

The Lakewood Township Committee held a Virtual Meeting on April 22, 2021 at 5:30 PM, with the following present:

Mayor..... Raymond Coles
Deputy Mayor..... Menashe P. Miller

Committee Members..... Meir Lichtenstein
Michael D’Elia
Albert Akerman

Municipal Manager..... Patrick Donnelly
Municipal Attorney..... Steve Secare, Esq.
Municipal Clerk..... Lauren Kirkman

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 on the Township’s website as well as in the Asbury Park Press on January 7, 2021. The public was invited to participate prior to the meeting by emailing premeetingcomments@lakewoodnj.gov. The public was invited to participate during the meeting via comments@lakewoodnj.gov or by using Cisco’s Web-Ex by either phone (audio only) or computer (audio/visual). The Meeting ID# was 132 506 5518. This meeting as advertised was broadcast live and recorded through on Townhall Streams at <https://townhallstreams.com/>

ROLL CALL –Present: Mayor Coles, Deputy Mayor Miller, Committeeman Lichtenstein, and Committeeman D’Elia.
Absent: Committeeman Akerman
Also present: Township Attorney: Steven Secare; Township Manager: Patrick Donnelly, and Township Clerk: Lauren Kirkman.

SALUTE TO THE FLAG AND PRAYER

Mayor Coles opened the regular meeting at 5:30 p.m.

MOTION TO APPROVE MINUTES:

REGULAR MINUTES OF April 8, 2021.

Motion by Deputy Mayor Miller, seconded by Committeeman D’Elia.

On Roll Call:

Affirmative: Committeeman D’Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: Committeeman Akerman

Motion carried to approve minutes.

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.

Mayor Coles asked for a motion to adopt the consent agenda Resolutions 2021-170 through 2021-185.

Motion by Committeeman Lichtenstein
Seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Nays: None

Abstain: None

Absent: Committeeman Akerman

Motion Carried to adopt consent agenda.

- 2021-0170 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing A Prior Cash Performance Guarantee Posted By Bnos Melech Of Lakewood, Inc., In Connection With SP 2211A (James St), Block 364, Lot 1 And Accepting A New Original Performance Guarantee Bond
- 2021-0171 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Accepting A Bid For The Private Land Sale Of Block 536, Lot 73 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40A:12-1 Et Seq.
- 2021-0172 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Accepting A Bid For Block 536, Lot 100 As A Result Of A Sealed Bid Public Land Sale In The Township Of Lakewood County Of Ocean, State Of New Jersey Pursuant To N.J.S.A. 40A:12-1 Et Seq.
- 2021-0173 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Accepting A Bid For Block 1100, Lot 18 As A Result Of The Private Land Sale In The Township Of Lakewood County Of Ocean, State Of New Jersey Pursuant To N.J.S.A. 40A:12-1 Et Seq.
- 2021-0174 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing Refund Of A Duplicate Payment Made By Lienholder Block 189.06, Lot 1.1317 Qc1000)

- 2021-0175 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Tax Collector To Correct A Misapplication Of Payments Applied To Tax Account Properly To Be Applied To Lien Account Block 1086, Lot 18.544 Qc100
- 2021-0176 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing Refund Of Taxes On Mother Lot(Block 524, Lot 2.02)
- 2021-0177 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing Refund Of Taxes Block 189, Lot182.01
- 2021-0178 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing Refund Of Taxes On Mother Lot(Block 803, Lot 1)
- 2021-0179 Resolution Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing Refund Of Taxes (Block 1449, Lot 14.35 QC1000)

ORDINANCES FOR FIRST READING-

Mayor Coles noted there was a number of comments from the public requesting that this ordinance not be introduced although the Township previously had received a petition requesting same.

Clerk Kirkman read the following Ordinance by title only:

2021-030 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Conveyance And Execution Of A Deed Of Fee Simple Interest For Road Widening, An Overhead Utility Easement, Three Utility Easements Outside The Road Right Of Way For Utility Poles And Guy Wires, And A Temporary Construction Easement, To The County Of Ocean From A Portion Of Lot 1, Block 415, James Street

Mayor Coles asked for a motion to introduce ordinance 2021-030:

Motion by Committeeman Lichtenstein

Seconded by Committeeman D'Elia

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Nays: None

Abstain: None

Absent: Committeeman Akerman

Clerk Kirkman read the following Ordinance by title only:

2021-031 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Changing The Name Of A Portion Of Lakewood Pine Boulevard To Arcadia Avenue Pursuant To And In Accordance With N.J.S.A. 40:67-1(k) Et Seq Mayor Coles asked for a motion to introduce ordinance 2021-026.

Motion by Committeeman D'Elia
Seconded by Committeeman Lichtenstein

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Nays: None

Abstain: None

Absent: Committeeman Akerman

Motion Carried to introduce Ordinance 2021-031 with a public hearing on May 20, 2021.

