

The Lakewood Township Committee held a Meeting on Thursday, August 25, 2011, 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..... Menashe P. Miller
(Left Executive Session at 7:00 PM)**
Deputy Mayor..... Steven Langert
**Committee Members..... Albert D. Akerman
(Left Public Meeting at 8:00 PM)**
Raymond Coles
Meir Lichtenstein
Municipal Manager..... Michael Muscillo
Deputy Municipal Manager..... Steven Reinman
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 7, 2011 and published in the Asbury Park Press on January 10, 2011.

ROLL CALL

CLOSED SESSION

Resolution No. 2011-250 - Adopted

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 08/04/11

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

Committeeman Lichtenstein and Committeeman Coles abstained as they were not present for the meeting.

MOTION TO APPROVE CLOSED SESSION MINUTES: 08/04/11

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

Committeeman Coles abstained as he was not present for the meeting.

PRESENTATIONS

Marilyn Rodriguez - Employee of the Month

Committeeman Lichtenstein and Committeeman Akerman presented Marilyn Rodriguez with the Employee of the Month Award for the month of September, 2011, in recognition of her outstanding service and dedication to the Township.

LAND SALE - BLOCK 89, LOTS 9 & 10

Mr. Wouters advised they would now have a public auction for Block 89, Lots 9 and 10. The property is being offered for sale pursuant to Notice of Sale that has been published with the conditions as set forth in the Notice of Sale. The minimum combined bid that any prospective bidder must bid on both lots is \$105,000.00. He asked if there were any individuals who wished to bid on this property, and if so, to please come forward.

Mordechai Eichorn offered a bid in the amount of \$105,000.00.

As there were no other bidders, Mr. Wouters announced the successful bidder to be Mordechai Eichorn and asked that he submit the required deposit to the Township Clerk.

ORDINANCES FOR DISCUSSION - None

QUALITY OF LIFE

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

With regard to the request by Committeeman Lichtenstein for Mr. Staiger to advise the Committee of what the cost would be to upgrade the traffic signal at the intersection of Fourteenth Street and Forest Avenue, from a blinking light to a regular traffic light, Mr. Staiger advised that he did speak with the in-house traffic expert and the estimated engineering and construction costs to upgrade that traffic signal would be approximately \$165,000.00.

Committeeman Lichtenstein asked that Mr. Muscillo bring this matter before the Committee for a decision to be made as to whether they want to do the work now, or put it off until a later date, and to see if the funds are available.

Deputy Mayor Langert suggested that the Committee members make inquiries as to various areas of the town where traffic signals are warranted, and maybe they can do a Bond Ordinance in the latter part of the year.

Committeeman Lichtenstein asked that the Committee make a decision on this particular traffic signal; they can decide to put it off, or if they can find the funding, they can do the work. But he would really like to make that decision. He asked that the Manager forward the information to the Committee members.

As to the issue of looking into the feasibility of requiring builders and developers to put some type of barrier around construction sites for safety measures to prevent injuries to people within the area, Mr. Staiger advised that each site is unique in that if there is a site downtown where an apartment building is being constructed, versus if you are outside of the downtown and a larger subdivision is being constructed, each site would have its own unique characteristics. He believes it is really a judgment call for each specific site as to the nature of what is being constructed and the size of the project. For pedestrian safety, if you have an area where you get a lot of pedestrian traffic, it might be beneficial to have temporary fencing installed to keep the people off the site. If you have a larger subdivision, it does not make sense to provide fencing around that site.

Deputy Mayor Langert asked if the Township Ordinances require any type of protective fencing or silt fencing.

Mr. Staiger responded that they are required by the Ocean County Soil Conservation District, and if they have a soils permit, most likely the silt fencing is installed around most of the site. His recollection from the resident's concern was preventing the children in the area having access to the site. The only thing that is going to keep children out of the site is some type of fencing or wall, and posting signs. His recommendation to the Committee would be as there are already current laws regarding site safety, which is handled with OCHA, and the Manual of Uniform Traffic Control Devices, he believes that they should stay within those guidelines, and not implement anything additional.

Committeeman Lichtenstein stated that he thinks that if the construction is in a current residential area, single or two-family construction, maybe they could have the Engineering or Inspection Departments tell the people to lock the doors at the end of the day, or nail a piece of plywood across the front door or over the window. If kids want to get into a house, they are going to get in, no matter what you do. He believes that the concern was that younger children who live in the neighborhood would have easy access to the house. He would suggest that the Inspection and Engineering Departments continue within the guidelines of the current regulations, and just have a little more sensitivity to the fact that they are looking to make sure that a three year old can not climb through a window because it is close to their home, and they can walk down the block.

