

**LAKWOOD TOWNSHIP COMMITTEE MEETING
MINUTES
JANUARY 12, 2006 • 7:30**

The Lakewood Township Committee held a Conference Meeting on Thursday, January 12, 2006 at the Lakewood Municipal Building, at 7:30 P.M. for the Conference Meeting, with the following present:

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

CLOSED SESSION – None

SALUTE TO THE FLAG

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, 2006 and published in the Trentonian on January 6, 2006.

ROLL CALL

MOTION TO APPROVE MINUTES OF: None

MOTION TO APPROVE CLOSED SESSION MINUTES OF: 12/22/05

Motion by Deputy Mayor Coles, second by Mr. Cunliffe, to approve the above Closed Session Minutes

On Roll Call – Affirmative: Senator Singer, Mr. Miller, Mr. Cunliffe, Deputy Mayor Coles and Mayor Lichtenstein.

Closed Session Minutes approved.

PRESENTATIONS: None

ORDINANCES FOR DISCUSSION: Stanley Slachetka, T & M Associates

Wireless Telecommunications Towers

Mr. Slachetka explained that this is a proposed Ordinance which would establish standards and regulations for a wireless telecommunications facility, commonly known as a cell tower. The Ordinance has provisions that are very similar to the Township's previous wireless telecommunications Ordinance. The Ordinance has been structured to correspond with the updated Unified Development Ordinance.

Basically, it would reinstitute the regulations and requirements for a wireless telecommunications facility in the Township. This would be permitted as a conditional use in the M-1 District, and given its industrial nature, it is the most appropriate zone.

Mayor Lichtenstein stated he would like to put this Ordinance on the Agenda for the next meeting if there are no questions from the Committee.

Mr. Miller asked if they would still have to come before the Board for approval.

Mr. Slachetka answered yes, they would have to come before the Planning Board as a conditional use, if they met all of the conditions. If they did not meet all of the conditions, they could be required by the Planning Board to apply for a variance.

Mr. Edwards asked if the previous Ordinance permitted the towers in an M-1 zone as well.

Mr. Slachetka answered he believed that there was a prior Ordinance that did allow it in certain business zones. However, with the recodification of the UDO, and the changes in the zone district designations and boundaries, the most appropriate designation from a planning prospective really is the M-1 district. That provides you sufficient coverage in the Township.

As there were no further questions from the Committee, Mayor Lichtenstein asked Mr. Edwards to have the subject Ordinance placed on the Agenda for the next public meeting.

Commercial Parking Restricted Areas

Mr. Slachetka advised this is another one of those provisions that was in the prior Ordinance. When the UDO was recodified, this provision, which was literally just one very small section, was not incorporated into the Ordinance. However, by incorporating it, they are able to modernize and update it. Basically, this restricts the location of large trucks and commercial vehicles in residential neighborhoods during the hours of 6:00 PM to 7:00 AM. However, they have modified the Ordinance from the prior one to allow for slightly larger vehicles, and that would provide for cars and trucks, or a small commercial van if someone had their own business, and they wanted to store their commercial van just for the evening. The large panel trucks, large tractor trailers, or semi-tractor trailers

would not be permitted to be stored on a residential property during those hours.

Mr. Cunliffe asked if this would cover situations where contractors, especially landscapers, may have a one ton pick-up and then a flatbed connected to it...and in a residential area overnight they are storing trucks like that.

Mr. Slachetka answered it is intended to limit the size of the truck and actually the storage... the capacity is based on the storage capacity. The maximum capacity would be one and one half ton capacity, with four wheels, parked in a residential zone. Trailers attached to it would not be permitted. The prior Ordinance had three quarters of a ton.

Mr. Coles stated he does have a problem with increasing the size. He has issues in his own neighborhood where they have two, three or four vans from a particular company parked out in front of the houses. He thinks it is a mistake to raise that limit.

Mr. Slachetka stated they would be able to park only one such vehicle, and actually, it is very important to understand that one and one half ton is not the size of the vehicle, just the storage capacity. Typically, the type of vehicle that would be permitted would be a large pick up truck, or a van, but not a paneled truck type of arrangement.

Mr. Cunliffe asked how would they address Deputy Mayor Coles' situation where people are parking multiple company vehicles, that might be just regular Ford or Chevy cargo vans, and there four, five or six of them parked on the street.