Clerk Kirkman read the following Ordinance by title only:

2021-032 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Chapter XI Entitled "Traffic" Of The Revised General Ordinances Of The Township Of Lakewood, Specifically Section 11-23 ("Turn Prohibitions") And Section 11-37 ("Control For Movement And The Parking Of Traffic On Public And Private Property").

Mayor Coles asked for a motion to introduce ordinance 2021-032.

Motion by Committeeman Lichtenstein
Seconded by Committee D'Elia

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Nays: None

Abstain: None

Absent: Committeeman Akerman

Motion Carried to introduce Ordinance 2021-032 with a public hearing on May 6, 2021.

ORDINANCES FOR SECOND READING:

Clerk Kirkman read the following Ordinance by title only:

2021-018 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing, Extinguishing And Vacating The Rights Of The Public To Portions Of Paper Streets Known As Commerce Boulevard And Bennett Boulevard In The Township Of Lakewood

Mayor Coles stated there was a request to carry this ordinance until June 17, 2021.

Mayor Coles asked for a motion to carry ordinance 2021-018 until June 17, 2021.

Motion by Committeeman Lichtenstein
Seconded by Committeeman D'Elia

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Nays: None

Abstain: None

Absent: Committeeman Akerman

Ordinance 2021-018 was carried until June 17, 2021.

Clerk Kirkman read the following Ordinance by title only:

2021-023 An Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Prohibiting The Operation Of Any Class Of Cannabis Businesses Within Its Geographical Boundaries And Amending Article IX (Zoning Districts And Regulations), Section 18-900, Of Chapter XVIII Of The Unified Development Ordinance

Mayor Coles opened the meeting to the public.

Seeing no comments offered, Mayor Coles closed the meeting to the public.

Mayor Coles asked for a motion to adopt ordinance 2021-023.

Motion by Committeeman Lichtenstein
Seconded by Committeeman D'Elia

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Nays: None

Abstain: None

Absent: Committeeman Akerman

Ordinance 2021-023 was adopted after public hearing and second reading.

Clerk Kirkman read the following Ordinance by title only:

2021- 024 An Ordinance Of The Township Committee Of The Township Of Lakewood Approving An Amendment To The Cedarbridge Redevelopment Plan Pursuant To The New Jersey Local Redevelopment And Housing Law (*N.J.S.A.* 40A:12a-1, *EtSeq.*)

Mayor Coles stated that this ordinance had come back from the planning board with suggested changes. Specifically, hospital/nursing home use should be tied to the dualization of Pine Street; the parking to require one spot per seat at a hall; any changes to the ordinance should not take effective until Pine Street is dualized; require a 30-year lease regarding shared parking. Mayor Coles stated that regarding hospital/nursing home use, Cedar Bridge Development agreed to remove this from the ordinance, so the point is moot. Mayor Coles continued that for parking for banquet halls Cedar Bridge Development agreed to the parking of one spot per seat so that is also moot. Mayor Coles stated that in regard to no changing taking effect until Pine Street is dualized, Mayor Coles requested that this be rejected by the Committee because prior litigation has shown the Township cannot tie proposed development to future changes and it is not allowed under Municipal Land Use Law. Mayor Coles stated that in regard to a requirement for a 30 year lease for parking, Mayor Coles requested the Committee reject this recommendation and rather have these requirements tied to the individual applications as they come before the planning board.

Mayor Coles noted that these were not substantive changes as per the Township Attorney.

Committeeman D'Elia stated that he agreed with Mayor Coles.

Deputy Mayor Miller stated that he agreed with Mayor Coles.

Committeeman Lichtenstein stated that he agreed with Mayor Coles.

Clerk Kirkman read the amendment for the record.

Mayor Coles asked for a motion to amend ordinance 2021-024.

Motion by Committeeman Lichtenstein
Seconded by Committeeman D'Elia

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Nays: None

Abstain: None

Absent: Committeeman Akerman

Motion carried to amend the ordinance.

Mayor Coles opened the meeting to the public.

Seeing no comments offered, Mayor Coles closed the meeting to the public.

Mayor Coles asked for a motion to adopt ordinance 2021-024.

Motion by Committeeman Lichtenstein
Seconded by Committeeman D'Elia

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Nays: None

Abstain: None

Absent: Committeeman Akerman

Ordinance 2021-024 was adopted after public hearing and second reading.

Clerk Kirkman read the following Ordinance by title only:

2021-026 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Chapter XI Entitled "Traffic" Of The Revised General Ordinances Of The Township Of Lakewood, Specifically Section 11-21.2 Entitled "Three-Way Stops" (Clover Street And School Garden Street)

Mayor Coles opened the meeting to the public.

