

The Lakewood Township Committee held a Meeting on Thursday, July 16, 2009 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.....Robert Singer
Deputy Mayor.....Steven Langert
Committee Members.....Absent... Menashe Miller
Raymond Coles
Meir Lichtenstein
Municipal Manager.....Frank Edwards
Municipal Attorney.....Lawrence E. Bathgate, II, Esq.
Jan Wouters, Esq.
Municipal Clerk.....Mary Ann Del Mastro

ROLL CALL

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, 2009 and published in the Asbury Park Press on January 8, 2009.

CLOSED SESSION

Resolution No. 2009-248 – Adopted.

SALUTE TO THE FLAG AND PRAYER

ROLL CALL

OPEN SESSION

Motion by Mr. Coles, second by Deputy Mayor Langert, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 07/02/09

Motion by Mr. Coles, second by Mr. Lichtenstein, and carried, to approve the above Minutes.

MOTION TO APPROVE CLOSED SESSION MINUTES: 07/02/09

Motion by Mr. Coles, second by Mr. Lichtenstein, and carried, to approve the above Closed Session Minutes.

ORDINANCES FOR DISCUSSION: None

QUALITY OF LIFE

As to the issue of graffiti on public utility poles, fences and cable boxes, Mr. Saccamanno advised that the utility companies were notified, and everything has been taken care of. There was a problem with one pole, but the utility companies are working it out.

With regard to the street lights shining into homes in the Fairways, Mr. Day advised that he checked with JCPL to see if there was any type of shield available, and there is not, but he was provided with a contact number to have someone come out to see if the lights can be adjusted.

Mayor Singer requested that they send someone out to identify the poles, and make the appropriate telephone calls.

As to the installation of sidewalk on Kent Road, Mr. Day advised that as to the one lot on the northwest side of Kent Road, the homeowner is adamant that he will not give up an inch of his land for anything. But he checked his most recent voice mail, and the homeowner said they can discuss the matter. There is not enough room there to install a sidewalk. There is almost enough room that it does require some cooperation on the part of the homeowner. Mr. Day will go out there, and discuss the matter with the homeowner.

As to the request for the installation of a concrete pad at the intersection of MLK and Pine Street, Mr. Franklin advised it has been completed. Chief Lawson also advised that a crossing guard is present at this intersection.

As to the matter of the street sign at Central Avenue and Monterey Court, Mr. Franklin advised that the house faces Monterey Court, not Central Avenue. The house number was probably assigned by the Zoning Officer many years ago.

As to the issue of the request for a No Outlet sign on Chelsea Court, Mr. Franklin advised it has been completed.

As to the issue of the roadway coming up near the curbing at 11 Chicanos Drive, Mr. Franklin advised that the work was done, but it is not satisfactory to the homeowner because the driveway is two inches lower than the roadway, so there is a problem.

Mr. Lichtenstein advised that he received a request from Coventry Square, that on Princeton Avenue they are asking for certain street lights to be upgraded. He provided the information to Mr. Edwards to be forwarded to the Purchasing Agent.

Mr. Lichtenstein advised that he received a letter concerning County Line Road and Laurelwood Avenue. There are many accidents at that intersection. He received a letter from a resident that there is a left turn lane coming east, and none going west. The westbound traffic make turns in front of oncoming vehicles as the visibility factor there is

so poor that people make the turns into oncoming traffic. Mr. Lichtenstein requested that Mr. Day check with the County, and request that they put in another left turn lane.

Mr. Lichtenstein also asked Mr. Day to check the traffic signalization on Route 88 and Route 9, if it is automated, so that people can cross at that intersection.

Deputy Mayor Langert advised Mr. Day that he spoke with him regarding the intersection at Somerset Avenue and County Line Road. He sat at that light for nine minutes before that light changed.

Mr. Day answered that he went out there later in the afternoon and did not have the same issue. It may be the timing of the signal in the morning, versus the afternoon. He has set up a meeting with the County to discuss that issue, together with other matters, including Fourth and Clifton.

Mayor Singer opened the meeting to the public on quality of life issues.

Noreen Gill, 192 Coventry Drive – Complained about the traffic lights that have been installed on County Line Road. She requested Chief Lawson check into the area near the Somerset shopping center. She sat in traffic, coming west, as the red light changes very quickly. She believes that the lights are not synchronized. There have been many traffic problems in the area at various times of day.

