

The Lakewood Township Committee held a Meeting on Thursday, February 19, 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..... Meir Lichtenstein  
Raymond Coles  
Menashe Miller  
Municipal Manager..... Frank Edwards  
Municipal Attorney..... Lawrence E. Bathgate, II, Esq.  
Acting Municipal Clerk..... Mary Ann Del Mastro

**CLOSED SESSION**

**Resolution No. 2009-87 – 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 1, 2009 and published in the Asbury Park Press on January 8, 2009.

**ROLL CALL**

**OPEN SESSION**

**MOTION TO APPROVE MINUTES OF: 02/05/09**

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

**MOTION TO APPROVE CLOSED SESSION MINUTES: 02/05/09**

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

**PRESENTATIONS: Police to Lakewood Rotary**

A Proclamation was presented by Police Chief Robert Lawson with deep appreciation to the Lakewood Rotary in recognition of their donation of five (5) automatic external defibrillators for the Lakewood Police Department.

**ORDINANCES FOR DISCUSSION: None**

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.

Mayor Singer opened the meeting to the public.

David Drukaroff, 1433 Laurelwood Avenue - Asked about the revaluation of all properties in Lakewood. Also asked about appointments to the Budget Review Committee.

Mayor Singer advised he had asked Deputy Mayor Langert and Mr. Lichtenstein make recommendations with regard to the appointments to the Budget Review Committee, and the appointments will be made this evening. He wanted everyone to understand that this is not a closed group. They will be sitting in on the Budget Committee's that are open to the public. If you are not appointed, you will still have full access to all those meetings.

Alice Kelsey, 295B Malvern Court East – Voiced her opposition to the use of Dover Woods in any way, shape or form, for the homeless in Lakewood's woods. Dover Woods is unacceptable and inappropriate for anyone who has concern for people, to use it to house the homeless.

Mayor Singer stated that this facility is not located in Lakewood Township, and therefore, they do not have any authority to do anything there; they are not doing anything with Dover Woods.

Mrs. Kelsey repeated that she heard that they were going to send the homeless in the woods there, and she is opposed to that. That is not part of the solution to end the homeless situation in Lakewood.

Mayor Singer stated that they will end the situation of the homeless the woods. He has received many telephone calls since the last meeting about this issue. There is a tremendous amount of information that the public is unaware of. He does not want anyone to think that this Committee is doing anything wrong; they are protecting the residents of Lakewood.

Noreen Gill, 192 Coventry Drive – Commented on the Resolution appointing an Appraiser for the Township and the appointment of an Attorney for tax appeals.

Mrs. Gill further complained about the condition of rental properties in her neighborhood.

Mayor Singer suggested that Deputy Mayor Langert meet with Mr. Saccamanno with regard to these complaints.

Mr. Saccamanno advised that Mrs. Gill came into the office on Friday, and she was asked to provide a list of addresses, and they will be investigated.

Gerry Ballwanz, Governors Road – Asked if the reassessment will be effective for this year, or next year.

Mayor Singer answered it will be effective as of 2010.

Mrs. Ballwanz further commented on the proposed land sale for Michnoff, and the related street vacation.

Mrs. Ballwanz further commented on the issue of removal of the age restriction in Pine River Village.

Robert Lubian, Lakewood Courtyard – Commented on the unemployment and homeless situations in Lakewood.

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

Mr. Lichtenstein commented with regard to towing. The Transportation Board is basically in charge of making sure that the towers follow the rules. Over the years they have had various issues. It seems that there are occasions that the towers are not open on the weekends. He remembers very clearly that they had this discussion previously that the towers would have to make accommodations to be open on weekends, not all day, but for an hour or two. The reason for this is that not all the cars that are towed to the lots are unregistered vehicles or have been involved in accidents. You can have stolen vehicles, lost keys, and these people are charged excessive weekend fees. And this is not acceptable. His understanding is that this has not only happened once, it has happened on more than one occasion in the past, where the towers have said they are not available to come in. He asked the Police Department to enforce this. If they feel that they need an enforcement tool from the Committee, such as fines, or any sort of action to be taken against a tower who can not comply, other than removal from the list, to please let him know, and he will ask the Committee to put forth an Ordinance with regard to this matter.