With regard to the complaint from Noreen Gill about traffic on Lexington Avenue, Chief Lawson advised they have increased police patrol in that area on the day shift. The

officers have spoken with some of the pedestrians as well as the drivers, and have kept the traffic flowing in the area.

Quality of Life Comments from Committee Members:

Committeeman Akerman advised that he provided quality of life items to Mr. Staiger prior to the meeting, as he has to leave the meeting early.

Committeeman Lichtenstein advised he would forward an address to Chief Lawson for the quality of life team to take a look at with regard to complaints he has received about a specific address.

Committeeman Lichtenstein advised Mr. Burdge that he has noticed graffiti in many areas of town. He knows it is a continuous battle, but if they have the resources, he asked that they remove the graffiti from the utility boxes near the Lake, as well on the bridge and boardwalk.

Committeeman Lichtenstein also reminded the public to look at the website and pay attention to press releases from the Office of Emergency Management.

Deputy Mayor Langert asked Mr. Burdge to have someone go out to Ridge Avenue and New York Avenue to make sure the drains are clear before the coming storm.

Deputy Mayor Langert asked Chief Lawson to address the public with regard to preparing for Hurricane Irene.

Chief Lawson advised this is an extremely large and dangerous storm. It is forecast to hit this area sometime on Sunday. It is unknown at this time if it will be in the morning or in the afternoon, at least as a Category 1 Hurricane, with winds of 100 miles per hour, with six to ten inches of rain. The ground is already saturated, and with winds that high, they expect many trees to come down. He advised everyone to expect to be without power. He does not anticipate that evacuations will be necessary. But that is unknown, because trees falling on homes certainly could cause a house to be evacuated, as well as a roof being ripped off due to high winds. He advised everyone to make contingency plans to leave if necessary, and have a place to go to, and have enough supplies and provisions to be able to stay in their homes for at least three days. Have enough high energy, non-perishable items; one gallon of water per person per day for hygiene and drinking; secure your home of any items that can blow around, such as lawn furniture; have a supply of cash on hand in case of evacuation; let someone know about your plans; make sure drains and gutters are cleaned out so that water can drain away from the house; once the storm hits, stay away from windows. He emphasized that everyone needs to be prepared for this storm. Hopefully evacuations will not be necessary, but that is unknown at this time. He had a meeting today with Police, Fire

Department, EMS, Inspection Department, and Committeeman Lichtenstein, and they discussed various strategies.

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 Langert opened the meeting to the public.

Eli Rennert, 1 Juniper Lane – Representing the Zerizem Organization, wished Committeeman Akerman a very Happy Birthday.

Bill Hobday, 30 Schoolhouse Lane – Commented with regard to the homeless in connection with the upcoming hurricane; asked if adequate provisions have been made for their safety.

Committeeman Coles responded that any time anyone wants to come out of the woods, there will be a place for them.

Deputy Mayor Langert added that it has always been the Township's stance that anyone who wants placement, will be placed. Mike McNeill has placed many people from the woods into housing.

Rabbi Yeruchim Shain – Advised he has properties in Lakewood; he wanted to bring up the issue of First Street, one-way. First Street was changed several months ago to a one-way going east; from Madison to Clifton it is two-way, from Clifton to Lexington it is one-way. Also, Lexington was changed to one-way going south. It does interfere with the merchants in the Second Street area. The merchants brought a petition to the Committee that it did interfere with their businesses and it made it difficult for people who wanted to park and shop on Second Street. The petition was to request the Committee to consider changing First Street back to a one-way street, the way it was previously. He also commented on the bus terminal the way the buses exit and enter the terminal lots. One more issue he feels is important is that the street parking is used by many office and business personnel. He feels it is unfair because the shoppers do not have room to park, because these people are parked on the street for the entire day. There is a two or three hour parking limit, which could be enforced. The employees could park in the public parking lot, on Second and Third Streets.

Deputy Mayor Langert advised that he would like to explore the possibility of having NJ Transit redesign their terminal. If it is true that they find a way to come in and out on Route 88, it would alleviate the problems they have concerning the buses.

Mr. Staiger advised he had a meeting earlier in the week with Rabbi Shain, and he did reach out to NJ Transit and did relay that message. He asked them if they could do

this; if so, what would be the anticipated cost of improvements to the site to make those changes.

Committeeman Lichtenstein suggested that it may be premature, but if reconfiguring the stalls is going to consist of a little bit of blacktop and painting, the Township may be able to do the work through the Public Works Department, and eliminate this issue.

Committeeman Lichtenstein requested Mr. Burdge to place a Public Parking sign on Second Street.