Mayor Singer advised Mrs. Gill that they are looking at that issue.

Mr. Hobday advised that at Pine Street and MLK Drive, he had previously requested consideration for a traffic signal at that location. That intersection is heavily traveled, and a traffic signal would be preferred. He understands that it is a controversial issue because of its close proximity to the traffic signal at Route 9.

Mayor Singer stated that part of the problem there is the way that people drive. He travels that road all the time and the violations are outrageous; people are on cell phones, paying no attention, and inch out half way into the intersection before they make the turn, and make that left hand turn into oncoming traffic. The answer to part of that issue is enforcement. It is a very dangerous area. They can not put traffic lights at every street. If they keep doing that, there will be no flow of traffic in this town. But he believes that the County is looking at this issue.

Seeing no one else wishing to be heard, Mayor Singer closed the meeting to the public on quality of life issues.

PRESENTATIONS

T&M Traffic & Pedestrian Circulation Study

Stanley Slachetka, T & M Associates, advised that they were engaged by the Township to undertake a pedestrian and circulation study of the downtown area. He distributed an outline summarizing the key findings and recommendations of the study to the members of the Township Committee and professionals, and they have focused those recommendations, specifically in terms of its prioritization and phasing, shorter and longer term solutions to some of the key concerns in the area. He pointed out that most people are aware of some of the critical circulation and pedestrian circulation issues in the downtown area. The study does not address parking issues. That is being addressed in a separate planning study that is being funded by a Smart Future Planning Grant. There were several key components to this study, first of which was data collection, such as traffic counts, and looked at various traffic patterns, did a future traffic analysis projecting the future levels of traffic moving forward over the course of the next decade or so and incorporated that into their analysis. Most importantly, they got a significant amount of community input, including the input and recommendations of the Transportation Board, who reviewed a draft of this study. There was also a public hearing on the proposed study and received comment from the public, and got some good feedback and general support for the findings and recommendations contained in the study. The study has a series of improvement strategies to address some of the problems and concerns in the downtown area with regards to circulation, and an implementation schedule. Mr. Lee Klein, of their Traffic and Planning and Engineering Division prepared the report, but he was unable to be present this evening. However, Bruce Klein was present to answer any technical questions with regard to the report that the Committee may have. With regard to the recommendations, they have segmented those in terms of prioritization and phasing.

Mr. Slachetka and Mr. Klein continued with regard to the various recommendations contained in the report, referring to various exhibits on display.

Mayor Singer requested that Chief Lawson review the plan, and report back with regard to their concerns about parking, delivery, and general enforcement, and advise the Committee where he feels there is a problem and how it can be improved, and where he feels there is no problem, so they have an understanding about it.

Mayor Singer requested that Mr. Day review the plan, together with Mr. Franklin and Chief Lawson, regarding signage, such as advising drivers of the locations of traffic signals, so as not to clutter the streets with signs. Also, review the recommendations regarding prohibiting left hand turns on certain streets, during certain times of the day. T & M provided the basic plan, but now the Township has to implement it, and that becomes a street by street analysis. Their conceptual plan has been endorsed by everyone, and it is the blueprint that the Township needs to work on, but now it needs to be implemented. Motion by Mr. Lichtenstein, second by Mr. Coles, and carried, to accept the conceptual plan.

At this time, the professionals and the representatives from T & M Associates, left the meeting.

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.

Leroy Smith, Jr. – Commented with regard to traffic problems in the downtown area.

Bernard Laufgus – Commented with regard to his recent lawsuit against the Township.

Larry Simons – Commented with regard to the OPRA request process, the current tax rate, and the Pine River development.

Gerry Ballwanz, Governors Road – Commented with regard to the available database of the population of Lakewood.

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

CONSENT AGENDA

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

- 1. Resolution disapproving the Person to Person Transfer of Liquor License No. 1514-33-033-003. (Bacoli, Inc.)
Resolution No. 2009-249**
- 2. Resolution releasing a Performance Guarantee, posted by Aliza Jacobovitz, in connection with Block 150.03, Lots 17 & 18, in the amount of \$10,995.00.
Resolution No. 2009-250**
- 3. Resolution extending a Leave of Absence, without pay, for Mamie Morgan, from July 2, 2009 to September 13, 2009.
Resolution No. 2009-251**
- 4. Resolution authorizing the Insertion of a Special Item of Revenue into the 2009 Municipal Budget for Community Development Block Grant Funds, in the amount of \$785,048.00. (Chapter 159 – CDBG)
Resolution No. 2009-252**
- 5. Resolution releasing a Performance Guarantee posted by New Jersey American Water in connection with Block 174.01, Lot 13.66, in the amount of \$17,514.00.
Resolution No. 2009-253**

