

**LAKWOOD TOWNSHIP COMMITTEE
MEETING MINUTES
DECEMBER 1, 2005 • 7:30 PM**

The Lakewood Township Committee held a Meeting on Thursday, December 1, 2005 in the Lakewood Municipal Building, at 6:30 P.M. for the Executive Session and 7:30 P.M. for the Public Meeting, with the following present:

Mayor.....	Absent.....	Charles Cunliffe
Deputy Mayor.....		Meir Lichtenstein
Committee Members.....		Menashe Miller
	Absent.....	Senator Robert Singer
Raymond Coles		
Municipal Manager.....		Frank Edwards
Municipal Attorney.....		Steven Secare
Municipal Clerk.....		Bernadette Standowski

CLOSED SESSION

Motion by Mr. Coles, second by Mr. Miller
Resolution No. 2005-431 – Adopted.

SALUTE TO THE FLAG AND PRAYER

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 2, 2005 and published in the Ocean County’s Observer on January 7, 2005.

ROLL CALL

Motion by Mr. Coles, second by Mr. Miller, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 9/15/05, 9/22/05

Motion by Mr. Coles, second by Mr. Miller, to approve the above Minutes.
On Roll Call – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein.
Minutes approved.

MOTION TO APPROVE CLOSED SESSION MINUTES: None

PRESENTATIONS:

- James Charles Millheiser

The Township Committee honored Mr. Millheiser on his return from Iraq. Deputy Mayor Lichtenstein presented a Proclamation to Mr. Millheiser for his contribution and service to his country and to the Township of Lakewood.

- Tax Abatement - Excel Business Park - Ernest Schreiner/

A brief presentation was given by Mr. Schreiner with regard to the request for tax abatement by Excel Business Park.

ORDINANCES FOR DISCUSSION: None

Deputy Mayor Lichtenstein reviewed quality of life issues from the previous meeting.

With regard to issue of fire hydrants in Pine Acres, this matter was referred to the Fire Chief. Mr. Line advised he spoke with Mr. D'Elia, and sent them a letter formally requesting that they analyze the area for fire protection.

As to the issue of a portion of East Spruce Street that is in need of overlay, it has been determined that this street could be included in a future Public Works paving program.

As to the issue of road signs on Spruce Street, Mr. Franklin advised that additional signage was placed in this area, as well as the cleanup of signs along Washington Street.

As to the issue of flooding conditions on Idalia Avenue, Mr. Lines advised that the house at the end of the street was built lower than the street. The property owner needs to do something to bring up the end of the driveway to keep the water from flowing down the driveway. He will advise the property owner of the results of his inspection, and also send a report to the Committee.

As to the issue of the railroad, Mr. Lines has not received a response from Conrail, nor has Mr. Secare. Mr. Secare advised that Senator Singer sent a letter as well. For the next meeting, they will check with Senator Singer to see if he has received a response.

Deputy Mayor Lichtenstein stated if they do not hear from them, they will have to consider legal action.

As to the issue of school zoning on a particular street, Mr. Lines had been requested to check with surrounding property owners who would be directly affected by bus parking in front of their homes, and the people across the street, and get their input before an Ordinance is considered.

Also, Mr. Lines had been requested to take the general County proposed Ordinance about right of way setbacks on Route 9, and to convert it to actual dimensions as to how it would

impact Route 9 for properties located along the corridor. Deputy Mayor Lichtenstein added that he wanted to compare it to see how it affects the existing Ordinance, or would the existing Ordinance have to be changed. Mr. Lines advised that it would not affect the HD Zones; he is looking at the other zones to see how it would affect those zones.

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.

Deputy Mayor Lichtenstein opened the meeting to the public.

Moses Shvarzblat, 1501 North Lake Drive – Commented with regard to the proposed muster zone. He has heard that consideration is being given to create this muster zone in the area of the parking lot on Second Street. He has a business on the corner of Second Street and Clifton Avenue. He feels that all parking spaces are needed in that lot, and by putting a muster zone in that area, it will take away the much needed parking spaces. There is a problem with illegal aliens; everyday he comes to his store, they have to hose down the urine on the walls. It will not help by putting a muster zone there. If a muster zone is put there, the businesses will leave the town, because there is no way for them to conduct business with all the people hanging around. He feels the muster zone should not be placed in the downtown area.

Deputy Mayor Lichtenstein advised they were considering putting the muster zone in that parking lot. Recently, they have heard a lot of complaints about the placement of the muster zone, and also complaints about creating the muster zone all together. They know they have a problem. Unfortunately, they recognize that the single agency that can help is the INS. They have tried time and time again to get the government to come down and help with this problem. They do not want to see the downtown destroyed. The government is not helping. The Township needs to do something, and that is why they are considering a muster zone; a place where it could be controlled, be safer for the workers, and it would take people away from in front of the stores. He can not speak for all of the Committee, but he will reconsider the placement of the muster zone.