Mr. Miller offered a recommendation: For the 1<sup>st</sup> offense: \$500.00; 2<sup>nd</sup> offense: \$1,000.00; 3<sup>rd</sup> offense: Loss of License.

Chief Lawson stated that it is his job to enforce the Towing Ordinance, and it is his intention to write a letter to all of the towing operators informing them of what their obligations are. He has done so on violations in the past. He would recommend for the 1<sup>st</sup> violation, they get a warning notice, and after that, they get suspensions from towing, whether it be a month or two months; and on the third offense, that they loose their right to be one of the towers. If you want to add a monetary fine, that would be up to the Committee.

Mr. Miller advised that this past weekend, they know of a situation where a car was stolen, the car was towed to the lot, and the individual was notified by the Police Department that his car was stolen, the keys were returned to the owner, and apparently this individual who did get his report on Sunday, was told by the tower that he could not release his car that day, but for him to come back tomorrow. This individual paid for Sunday, and he did not have to pay for that. What can be done for this individual.

Chief Lawson asked that this individual write a letter of complaint directly to him, and he will follow it up from there, and take the necessary action.

Mayor Singer asked that Chief Lawson sit down with Mr. Lichtenstein and come back with recommendations as to how they want to structure it.

Mayor Singer commented on the issue of taxi cabs. Deputy Mayor Langert had made a suggestion that they take a look at issuing two types of licenses; a taxi cab license with a meter that you can just stop anywhere and pick someone up, and a car service license that allows people to call to be picked up. They are concerned that there are numerous gypsy cabs, with no licenses, all over town picking people up. They have an Ordinance, so that Ordinance should be enforced. Deputy Mayor Langert will work with Chief Lawson and the Transportation Board with regard to their recommendations and the enforcement.

Chief Lawson advised that they have a list of the gypsy cabs, which they are working on.

Deputy Mayor Langert explained the details of the Resolution recommending and endorsing an application for reassessment. That is something that was discussed by the Mayor on January 1<sup>st</sup> about helping the public cope with the financial crisis that is out there today in these tough economic times. Unfortunately they do not have the authority to just say they are reassessing everyone, and unilaterally cutting every assessment by twenty or thirty percent, which is what they should be doing....they just can't do it. There is a process that they have to go through. What they are going to do is apply to the County and the State for permission to do a reassessment, which is a little less than a revaluation. A few years ago when the revaluation was done, you had inspections done on houses. You had a lot of work put into the process in order for the houses to get the assessment that they were given. Here there are no actual inspections to be done; it will mostly be drive-by situations. Assessments will be lowered based on comparable sales and the data that is available to the reassessment company. The new reassessments will be in place for the calendar year 2010. This should do away with the tax appeal problem. There were over 2,000 tax appeals last year. There are approximately 1,000 filed so far this year. The numbers could go as high as 5,000 to 8,000 appeals. The cost savings to the taxpayers of Lakewood, by spending the money now and doing the reassessment now, will be in the millions of

dollars that they will save the residents by doing this reassessment and having it in effect for 2010.

At this time, the professionals left the meeting.

## **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 Amending Resolution No. 2009-2, Setting the Annual Meeting Dates of the Lakewood Township Committee.  
Resolution No. 2009-88**
- 2. Resolution Authorizing Appropriation Reserve Transfers in the 2008 Municipal Budget.  
Resolution No. 2009-89**
- 3. Resolution Committing \$70,000.00 in "Second Generation" accounts to replenish the current stadium "repair and replacement" account. (UEZ)  
Resolution No. 2009-90**
- 4. Resolution Authorizing submission of application to New Jersey Urban Enterprise Zone Authority for Enterprise Zone Assistance Funds for the year 2009. (UEZ – Redevelopment - Blocks 93 and 119)  
Resolution No. 2009-91**
- 5. Resolution Granting approval for Fireworks Displays to be held at Lakewood Stadium. (Blue Claws)  
Resolution No. 2009-92**
- 6. Resolution Authorizing the Appointment of Gluck Walrath as Bond Counsel for the Township of Lakewood pursuant to and in accordance with N.J.S.A. 19:44A-20.4, Et. Seq.  
Resolution No. 2009-93**
- 7. Resolution Appointing a member to the Lakewood Transportation Board. (David Garfield)  
Resolution No. 2009-94**