6. **Resolution releasing a Performance Guarantee posted by 415 First St. Realty, LLC, in connection with Block 73, Lot 10, in the amount of \$6,716.00.
Resolution No. 2009-254**
7. **Resolution releasing a Maintenance Guarantee posted by Pinnacle Point, LLC, in connection with Block 1160.01, Lot 242.03, in the amount of \$12,658.50.
Resolution No. 2009-255**
8. **Resolution releasing a Performance Guarantee posted by Jonathan Rubin, LLC, in connection with Block 111, Lot 4, in the amount of \$10,000.00.
Resolution No. 2009-256**
9. **Resolution authorizing the Lakewood Tax Collector to cancel Tax Sale Certificate #08-00258, refund all monies, plus interest to the Certificate Holder and to cancel any and all property taxes on Block 1051, Lot 38.
Resolution No. 2009-257**
10. **Resolution appointing Steven Reinman to the position of Director of Economic Development.
Resolution No. 2009-258**
11. **Resolution authorizing a State Contract Purchase of eight 2010 Ford Crown Victoria Police Interceptor Vehicles, in the amount of \$185,135.60.
Resolution No. 2009-259**

Motion by Deputy Mayor Langert, second by Mr. Lichtenstein, to approve Resolution Nos. 1 through 11 on the Consent Agenda.

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

Resolution Nos. 2009-249 through 2009-259 – Adopted.

ORDINANCE SECOND READING

An Ordinance amending and supplementing an Ordinance entitled “An Ordinance establishing the Annual Minimum and Maximum Salary Ranges for the Office and Positions of Person employed by the Township of Lakewood in the County of Ocean, and State of New Jersey” and providing for an effective date 20 days after publication after final adoption.

Read by title only for second reading.

Mayor Singer 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 Mr. Coles, second by Deputy Mayor Langert.

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

Ordinance No. 2009-30 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of an undersized parcel in the Township of Lakewood, at a Private Sale pursuant to N.J.S.A. 40A:12-1, et. seq. (Block 246, Lot 18 – Dewey Ave. & Sampson Ave.)

Read by title only for second reading.

Mayor Singer 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 Deputy Mayor Langert, second by Mr. Lichtenstein.

On Roll Call – Affirmative: Mr. Lichtenstein, Deputy Mayor Langert and Mayor Singer.

Negative: Mr. Coles.

Ordinance No. 2009-31 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the conveyance and execution of a Deed of Utility Easement and Overhead Utility Easement with respect to a portion of Block 961.01, Lot 17. (New Hampshire Ave. – Oak St. to Pine St.)

Read by title only for second reading.

Mayor Singer 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 Deputy Mayor Langert, second by Mr. Lichtenstein.

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

Ordinance No. 2009-32 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 08/06/09)

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter IV (General Licensing), Section 4-2.6 (License Fees) of the Revised General Ordinances of the Township of Lakewood. (Section 4-2.6 – General Licensing)

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Deputy Mayor Langert.

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

Ordinance No. 2009-33 adopted on first reading. Second reading and public hearing to be held on August 6, 2009.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending & supplementing Chapter IX (Taxicabs), Section 9-6.2 (Fee) of the Revised General Ordinances of the Township of Lakewood. (Section 9-6.2 – Fee)

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Deputy Mayor Langert.

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

Ordinance No. 2009-34 adopted on first reading. Second reading and public hearing to be held on August 6, 2009.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending & supplementing Chapter V (Animal Control), Section 5-2.5 (Dog License Fees) of the Revised General Ordinances of the Township of Lakewood. (Section 5-2.5 – Animal Control)

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Deputy Mayor Langert.

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

Ordinance No. 2009-35 adopted on first reading. Second reading and public hearing to be held on August 6, 2009.

CORRESPONDENCE

Per attached list of nine (9) correspondence items, attached hereto and made a part hereof.

PARKS AND EVENTS CORRESPONDENCE

Per attached schedule of ten (10) items, attached hereto and made a part hereof.