Charles Nebenzahl, 304 Lawrence Avenue – Has a business on Second Street. He commented on the placement of the muster zone. He feels that putting a muster zone in a business area is not appropriate. He feels there will be a loss of employment in Lakewood, and Lakewood residents, and people coming in from outside of Lakewood.

Noreen Gill, 192 Coventry Drive – Commented with regard to the parking situation in Lakewood. She feels that parking restrictions are not being properly enforced on Squankum Road, Astor Avenue, (off of Kennedy Boulevard) and Ridge Avenue.

Deputy Mayor Lichtenstein asked Captain Lawson to check the areas in question.

Lynn Celli, Patriots Way – Commented on the deplorable situation in Seagull Square Shopping Center. There are five broken lights and there is evidence of homeless vagrants living on the property. She is scared for the safety of the remaining businesses. She asked for help from the Committee to help get the new law passed (Business Lemon Law) for all of New Jersey. She also suggested they request letters from other Mayors of other Townships in support of this proposed law.

Deputy Mayor Lichtenstein asked Mr. Mack to check into the light situation

Mr. Mack advised that the lights were working a week ago, but they have been out there over the past two weeks to remove furniture. It is an ongoing problem. They will go back and check the area again.

Deputy Mayor Lichtenstein asked Captain Lawson to check into the homeless issue.

Deputy Mayor Lichtenstein asked the Township Clerk to forward a letter to the Mayor regarding Ms. Celli's request.

Mina Shvarzblat, 1501 North Lake Drive – Spoke in opposition to the proposed muster zone in the downtown business area.

Deputy Mayor Lichtenstein requested the Attorney to look into anti-loitering laws. He also suggested that the downtown business owners get together and come up with ideas, and come to the Committee and talk to them, and asked that the Attorney sit down with the business owners to go over legal options.

Regina Vogler, 218 Erica Road – Asked about the Resolution on the Agenda terminating the Community School Program. She understands this does not terminate the program itself, that it is a severance of the program into two separate parts. She is concerned that the loss of Township funding will have a tremendous impact on whether the cultural and educational aspects of the Community School will survive. She feels that the program will suffer without the support of the Township.

Deputy Mayor Lichtenstein explained the Township is not pulling their funding. The Township is creating a new position for Recreation Director with a complete support staff.

Eric Amyot, 313 Second Street - Spoke in opposition to the proposed muster zone in the downtown area.

Brian _____, 8 East 13th Street – Spoke in opposition to the proposed muster zone in the downtown area.

Bill Hobday, 30 Schoolhouse Lane – Commented with regard to the chain link fence around Ocean County Park. Asked that a letter be sent to the County asking them to repair or replace the fence, or even take it down, as it is in poor condition.

Mr. Hobday also spoke in opposition to the proposed muster zone in the downtown area.

Mr. Edwards advised he will send a letter to the County Administrator with regard to the fence at Ocean County Park.

Larry Simons, 7 Schoolhouse Court – Commented with regard to his OPRA requests over the past year. Also asked about his previous request for information relating to the Kettle Creek Recreational Complex, and the ownership and acquisition of the land.

Rev. Kevin Nunn, Lakewood Improvement Association, 476 Prospect Street - Commented with regard to the proposed muster zone.

David Drukaroff, 1433 Laurelwood Avenue – Commented with regard to the proposed muster zone.

Andrew Greenberg, Maegreens, 200 Clifton Avenue – Commented with regard to the proposed muster zone and conditions in the downtown area.

Yehuda Shain, 1140 Forest Avenue – Commented with regard to the non-working streets lights, and the Township’s request for reimbursement; the issue of one-way streets from First Street to Ninth Street; the elimination of parking spaces on Fourth Street and Second Street, and the lack of striping; going west on Route 88 approaching Route 9, the “No Right Turn” sign is missing.

Deputy Mayor Lichtenstein advised that the Township is not looking for reimbursement at this point in time. There is a tariff that governs the response on lights; there are so many lights out, it is difficult to tell which ones have been repaired. The Township has refused to pay any of the recent bills. The bills will not be paid until JCPL comes to the town and advises what they intend to do with regard to the light outages.

As to the issue of consideration to one-way streets from First Street to Ninth Street, Mr. Lines advised he responded with a report as to what streets could be made into one-way streets. He will provide a copy of that report to the Committee.

As to the issue of striping on Second Street and Fourth Street, Mr. Franklin advised it is too cold to paint at this time. Deputy Mayor Lichtenstein asked the professionals to assess the situation at these intersections to see if the restriping and a right turn lane is necessary.

Deputy Mayor Lichtenstein asked Mr. Lines to look into the missing signs at Route 88 and Route 9, and send a letter to the State.