8. **Resolution Authorizing the award of a Professional Services Contract to Remington & Vernick. (Tax/Street/Zoning Maps)  
Resolution No. 2009-95**
9. **Resolution Appointing Members to the Heritage Commission.  
(Sister Helen Neder, Rich Errickson, Jane Sims, Agnes Mayer,  
and Shirley Davis)  
Resolution No. 2009-96**
10. **Resolution Appointing Michael Saccomanno as Department Head of  
Code Enforcement/Zoning.  
Resolution No. 2009-97**
11. **Resolution Appointing Members to the Lakewood Emergency Planning  
Council. (Avi Pollack & Thomas Zambrano)  
Resolution No. 2009-98**
12. **Resolution Authorizing the Award of a Professional Services Contract to  
T & M Associates. (Traffic Impact Study – Clifton/Lexington Ave. and  
9<sup>th</sup>/10<sup>th</sup> Streets)  
Resolution No. 2009-99**
13. **Resolution Recommending and Endorsing Township Tax Assessor  
application to County Tax Board for a Reassessment and Directing  
Township Manager to provide all resources needed.  
Resolution No. 2009-100**
14. **Resolution Concerning certain procedures to be followed in connection  
with the Appeal of Tax Matters.  
Resolution No. 2009-101**
15. **Resolution Awarding a Contract to and Authorizing the Appointment of  
Gagliano Appraisal, LLC for Appraisal Services pursuant to and in  
accordance with N.J.S.A. 19:44A-20.4, Et. Seq.  
Resolution No. 2009-102**

Motion by Deputy Mayor Langert, second by Mr. Lichtenstein, to approve Resolution Nos. 1 through 15 on the Consent Agenda.

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

**Resolution Nos. 2009-88 through 2009-15 – Adopted.**

## **ORDINANCE SECOND READING**

**An Ordinance releasing, extinguishing and vacating the rights of the public in a portion of paper streets known as Drexel Avenue, Hughes Avenue, Chile Avenue, and Girard Avenue in the Township of Lakewood.**

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 Mr. Miller.

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

**Ordinance No. 2009-6 adopted on second reading.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, vacating all right, title and interest of and to a portion of West Spruce Street in the Township of Lakewood, pursuant to and in accordance with N.J.S.A. 40:67-1, Et. Seq. (Spruce St.)**

Read by title only for second reading.

Mayor Singer opened the meeting to the public.

Mr. Edwards stated he had some comments on this Ordinance. He discussed this Ordinance with Mr. Wouters from the Township Attorney's office, and this Ordinance is going hand in hand with the sale of the related property. The way the Ordinance was written and the state law is that they can not really accept the final bids until March 1<sup>st</sup>; accept the bid at the March 5<sup>th</sup> meeting. So you can not really vacate the street right now because these other individuals that you are trying to solve the problem for will not own the property until after they go through the process and transfer it. He suggested that they continue the second reading of this Ordinance to the March 19<sup>th</sup> meeting. By that time, they will own the property, and when the street is vacated they will own on both sides of the vacated area and it will all be cleared up. But if you do it tonight, then you are right back in the same issue.

Motion by Mr. Coles, second by Mr. Lichtenstein, to continue the second reading and public hearing on the above Ordinance to March 19, 2009.

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

**Second reading and public hearing on Ordinance No. 2009-7 continued to the meeting of March 19, 2009.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XII, entitled "Building and Construction" of the Code of the Township of Lakewood. (Code Enforcement Fees – 12-2)**

Read by title only for second reading.

Mayor Singer opened the meeting to the public.

David Drukaroff, 1433 Laurelwood Avenue – He recommended that they update their fees because they have not been raised in many years. He is happy they are doing this Ordinance, and he also endorses the next two Ordinances.

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. Coles, second by Mr. Lichtenstein. Deputy Mayor Langert pointed out that this Ordinance is the result of the work that was done by Mr. Lichtenstein, Mr. Saccamanno, himself, and the Committee, which goes back to Mayor Singer's comments on January 1<sup>st</sup> to tighten up the ship, and through the increase in fees, and the cuts they have made in personnel, these Ordinances will hopefully help them to save upwards of \$700,000.00 this year.

Mayor Singer thanked them for their work.