Deputy Mayor Langert stated that he hopes that the business owners have advised their employees not to park on the street in front of the stores, leaving the stalls open for customers.

Deputy Mayor Langert added that maybe the LDC can do a little education in the downtown area, maybe some leaflets to the business owners, making them aware of the parking situation.

Committeeman Lichtenstein added they should pick a date, and tell all the business owners they are doing this on a trial basis. They will see on their own that it works.

Larry Simons – Commented with regard to the Department of Public Works budgeted expenditures versus actual expenditures for overtime; and various DPW budget questions. He asked for verbal responses to his questions, as well as a written response.

Deputy Mayor Langert responded that Mr. Simons raised some very troubling concerns, and has legitimate questions that he would like answers to as well. He asked for a copy of the many questions raised by Mr. Simons, and if he had any specific allegations about any employees, or any wrongdoing, he requested that he sit down with the Municipal Manager and Township Labor Attorney, to discuss these allegations. He wants the allegations investigated and he wants answers.

Mr. Simons responded that these are not allegations; these are his questions and concerns.

Deputy Mayor Langert asked Mr. Muscillo to review Mr. Simons' questions, and provide a written report to the Committee.

Alice Kelsey – Stated that many towns are no longer opening their public meetings with prayer; she appreciates that Lakewood does, but would like that sensitivity be given to fifty percent of the population, and that it be for both men and women. Also, as to the Agenda, she complained that she could not find the Agenda on the website this morning. It may have been posted later, but she would like to see it twenty-four hours

in advance of the meeting; a minimum of eight hours would be alright. With regard to the homeless that are in the Route 88/Main Street area, near the railroad tracks, she understands that recently, the Lakewood Police and Conrail Police went to that site; she wants to know what the plans are for that site.

Chief Lawson responded that the Lakewood Police Department was asked to accompany the Conrail Police to that site.

Mrs. Kelsey also asked about the homeless being sheltered during Hurricane Irene. The Episcopal Church on Route 9 has offered to take some people in, and the Westgrove Methodist Church, in Neptune, has also offered to take some people in. Her question is.....what has Lakewood Township, who has a primary responsibility for the citizens here, done to shelter these people who are not housed.

Deputy Mayor Langert responded that Lakewood is willing to place all those people in housing tomorrow ahead of the storm. All they have to do is come out of the woods, come over to the Township offices, and housing will be arranged for every single person in those woods.

Moshe Raitzik, 166 North Crest Place – Thanked the Police Department for the Night Out Against Crime. Commented with regard to the upcoming storm, and how are people going to be informed about evacuations.

Chief Lawson responded he does not believe that will be the case. The latest news he has is that at 2:00 AM Sunday morning, the storm will still be below Delaware. If needed, certainly they would have emergency responders go out to the community and by loud speakers, or door to door, they would make notifications. For evacuation purposes, the main reception facility is Lakewood High School. He has been advised of the possibility of also using the Public Works facility.

Mateo Aguilar, 175 Mountainview Drive – Advised he has a permit for the Mexican Festival on September 17th. He advised they also want to do a parade from 11:00 AM to 12:00 PM, starting at Town Square, to Clifton Avenue to First Street, Lexington Avenue back to First Street, and back to Town Square. He asked if there was a problem with them doing this.

Deputy Mayor Langert asked Chief Lawson, that before Mr. Aguilar leaves this evening, that he get his contact information, and meet with him and help coordinate this, to see what they can do to make sure everything happens in an orderly fashion, coordinated through his office.

Chief Lawson advised he has met with Mr. Aguilar, and he knows the permit has been issued, but there was nothing in the request about closing down streets, which is problematic when multiple streets are closed down, it requires a lot of resources.

Deputy Mayor Langert requested they take a look at what they are suggesting, because otherwise it is going to happen anyway, and will be haphazard, and there will be more issues after the fact, versus if we know about it, and are able to help prepare for it before the fact.

Deputy Mayor Langert asked Mr. Aguilar to meet with Chief Lawson and provide him with his contact information, and set up a meeting, to discuss the details.

Mr. Aguilar invited the Committee members to attend this event.

Noreen Gill, 192 Coventry Drive – Complained about the traffic in the area of County Line Road, and the former Little League Field.

