know why there is not a little help for the residents to know what this is about.

The Township Clerk advised that those notations are just for the Committee's purposes and have nothing to do with the Ordinance. It is just for their record keeping. They do not put all the details on the Agenda since the Ordinance is available for viewing in the Clerk's Office. They do not have to put any information on the Agenda; they do it for their own purposes.

Mrs. Ballwanz added it would be helpful to the public that it is done consistently for all of the Ordinances.

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

The above Ordinance was offered by Committeeman Coles, second by Deputy Mayor Miller.

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

**Ordinance No. 2010-78 adopted on second reading.**

#### **ORDINANCE FIRST READING (Second reading and Public Hearing 11/04/10)**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter II (Administration), Section 2-76.3 (Fees for Copies) of the Revised General Ordinances of the Township of Lakewood 1999. (Chapter II, Sec. 2-76.3 - Fees)**

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Deputy Mayor Miller.

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

**Ordinance No. 2010-79 adopted on first reading. Second reading and public hearing to be held on November 4, 2010.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter IV (General Licensing), Section 4-6 (Licensed Towing Operators Requirements) of the Revised General Ordinances of the Township of Lakewood 1999. (Chapter IV, Sec. 4-6 – Licensed Towing Operators)**

Read by title only for first reading.

The above Ordinance was offered by Committeeman Coles, second by Committeeman Lichtenstein, for purposes of discussion.

Committeeman Lichtenstein advised they only received this Ordinance a couple of hours ago because there were a few changes. He is not sure if the Committee wants him to discuss some of the issues now; he can take a second and put it out on the table so that everyone hears it. He would ask that before supporting this, they get this changed, and

he thinks that the changes that he is asking for reflect the discussions that they had with the Towers.

Mayor Langert requested that they pass the Ordinance as it is written. If there are changes, they can bring them back for second reading. If they are material changes, they will bring it back up for first reading. But he would like to pass it as written on first reading.

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

**Ordinance No. 2010-80 adopted on first reading. Second reading and public hearing to be held on November 4, 2010.**

## **CORRESPONDENCE**

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

Motion by Committeeman Coles, second by Committeeman Lichtenstein, for purposes of discussion.

Committeeman Lichtenstein asked Mayor Langert to write a letter on behalf of the Committee, and he would sign it also as Liaison to the Police Department, to the PBA, Local 71. The new President, Officer Gary Przewoznik, is making a lot of effort for the PBA to give back to the community. The PBA is looking at hosting an open-air soup kitchen and distributing clothing. The PBA also have gotten involved in cleaning up graffiti, which is a great impact on the people doing the graffiti, as they now know that it is personal to the police officers in this town. The PBA is making a lot of effort in doing community outreach. He asked that the Mayor formulate a letter, that he would gladly sign also, congratulating the PBA on their efforts, and encouraging them to continue.

Mayor Langert answered that he would be happy to do so, and all Committee members were in agreement.

## **MOTION TO APPROVE BILL LIST OF: 10/19/10**

Motion by Committeeman Coles, second by Committeeman Lichtenstein.

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

**Bill List approved.**

## **COMMENTS FROM COMMITTEE MEMBERS**

Deputy Mayor Miller advised they had the Inaugural Meeting of the Complete Town Committee, which is a spin-off of the Complete Count Committee. He is very excited about this new committee, and he believes they will have very good results.

## **ADJOURNMENT**

Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 8:55 PM.