Yussie Weiss, 115 Clifton Avenue – Commented with regard to the proposed muster zone in the downtown area. Asked for more police presence in the area.

Gerry Ballwanz, Governors Road – Commented with regard to reassessment of properties for 2006.

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

At this time, the professionals left the meeting.

CONSENT AGENDA

The below listed items 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 Bingo and Raffle Applications:
St. Joseph's Catholic Church, Lakewood Rotary Club Foundation,
St. Mary's of the Lake Church.
Resolution No. 2005-432
2. Resolution authorizing cancellation of the outstanding balance of a mortgage held by the Township of Lakewood, issued through the Small Cities Revolving Loan Program, to the Ocean County Center for the Performing Arts.
Resolution No. 2005-433
3. Resolution authorizing the execution of a traffic signal agreement with the County of Ocean for the intersection of East County Line Road and Somerset Avenue.
Resolution No. 2005-434
4. Resolution awarding a contract to JADS Construction Company Inc. for road improvements to East Fourth Street and Clover Road.
Resolution No. 2005-435
5. Resolution releasing a performance bond posted by E & B Homiek Realty Holding, LLC and waiving the maintenance bond requirements in connection with Block 534 Lot 5.04.
Resolution No. 2005-436
6. Resolution releasing a performance bond posted by Congregation Kol Aryeh of Lakewood and waiving the maintenance bond requirements in connection with Block 24.04 Lot 13.
Resolution No. 2005-437
7. Resolution terminating the Lakewood Community School Program.
Resolution No. 2005-438
8. Resolution urging the expansion of Eagle Ridge Golf Course within the Township of Lakewood.
Resolution No. 2005-439
9. Resolution authorizing the insertion of a special item of revenue into the 2005 Municipal Budget for a New Jersey Department of Transportation Highway Safety Fund Grant.
Resolution No. 2005-440

10. Resolution authorizing a State Contract purchase of eight Datalux tracer mobile computers from Quality Communications and Alarm Company, sum not to exceed \$40,440.00.
Resolution No. 2005-441
11. Resolution authorizing the Tax Collector to conduct a tax lien sale.
Resolution No. 2005-442
12. Resolution authorizing the Lakewood Township Tax Collector to cancel taxes as to Block 1606 Lot 10.
Resolution No. 2005-443
13. Resolution authorizing the Township of Lakewood, through the attorney or foreclosure attorney to bid on parcels of land at the township tax sale.
Resolution No. 2005-444
14. Resolution authorizing the execution of an agreement between the Township of Lakewood and the International Brotherhood of Teamsters, Local 97.
Resolution No. 2005-445
15. Resolution authorizing the execution of an Interlocal Service Agreement between the Township of Lakewood and the County of Ocean. (FAST)
Resolution No. 2005-446
16. Resolution authorizing the execution of an Interlocal Service Agreement between the Township of Lakewood and the County of Ocean. (DWIC)
Resolution No. 2005-447
17. Resolution authorizing the execution of a Schedule "C" Agreement with the County of Ocean. (road maintenance)
Resolution No. 2005-448
18. Resolution authorizing the execution of a Regional Contribution Agreement between the Township of Lakewood and the Borough of Oceanport.
Resolution No. 2005-449
19. Resolution authorizing the execution of a Regional Contribution Agreement between the Township of Lakewood and the Township of Middletown.
Resolution No. 2005-450
20. Resolution authorizing the execution of a Regional Contribution Agreement between the Township of Lakewood and the Township of Holmdel.
Resolution No. 2005-451
21. Resolution authorizing the execution of a Regional Contribution Agreement between the Township of Lakewood and the Borough of Eatontown.
Resolution No. 2005-452

22. Resolution authorizing the execution of a Regional Contribution Agreement between the Township of Lakewood and the Borough of Shrewsbury.
Resolution No. 2005-453
23. Resolution authorizing the execution of a Regional Contribution Agreement between the Township of Lakewood and the Borough of Atlantic Highlands.
Resolution No. 2005-454
24. Resolution appointing members to the Lakewood Township Zoning Board of Adjustment.
Resolution No. 2005-455
25. Resolution authorizing the Township of Lakewood to redeem taxes due on Block 1054 Lot 11.
Resolution No. 2005-456
26. Resolution appointing a Conflict Municipal Prosecutor.
Resolution No. 2005-457

Motion by Mr. Coles, second by Mr. Miller, to approve Resolution Nos. 1 through 26 on the Consent Agenda.

On Roll – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein
Resolution Nos. 2005-432 through 2005-457 – Adopted.

RESOLUTION NOT INCLUDED ON THE CONSENT AGENDA - None

ORDINANCES SECOND READING

- An Ordinance of the Township Committee of the Township of Lakewood in the County of Ocean, State of New Jersey amending and supplementing Chapter XVIII of the Township of Lakewood entitled The Lakewood Township Unified Development Ordinance of 2005 establishing conditions for age restricted multi-family housing, a conditional use in the B-5 Zone. (New Hampshire & Rt. 70)
Read by title only for second reading.