Mr. Slachetka stated that in essence that would not be permitted. This would be for private use, personal use, of overnight storage of an individual vehicle. If you are storing multiple vehicles, you are creating a commercial type of user operation within a residential zone, and that would not be permitted.

Mayor Lichtenstein asked if someone has commercial tags on their vehicle and they are below one and a half ton, the Ordinance specifically says they can only park only one such vehicle?

Mr. Slachetka answered yes, the Ordinance says specifically, that no commercially registered vehicle with more than one and one half ton capacity on four wheels shall be parked out of doors between 6:00 PM and 7:00 AM in a residential zone. If you are storing multiple vehicles, it becomes a vehicle storage area rather than a private parking residential area.

Mayor Lichtenstein asked if they limit it to one vehicle per house, not one of each kind of vehicle....

Mr. Slachetka advised if you wanted to clarify it further, you could identify it as one vehicle, and we would make sure that was clear.

Mr. Cunliffe added he thought that is reasonable.

Mr. Coles stated he did not know how you will prove that there is one vehicle. There are

different companies, they are probably not registered to the house, they are registered to a business someplace else...it is just getting out of control in certain parts of town. He does not think commercial vehicles should be parked on the street at all.

Mayor Lichtenstein asked what about the contractor....the person who has his own business, and he goes out and fixes appliances.

Senator Singer stated he does not have commercial plates. They do not have to have commercial plates. That is what driveways are for....park in your driveway, or park in your garage. What is happening in some of these developments, there are three and four trucks parked in front of people's houses, and all weekend long also. Most people who have a van do not have commercial plates because they have to pay higher insurance on it. He is not against people making a living, but that is what you have a driveway for. You can park your vehicle in your driveway.

Mr. Edwards stated this Ordinance restricts the vehicles from being parked even in a driveway, it does not matter.

Mr. Miller stated he fully agrees with Deputy Mayor Coles and Mr. Cunliffe with regard to an excess amount of vehicles. The reason why this actually came up is because in this day and age....back many years ago, a commercial vehicle was a box truck, and then you had your car. In today's day and age, a lot of people drive an SUV, and that is their own private car which is used for their business as well. It is not intended to allow all these people with box trucks and huge tractor trailers, and lawn equipment, to park them all over the neighborhood. He suggested limiting it to one per house.

Deputy Mayor Coles stated he would have no problem allowing one vehicle to be parked in the driveway but he thinks that commercial vehicles should be banned from public streets.

Mr. Cunliffe asked if they are using as a definition of a commercial vehicle if it is registered commercial. In his line of work, he could have commercial plates on his Ford Taurus. He would have a problem if he was no longer permitted to park in his neighborhood because he has commercial plates.

Mr. Slachetka advised that the draft Ordinance reads commercially registered vehicles, which was the wording of the prior Ordinance.

Mr. Cunliffe suggested that they take another look at it, and maybe they talk about a combination of commercial plates versus size of the vehicle, number of axles.

Mr. Slachetka stated it is limited to four wheels, which is two axles.

Mr. Slachetka continued that it is very important for the Committee to understand that right now what they are doing is reinstating the prohibition. Currently the Ordinance does not contain that prohibition. So it is very important that they put something on the books.

Mr. Cunliffe confirmed that they are talking about the plates plus cargo capacity.

Deputy Mayor Coles stated they are also taking about going from three quarter to one and one half ton.

Mr. Slachetka stated that was the change, increasing it from three quarter to the one and one half ton.

Mr. Cunliffe stated that what they should take a look at is maybe bumping that capacity down to one ton.

Deputy Mayor Coles again stated he would have no problem with one vehicle like that in a person's driveway. But they are blocking the streets. It is getting out of hand in certain neighborhoods in town.

Mayor Lichtenstein advised Mr. Slachetka that he has heard the concerns of the Committee, and asked him to rework the Ordinance and forward the revised Ordinance to them in enough time before the meeting so they know what they are voting on. And if it has to take another meeting, that's fine, but he wants the Committee to have the chance to thoroughly review it. He also asked Mr. Slachetka for a short summary as to what the changes are in taking all concerns into consideration.

Parking Restrictions Pine River Village

Mayor Lichtenstein advised they are receipt of a memo from the Township Engineer advising them of some street changes, no parking on some streets, and he believes this was to help with traffic flow in that development.

As there were no questions, Mayor Lichtenstein requested that this Ordinance be placed on the Agenda for the next meeting.