Motion by Mr. Coles, second by Mr. Lichtenstein, and carried, to approve the above correspondence and picnic requests.

Deputy Mayor Langert abstained on Correspondence Item Nos. 5 and 8.

MOTION TO APPROVE BILL LIST OF: 07/14/09

Motion by Deputy Mayor Langert, second by Mr. Coles, to approve the above Bill List.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Mr. Lichtenstein congratulated and commended the LDC on the business showcase event held at the Lake Terrace Hall.

Deputy Mayor Langert commended Mayor Singer on the new fee schedules being implemented by the introduction of the Ordinances on the Agenda this evening.

Mr. Coles commended Mayor Singer on the business showcase event held today.

Mayor Singer commented on the success of the business showcase event held today.

Mayor Singer further advised the Committee of a request from Ocean Health Initiative (OHI), who wants to put a trailer in their parking lot for additional space. They are a federally funded health clinic that provides healthcare to low to moderate income, and uninsured people in the area. They lease a portion of the old library building. He feels it would be an injustice to people if the Township does not go along with it.

Mr. Edwards advised it is a Township lot, and at one time they requested that the parking be delineated for the clinic's use.

Deputy Mayor Langert advised that they need more office space there. They do not have any more room in the building.

Mayor Singer requested Mr. Edwards to review their request and advise the Committee.

Mayor Singer also commented regarding the increase in swine flu cases, and he wanted to ensure the public that they are working hand in hand with the Board of Health. Unfortunately it will be a series of shots, a standard flu shot, and swine flu shot, and there may be a booster swine flu shot. It appears to be attacking the younger generation more so than the senior population. It will be critical for young people to be inoculated. The Township is aware of it, and the County is taking that into consideration, and they will be working with Lakewood and other communities. They will encourage people to get the shots.

Mayor Singer further commented that this Committee made a valued decision several years ago to work with the DEP to get the parking area from the old Little League Field to be the commuter parking deck. They acquired money for that, over four million dollars from the federal government to do so. At the very beginning, he said that that land was never Green Acres property. The Township never pledged it, they never put it on the list, because all the years he has lived in Lakewood, and that is longer than he has been on the Committee, that was the Little League Field, and the Township leased it

to the Little League for a dollar per year. The Township did not have control over the property so they could never pledge it. The DEP has put this Township through an atrocity. They have held the Township to ransom. And it has cost the taxpayers of Lakewood hundreds of thousands of dollars, of nonsense. As far as he is concerned, he does not want to do this. He is not going to sign anything anymore, or do anything. He wants to build on it. As far as the DEP, they have no rights to it, if they want to sue the Township...let's go to court.....they will loose, because they have no Green Acre rights to that property. They are forcing the Township to build more fields, and the Township has built beautiful fields on Oak Street, with three times the amount of space. It is a fact that the public was never allowed on those Little League Fields, ever. They were controlled by the Little League, you could not play on them during the week, and they were strictly Little League. Now, the DEP is having the Township take over the school property, build all kinds of fields, to the tune of a million and a half dollars, after they have already built fields, for four and a half million dollars. And on top of that, they want the Township to develop the old Public Works site into recreation, for another couple of hundred thousand dollars. It is crazy. As far as he is concerned, it is Township property, not theirs. The Township should build on it, and as far as he is concerned, with the Public Works property, he is going to sell it, like they were supposed to do. And another thing, with the schools, thank the schools, and do nothing there. That is his vote, publicly. He is tired of this nonsense. He is getting e-mails every other day with additional requests. It is garbage, and they can quote him on that one. He will not sign anything. And as far as he is concerned, they should end it today. That is his decision on this matter.

Mr. Lichtenstein advised that the DEP is asking for the eighteen acres at the Little League site, and eighteen acres at the DPW site, aside what they are asking for on the school site.

Mayor Singer repeated it is not their land, the Township is building on it. That is his Motion. Tell the DEP they do not own the land, they never owned the land, the Township is building on it, deals off. A second to the Motion was offered by Mr. Coles. On Roll Call – Affirmative: Mr. Lichtenstein, Mr. Coles, Deputy Mayor Langert and Mayor Singer.

Mayor Singer requested Mr. Bathgate to advise the DEP of the Township's decision.

ADJOURNMENT

Motion by Deputy Mayor Langert, second by Mr. Coles, and carried, to adjourn the meeting. Meeting adjourned at 9:25 PM.