Deputy Mayor Lichtenstein 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 Mr. Miller.

On Roll Call – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein.
Ordinance No. 2005-111 adopted on second reading.

- An Ordinance of the Township of Lakewood, in the County of Ocean, New Jersey, amending Section 3 (A) of Ordinance No. 99-19 of the Township finally adopted April 22, 1999, to provide for additional improvements for the Township of Lakewood, in the County of Ocean, New Jersey.
Read by title only for second reading.

Mr. Edwards advised that this Bond Ordinance requires a majority vote from the Committee. As there are only three members present this evening, he recommended that the Ordinance be continued to the next meeting of December 8, 2006.

Motion by Mr. Miller, second by Mr. Coles, to continue the above Ordinance to December 8, 2005.

On Roll Call – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein.
Second reading and public hearing on Ordinance No. 2005-112 continued to the meeting of December 8, 2005.

- An Ordinance amending and supplementing an Ordinance entitled “An Ordinance establishing the annual minimum and maximum salary ranges for the offices and positions of persons 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 and final adoption.
Read by title only for second reading.

Deputy Mayor Lichtenstein 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 Mr. Miller.

On Roll Call – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein.
Ordinance No. 2005-113 adopted on second reading.

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the exchange of certain lands within the Township of Lakewood, in particular, the Township of Lakewood, in particular, the Township of Lakewood to acquire Block 1008, Lot 6 and to convey Block 769 Lot 16 as part of an exchange of lands pursuant to N.J.S.A. 40A:12-16.
Read by title only for second reading.

Deputy Mayor Lichtenstein opened the meeting to the public.

Yehuda Shain, 1104 Forest Avenue – Asked why the Township needs the property they are acquiring.

Deputy Mayor Lichtenstein advised this parcel is included in a parcel that was sold at the auction for a school.

Mr. Shain suggested the reason be included in the Ordinance. Mr. Shain also asked about the valuation of the property.

Deputy Mayor Lichtenstein advised it was based on the new assessment.

Mr. Shain asked if an appraisal is needed.

Mr. Secare advised that the new assessments are one hundred percent of the valuation, and therefore, an appraisal is not required.

Mr. Shain repeated that the Ordinance should contain the reason for the acquisition, because the Ordinance is vague.

Mr. Secare respectfully disagreed.

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

The above Ordinance was offered by Mr. Miller, second by Mr. Coles.

On Roll Call – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein.
Ordinance No. 2005-14 adopted on second reading.

ORDINANCES FIRST READING (2nd Reading and Public Hearing 12/22/05)

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Ordinance No. 2005-29 entitled “An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey setting aside property for the recreational and open space inventory. (Kettle Creek)
Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Mr. Miller.

On Roll Call – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein.
Ordinance No. 2005-115 adopted on first reading. Second reading and public hearing to be held on December 22, 2005.

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the acquisition of blocks and lots pursuant to the attached schedule A as shown on the tax map of the Township of Lakewood, pursuant to and in accordance with N.J.S.A. 40A:12-1 et seq. (Kettle Creek)
Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Mr. Miller.

On Roll Call – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein.
Ordinance No. 2005-116 adopted on first reading. Second reading and public hearing to be held on December 22, 2005.

- 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 to local property taxes to Rutgers University Boulevard, ILP, for facilities located at Block 1607, Lot 11, and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a tax abatement agreement.

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Mr. Miller.

On Roll Call – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein.
Ordinance No. 2005-117 adopted on first reading. Second reading and public hearing to be held on December 22, 2005.

- Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, establishing the annual minimum and maximum salary ranges for the offices and positions of persons employed by the Township of Lakewood in the County of Ocean, State of New Jersey for certain employees of the International Brotherhood of Teamsters, Local 97.

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Mr. Miller.

On Roll Call – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein.
Ordinance No. 2005-118 adopted on first reading. Second reading and public hearing to be held on December 22, 2005.

CORRESPONDENCE

- Letter from Susan Gallagher, Social Director at Harrogate, thanking Mayor Cunliffe for attending their first annual Veteran's Day Parade.

Motion by Mr. Coles, second by Mr. Miller, and carried, that the above correspondence is received and filed.

MOTION TO APPROVE BILL LIST OF: 11/29/05

Motion by Mr. Coles, second by Mr. Miller.

On Roll Call – Affirmative: Mr. Miller, Mr. Coles, Deputy Mayor Lichtenstein.
Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS - None

ADJOURNMENT

Motion by Mr. Coles, second by Mr. Miller, and carried, to adjourn the meeting.
Meeting adjourned at 9:00 P.M.