Mr. Miller stated that these streets do not exist. Can they adopt an Ordinance for streets that do not exist.

Mayor Lichtenstein answered yes, they are approved.

Limited Parking - Bais Faiga School

Mayor Lichtenstein stated that the final Ordinance for discussion is Courtney Road and Clifton Avenue. The Engineer took a look at a request, because of the traffic congestion in that area, and it seems that commuters were leaving their cars parked right in front of a school that needed some of spaces for their teachers. The Engineer took a look at that and put some parking restrictions on a half of block to a block in front of the school.

Mr. Miller stated he tried reaching out to Kevin Kielt who the memo is actually from, but was unable to reach him. What should be written in that memo as well is it should only be from Monday through Thursday, during the hours of 7:00 AM to 5:00 PM.

Mayor Lichtenstein requested the Ordinance be placed on the Agenda for the next meeting, with the amendments suggested by Mr. Miller.

COMMENTS FROM THE PUBLIC will be heard for a limit of one half-hour. Each speaker will have four (4) minutes at the podium.

Mayor Lichtenstein opened the meeting to the public.

Alice Kelsey, 295B Malvern Court East – Commented with regard to the protection of immigrants coming to America, and Ordinance No. 5 on the Consent Agenda concerning a relocation assistance agreement with the Ocean County Board of Social Services.

Vincent Gallo, former business owner in Seagull Plaza – Commented with regard to the Lemon Law, S-1977, that Lynn Celli has been working on. Asked if the Committee has any suggestions on who else they should contact, and if they would be interested in addressing letters to other Mayor to help the cause.

Senator Singer advised that the new session is just starting, so it is a little premature. In another few months, they could start pushing.

Mayor Lichtenstein answered he would agree to addressing letters to other Mayors.

Lynn Celli, Patriots Way – Commented with regard to the Ordinance for parking, and would it also pertain to private parking lots such as Lafayette Green, where they have parking problem. Also suggested a muster zone in the area of the new Public Works Garage, and commented concerning the Lemon Law.

Dorit Attais, recently lived at 122 Clifton Avenue – Commented with regard to the day laborers in the downtown area.

Isaac Hisiger, 712 Park Avenue – Thanked the Committee for their efforts on behalf of the community. Commented with regard to a recent incident, and he thinks it would behoove the Committee and maybe the community at large to educate the residents of Lakewood as to the importance of contacting the Police Department when a vehicular accident takes places no matter how serious it is.

Russ Pecchia, Coventry Square – Spoke in favor of the hockey arena in Lakewood.

Noreen Gill, 192 Coventry Drive – Commented with regard to the hockey arena proposal, the infrastructure of the town, parking of commercial vehicles in residential neighborhoods, and the official newspapers of the Township.

Larry Simons, 7 Schoolhouse Court – Commented with regard to the status of the Lemon Law Bill.

David Drukaroff, 1433 Laurelwood Avenue – Commented with regard to the creation of a community bulletin board for the website, where people can offer suggestions on how to deal with problems in the Township. Also suggested enclosing the existing baseball stadium.

Bill Hobday, 30 Schoolhouse Lane – Complimented the Committee on their decisions,

and decision making process. Commented with regard to the immigrants in Lakewood, and the hockey arena.

Vince Corsaro, 28 Autumn Tide – Commented with regard to negative press.

Sam Christopher, Central Avenue – Commented with regard to negative press, the construction of an arena in Lakewood, and the violations within a muster zone.

Hindy Langer, 157 Hollywood Avenue – Offered a presentation to the Township Committee on behalf of the Special Children’s Center.

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

ORDINANCES FOR FIRST READING – None

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: Newbury School PTO, Ramtown PTO, St. Barbara Greek Orthodox Church
Resolution No. 2006-34
2. Resolution authorizing Person to Person Liquor License Transfer of License No. 1514-32-022-007, Kev-J-Mar Inc. to A Better Liquor Corporation.
Resolution No. 2006-35
3. Resolution approving application for a Paris Grant.
Resolution No. 2006-36
4. Resolution awarding a State Contract to General Office Environments, Inc., for the purchase of furniture for the new Public Works facility, sum not to exceed \$113,279.60.
Resolution No. 2006-37
5. Resolution authorizing the Mayor to execute a relocation assistance agreement with the Ocean County Board of Social Services.
Resolution No. 2006-38
6. Resolution awarding contract to Hoover Truck Center for the purchase of three dump trucks with whitegoods\brush body snow plow and spreader, sum not to exceed \$279,231.00.
Resolution No. 2006-39
7. Resolution awarding contract to Hoover Truck Center for the purchase of a Sterling

Acterra Container Carrier, sum not to exceed \$79,617.00.