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

**Ordinance No. 2009-8 adopted on second reading.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey amending and supplementing Chapter XV, entitled "Rental Housing" of the Code of the Township of Lakewood. (Rental Housing – 15-3.5)**

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. Lichtenstein, second by Deputy Mayor Langert.

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

**Ordinance No. 2009-9 adopted on second reading.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey amending and supplementing Chapter II, entitled "Administration" of the Code of the Township of Lakewood. (Administration – 2-36.4)**

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, Mr. Miller, Deputy Mayor Langert and Mayor Singer.

**Ordinance No. 2009-10 adopted on second reading.**

**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 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 Mr. Miller.

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

**Ordinance No. 2009-11 adopted on second reading.**

**An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI, Entitled "Traffic" of the Code of the Township of Lakewood. (Traffic – 11-19)**

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. Lichtenstein, second by Deputy Mayor Langert.

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

**Ordinance No. 2009-12 adopted on second reading.**

**ORDINANCE FIRST READING - None**

**CORRESPONDENCE – PARKS & EVENTS**

Per list of four (4) items, attached hereto and made a part hereof.

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

**MOTION TO APPROVE BILL LIST OF: 02/17/09**

Motion by Mr. Coles, second by Mr. Miller, to approve the above Bill List.

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

Negative: Mr. Lichtenstein

**Bill List approved.**

## COMMENTS FROM COMMITTEE MEMBERS

Deputy Mayor Langert commented that on January 1<sup>st</sup> they were charged with the task of appointing a Mayor's Advisory Committee for the Budget Review, in order for the budget proceedings to be open and transparent. They are prepared to offer six names this evening. In addition he asked that they consider adding a seventh member at the next meeting; there are a couple of other resumes they would like to review. He offered the following names to be appointed to this committee: Joshua Schmuckler, Hal Halverson, Fred Van Looy, John Heidelberg, \_\_\_\_\_Green, Mordechai Berenfeld.

These appointments were offered in the form of a Motion by Deputy Mayor Langert, second by Mr. Miller, and carried.

Mayor Singer stated that if they come up with a seventh individual, it will be considered. He further stated that these individuals will have budget books, but these meetings will all be open to the public. The only advantage these individuals will have is as the department heads come before the Committee, and they are asked questions, they will also be offered the opportunity to ask questions at that time. The public will have that opportunity also. They are trying to get input from the community in these tough budgetary times. He thanked Mr. Lichtenstein and Deputy Mayor Langert for their hard work.

Mr. Miller advised that he attended a meeting in the County regarding the Census. The County is looking very strongly at making sure that every person in Ocean County is counted. They understand and realize that Lakewood is a unique town; they have those that speak Spanish, those who speak various other languages and those that live in the woods, and those that may not be able to be counted through traditional means. The County is asking Lakewood, and Lakewood has asked the County, as well, that they both put aside additional funds to allow them to go through the proper route to be able to ensure that everyone is counted. This is extremely critical that everyone be counted so as not to lose a congressional seat. He wanted to bring this to the Committee's attention for their consideration as to what it will cost, as far as additional advertising, help from the clergy association, etc., and he will report back to the Committee with a number that he feels will be adequate to assist with this.

Mayor Singer thanked Mr. Miller. This is very important to Lakewood Township directly, not just for the congressional seat, which is important to the State, but they have to keep in mind that their block grant money is based on population, and there are a number of other dollar aids that come based on population of the community. The fact that you are counted goes a long way in the amount of dollars they receive in federal and state monies.

Mayor Singer announced a road closure. He advised that Route 9, southbound, will be closed at Cross Street, beginning Friday night, February 20<sup>th</sup>, at 7:00 PM. and will remain closed until Saturday morning, February 21<sup>st</sup>, at 3:00 AM. Only southbound Route 9 will be closed; northbound will remain open. This will allow NJ American Water Company access to a broken water main beneath the roadway. Motorists who wish to travel south on Route 9 will be detoured west on Cross Street, south on Massachusetts Avenue, then east on Honey Locust Street, returning to Route 9. Motorists may continue south on Massachusetts Avenue to Route 70 if they choose. This information will be posted on the website, and has been sent to the newspapers.

**ADJOURNMENT**

Motion by Mr. Miller, second by Mr. Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 8:20 PM.