Seeing no one else wishing to be heard, Deputy Mayor Langert 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 Releasing a Maintenance Guarantee posted by Park Avenue Equities, (c/o Sidney Welz), in connection with SD # 1622 (Minor Subdivision: Harvard St), Block 170, Lots 1.01, 1.02 and 3, in the amount of \$1,991.70.
Resolution No. 2011-251**
- 2. Resolution Releasing a Maintenance Guarantee posted by Uman Holdings, LLC, in connection with SP# 1833 (101 Clifton Ave.), Block 121, Lot 29, in the amount of \$1,736.85.
Resolution No. 2011-252**
- 3. Resolution Releasing a Performance Guarantee posted by Norman Indich, in connection with application SP# 1893A (Medical Building, West County Line Road), Block 37, Lots 3 and 9, in the amount of \$121,910.00.
Resolution No. 2011-253**
- 4. Resolution Authorizing the Cancellation of old Outstanding Checks appearing on the records of the Township of Lakewood.
Resolution No. 2011-254**

- 5. Resolution Authorizing the Lakewood Tax Collector to cancel and all property taxes on Block 1440, Lot 2.232, C100, due to Disabled Veteran Exemption, in the amount of \$2,645.04.
Resolution No. 2011-255**
- 6. Resolution Appointing Bernard Williams to Lakewood Housing Authority
Resolution No. 2011-256**
- 7. Resolution Authorizing the acceptance of a gift/donation from Rubbercycle LLC.
Resolution No. 2011-257**
- 8. Resolution Authorizing a State Contract purchase of Body Armor for the Lakewood Police Department, not to exceed \$35,880.04.
Resolution No. 2011-258**
- 9. Resolution Designating temporary replacements for the Tax Assessor.
Resolution No. 2011-259**
- 10. Resolution Supporting the New Jersey Department of Transportation's implementation of "No Passing Zones" along U.S. Route 9, throughout the entire length of the Township of Lakewood.
Resolution No. 2011-260**
- 11. Resolution Joining the National Moment of Remembrance of the 10th. Anniversary of September 11th.
Resolution No. 2011-261**
- 12. Resolution Authorizing the award of Professional Services Contract for Appraisal Services, for Lakewood Airport, relating to Block 1160, Lots 251 and 269, to Appraisal Systems, Inc., in an amount not to exceed \$2,250.00.
Resolution No. 2011-262**
- 13. Resolution Authorizing the award of Professional Services Contract for Appraisal Services, for Lakewood Airport, relating to Block 1160, Lots 246, 251 and 269, to Starmark Appraisals, in an amount not to exceed \$3,400.00.
Resolution No. 2011-263**

Motion by Committeeman Coles, second by Committeeman Lichtenstein, to approve Resolution Nos. 1 through 13 on the Consent Agenda.

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

Resolution Nos. 2011-251 through 2011-263 – Adopted.

ORDINANCE SECOND READING

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI (Traffic) Section 11-18 (One-Way Streets) of the Revised General Ordinances of the Township of Lakewood 1999. (Chapter XI, Sec. 11-18 – One-Way St. – First St.)

Read by title only for second reading.

Deputy 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.

Committeeman Akerman excused himself from the remainder of the meeting.

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

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

Ordinance No. 2011-44 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 09/08/11)

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Public Sale of Block 774.02, Lot 8, in the Township of Lakewood, County of Ocean, State of New Jersey, at Open Public Sale pursuant to N.J.S.A. 40A:12-1, et. seq.

Read by title only for first reading.

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

Committeeman Lichtenstein

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

Ordinance No. 2011-45 adopted on first reading. Second reading and public hearing to be held on September 8, 2011.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Private Sale of Block 5, Lot 2, in the Township of Lakewood, County of Ocean, State of New Jersey, at Private Sale pursuant to N.J.S.A. 40A:12-1, et. seq.

Read by title only for first reading.

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

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

Ordinance No. 2011-46 adopted on first reading. Second reading and public hearing to be held on September 8, 2011.

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Private Sale of Block 11.02, Lot 23, in the Township of Lakewood, County of Ocean, State of New Jersey, at Private Sale pursuant to N.J.S.A. 40A:12-1, et. seq.

Read by title only for first reading.

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

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

Ordinance No. 2011-47 adopted on first reading. Second reading and public hearing to be held on September 8, 2011.

CORRESPONDENCE

Per list of five (5) correspondence items, attached hereto and made a part hereof.

PARKS AND EVENTS CORRESPONDENCE

Per schedule of seven (7) parks/events requests, attached hereto and made a part hereof.

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

MOTION TO APPROVE BILL LIST OF: 08/23/11

Motion by Committeeman Lichtenstein, second by Committeeman Coles, to approve the above Bill List.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Deputy Mayor Langert commented on the offering of the prayer at the beginning of the Meeting, which will be amended to reflect both men and women.

Deputy Mayor Langert commented on the upcoming hurricane. He hopes that the storm will go out to sea, and does not hit this area, but if it does, he hopes that everyone is prepared and safe.

ADJOURNMENT

Motion by Committeeman Coles, second by Committeeman Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 8:36 PM.