Seeing no comments offered, Mayor Coles closed the meeting to the public.

Mayor Coles asked for a motion to adopt ordinance 2021-026.

Motion by Deputy Mayor Miller
Seconded by Committeeman D'Elia

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Nays: None

Abstain: None

Absent: Committeeman Akerman

Ordinance 2021-026 was adopted after public hearing and second reading.

Clerk Kirkman read the following Ordinance by title only:

2021-029 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Chapter XI Entitled "Traffic" Of The Revised General Ordinances Of The Township Of Lakewood, Specifically Section 11-10 (Stopping Or Standing- Coventry Square)

Mayor Coles opened the meeting to the public.

Seeing no comments offered, Mayor Coles closed the meeting to the public.

Mayor Coles asked for a motion to adopt ordinance 2021-029.

Motion by Deputy Mayor Miller
Seconded by Committeeman D'Elia

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Nays: None

Abstain: None

Absent: Committeeman Akerman

Ordinance 2021-029 was adopted after public hearing and second reading.

CORRESPONDENCE- None

MOTION TO APPROVE BILL LIST: Dated April 21, 2021.

Motion by Deputy Mayor Miller, second by Committeeman D'Elia to approve the Bill List.

On Roll Call:

Affirmative: Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles

Absent: Committeeman Akerman

Bill List of April 21, 2021 was approved.

PUBLIC COMMENTS

The public was invited to participate prior to the meeting by emailing premeetingcomments@lakewoodnj.gov. The public was invited to participate during the meeting via comments@lakewoodnj.gov or by using Cisco's Web-Ex by either phone (audio only) or computer (audio/visual).

Mayor Coles opened the meeting to the public:

Mayor Coles reviewed the emails received:

From: B D

Sent: Thursday, April 22, 2021 11:14 AM

Subject: [External] Township Meeting - 4/22/2021

To whom it may concern:

I am a resident of the State of New Jersey. I am against the ritual slaughter of chickens known as Kapparot, as are many others including residents of Lakewood and the surrounding area.

Given that money/coins could be used in place of chickens, then donated to charity, I would ask that Lakewood encourage this be done instead of the slaughter of innocent sentient beings. Animal cruelty (i.e. chickens packed in small crates for days with no food/water, swung about injuring their feet and breaking their wings, then violently killed with a knife) is not compassionate. Chickens are intelligent sentient beings who are able to experience fear and pain.

Further, the chickens are to be sacrificed according to the *law of shechita*, but many, if not most, are being thrown away and not given to a charity for consumption at the pre-Yom Kippur meal... coins may be a better option.

The Kapparot ritual of slaughtering chickens needs to be eradicated especially given the fact that not only are coins used by many, also, many Rabbis (in the area) recommend coins be used in place of the ritual slaughtering of chickens especially in this day and age of pandemics and zoonotic diseases but also as a more compassionate approach to such a holy holiday.

Barbara Davenport
Woodbury, NJ

From: LisaSTarzia

Sent: Thursday, April 22, 2021 11:01 AM

Subject: [External] township committee meeting public comment

My name is Lisa Tarzia. I reside at 22 Spruce Lane in Montgomery. Until recently I was a resident of Ocean County. Today I would like to make a statement regarding the observation of Kaporos which took place in Lakewood last year, 2020.

During the observation of Kaporos in Lakewood last year, it was noted that one participating Rabbi made obvious improvements for the conditions in which the chickens were kept. These improvements included providing shelter, food, water, and a free range area for the chickens to roam free, rather than containment in overcrowded battery cages. These improved conditions appeared to adhere to NJ Title 4 Statutes for Animal Welfare. However, this Rabbi and those joining him, continued the practice of holding the chickens by unnaturally forcing their wings back behind their bodies, which is known to cause serious, painful bruising and broken wings. Licensed veterinarians who have evaluated chickens that have been injured during Kaporos rituals have verified that handling chickens in this manner is painful and inhumane. This would be a violation of NJ Title 4 Statutes for Animal Welfare. This Rabbi does not appear to be slaughtering the chickens on site. It is not known if the chickens are being slaughtered off site, sold or distributed to the public.

One participating Rabbi utilized baskets to hold the chickens during the ritual, rather than forcing the chickens' wings back behind their bodies. This is the more humane method to handle the chickens. This Rabbi appeared to be slaughtering the chickens on site. It is believed that these slaughtered chickens are being donated to a soup kitchen run by the Rabbi's family, however, the location of the soup kitchen is not known. It is not known whether a permit is needed or was obtained, in order to distribute slaughtered chickens, if the Rabbi is not a licensed butcher, slaughterhouse, or wet market in the state, which must follow NJ biohazard safety protocols in the handling, transportation or distribution of poultry. It is not known if safety protocols were observed when the chickens were slaughtered, packaged, transported or distributed to the soup kitchen to ensure the safety and welfare of the public consuming the poultry.