Resolution No. 2006-40

8. Resolution authorizing the execution of a Change Order Decrease Nos. 1-11 in connection with a project known as the Public Works Complex.
Resolution No. 2006-41
9. Resolution authorizing the Lakewood Township Tax Collector to cancel taxes as Listed on attached Schedule A.
Resolution No. 2006-42
10. Resolution authorizing the Lakewood Township Tax Collector to cancel any and all liens, taxes, penalties, interest due on attached Schedule A.
Resolution No. 2006-43
11. Resolution releasing a Performance Guarantee posted by Forest Glen Developers, LLC in connection with Block 782 Lots 28 to 31 and 34.
Resolution No. 2006-44
12. Resolution releasing a Performance Guarantee posted by Kimball Medical Center, Inc. and waiving the maintenance bond requirement in connection with Block 421 Lot 1.
Resolution No. 2006-45
13. Resolution releasing a Performance Bond posted by Iorio Construction and waiving the maintenance bond requirement in connection with Block 1607 Lot 11.
Resolution No. 2006-46
14. Resolution releasing a Performance Bond posted by Congregation Mikva Tahara and waiving the maintenance bond requirement in connection with Block 100 Lot 6.
Resolution No. 2006-47
15. Resolution releasing a Performance Bond posted by Sam Rabinowitz in connection with Block 12.04 Lots 46 and 47.
Resolution No. 2006-48
16. Resolution releasing a Performance Bond posted by Regal Estates, LLC in connection with Block 228 Lots 9 and 10.
Resolution No. 2006-49
17. Resolution authorizing the amendment of a Professional Services Contract with Atlantic Engineering Laboratories.
Resolution No. 2006-50

Motion by Deputy Mayor Coles, second by Mr. Cunliffe, to approve Resolution Nos. 1 through 17 on the Consent Agenda.

On Roll Call – Affirmative: Senator Singer (abstained on No. 12), Mr. Miller, Mr. Cunliffe, Deputy Mayor Coles and Mayor Lichtenstein.

Resolution Nos. 2006-34 through 2006-50 – Adopted.

RESOLUTIONS NOT INCLUDED ON THE CONSENT AGENDA - None

MOTION TO APPROVE BILL LIST OF: None

CORRESPONDENCE

Letter from Crystal Rose O.R.F. requesting permission to hold the 5th Annual Unity Day Parade on July 30, 2005.

This was continued from a previous meeting.

Mr. Miller suggested that they forward this request to the Police Department for review and comment to the Township Committee.

Motion by Mr. Cunliffe, second by Miller, that the above correspondence is received and filed, and forwarded to the Police Department for review and comment to the Township Committee, and that the following correspondence is received and filed, with the thanks of the Township Committee.

Letter from Captain William Farnkopt of the Ocean County Strike Team thanking the officers of Lakewood Township who helped in the Katrina relief effort in New Orleans.

On Roll Call – Affirmative: Senator Singer, Mr. Miller, Mr. Cunliffe, Deputy Mayor Coles and Mayor Lichtenstein.

COMMENTS FROM COMMITTEE MEMBERS

Senator Singer reported that it is his recommendation to the Committee, together with Deputy Mayor Coles, that they do not expend any taxpayer dollars towards the negotiations or bring in a separate attorney for the arena project, and as of now, the project is not on the table.

Mr. Miller forwarded a Township water bill to Mr. Edwards for May, June, July, August, September, October, for under 8,000 gallons for water sprinklers, but in December they were given an estimated bill of 40,000 gallons. He suggested this be looked into.

Mr. Cunliffe advised the Committee and the public that the affordable housing brochure for the Committee is ready. It is a good brochure, and it explains the Township efforts for the affordable housing initiative and they will be distributed soon. It will also be prepared in Spanish. As of this morning, this brochure is posted on the Lakewood website.

Mr. Coles invited everyone to the second Annual Martin Luther King Breakfast, to be held this coming Monday at the Strand Theater.

At this time, the meeting tape ended.

ADJOURNMENT

Motion by Mr. Cunliffe, second by Mr. Miller, and carried, to adjourn the meeting.
Meeting adjourned at 9:10 P.M.