Although some improvements were made in the treatment of the chickens, I still implore those participating in the observance of Kaporos to please stop the use of chickens, and please use coins instead, as many of the Jewish faith have begun to do. This would be a humane, loving way to observe Kaporos with children, family and friends, and safe for the public. Thank you.

From: Michele Granberg
Sent: Thursday, April 22, 2021 10:47 AM
Subject: [External] Premeeting comment regarding Kaporos in Lakewood ~ thank you

Hello

These are my comments for the **Lakewood Town meeting** this evening.

We are a group of local NJ citizens who are concerned about the yearly live chicken religious slaughtering in Lakewood known as Kaporos.

We understand that the slaughtering of chickens on the high holy days is a sacred ritual done for a long time in the Jewish community. However, it is unnecessary and creates many issues, not the least of which is ***that live slaughtering leads to pandemics and zoonotic diseases.***

We are asking Lakewood to look into this matter which has been going on for many years before larger problems are encountered.

We feel that this ritual is an act of animal cruelty, although we recognize that chickens are considered as legal commodities and products throughout the world. We are a movement that strives to change that perception. Chickens are intelligent beings who suffer and feel pain. In 2021, it is time to choose options of kindness and compassion so we create a better world and better examples for children.

Please send an official to observe these rituals so they can see for themselves. Chickens are crammed in crates, they are swung by their wings and then their heads are chopped off.

One final question, is there an ordinance addressing slaughtering on public streets and sidewalks and then the disposal of the "waste" following such action?

thank you for your consideration.

Michele Granberg
Central Jersey resident
NJ Animal Save Movement

Michele Granberg, MA, Mindset Coach
4250 Route 1 North, Suite 118
Monmouth Junction NJ 08852

From: John Bell
Sent: Thursday, April 22, 2021 10:06 AM
Subject: [External] Comments for Lakewood Town Council Meeting 4/22/21

My name is John Bell formerly residing at:
69 Whitaker Drive
Toms River, NJ 08756

Now residing at:
2017 Gardenia Landings Lane
Sun City Center, FL 33573

It is with utmost respect that I am making a statement/plea for the use of Coins instead of live Chickens for the religious custom of Kaporos.

It is true that most Rabbis in the past used the Horrific use of Chickens for the atonement of Sins in Kaporos but many or most have turned to compassion and decided to use Coins. Doing so accomplishes many things including:

- The Forgiveness of sins of parishioners, the Key objective in Kaporos.
- Supports a very fundamental Jewish obligation not to cause pain to animals.
Jewish tradition is filled with countless references for compassion for Animals and STRONGLY opposes the inflictions of Suffering on another living Creature. Everywhere you look you see these references.
- Avoids countless and extensive health, legal and safety issues inherent in the purchase, transportation and disposition of Chickens.
- Finally it broadcasts a very positive, compassionate public and global image of the congregation and avoids conflicts with those opposed to the very controversial and contested practice of using Chickens.

With all these overwhelming benefits of using Coins instead of Chickens we would like to know WHY anyone would want or need to use Chickens and go against very fundamental Jewish concepts of Compassion towards Animals?

Many or most Rabbis have also followed in the path of enlightenment and compassion and switched to using Coins thus being in total alignment with the Jewish Obligation for compassion to Animals.

We truly hope that given all overwhelming reasons to use Coins that the all Rabbis, starting with Lakewood move quickly to use of Coins.

Mayor Coles asked if there were any further comments online. Seeing none he opened the meeting to the public:

Abe Shubert, thanked Mayor Coles and Committeeman Lichtenstein for the no stopping and standing in neighborhood and they were happy to see it. Mr. Shubert stated he feels the zoom meetings were challenging and objected that the planning board did not permit any discussion on this ordinance at their meeting. Mayor Coles noted that as per the planning board attorney, the municipal land use law does not require a public hearing at the land use level. Mayor Coles stated the main reason to keep the building closed was for safety for the Police Department and the staff but was hopeful that in the future the building would open.

Seeing no other comments, Mayor Coles closed the meeting to the public.

COMMENTS FROM COMMITTEE MEMBERS –

Committeeman D’Elia had no comments.

Committeeman Akerman was absent.

Committeeman Lichtenstein had no comments.

Deputy Mayor Miller had no comments.

Mayor Coles had no comments.

CLOSED SESSION: Attorney Secare indicated there was no need for executive session.

ADJOURNMENT

Motion by Deputy Mayor Miller, second by Committeeman D’Elia, with all in favor to adjourn the meeting. Meeting adjourned at 5:59 PM.

Lauren Kirkman, RMC, CMR
Township Clerk