

**LAKWOOD TOWNSHIP COMMITTEE
MINUTES
OCTOBER 18, 2007**

The Lakewood Township Committee held a Meeting on Thursday, October 18, 2007 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..... Raymond Coles
- Deputy Mayor..... Meir Lichtenstein
- Committee Members..... Senator Robert Singer
Menashe Miller
Charles Cunliffe
- Municipal Manager..... Frank Edwards
- Municipal Attorney..... Steven Secare
- Municipal Clerk..... Bernadette Standowski
- Deputy Clerk..... Mary Ann Del Mastro

CLOSED SESSION

**Motion by Mr. Cunliffe, second by Mr. Miller.
Resolution No. 2007-315 – 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, 2007 and published in the Ocean County Observer on January 10, 2007.

ROLL CALL

OPEN SESSION

Motion by Deputy Mayor Lichtenstein, second by Mr. Miller, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 10/11/07

Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein, and carried, to approve the above Minutes.
Minutes approved.

MOTION TO APPROVE CLOSED SESSION MINUTES: 10/11/07

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

Closed Session Minutes approved.

PRESENTATIONS: Transportation Board

A brief presentation was given by Bernard Gindoff, Chairman of the Transportation Board, with regard to fatal motor vehicle accidents in Ocean County. The Transportation Board has been discussing this issue for quite some time, and they have recommended that the Township put in action, a task force through the Police Department, which would put vehicles on the road, marked as Task Force. They would like to have the Township inaugurate when it will happen and why, to let the public know what is going on. This will be one part of a complete program they are working on, which is referred to as the three "E's"...education, enforcement and engineering, to see what is going on at certain locations, and why it is happening.

Chief Lawson advised there are several programs in progress. The first, in education, is a program which is County wide, and has been very successful in Freehold. It is called "Alive at 25". They are sending officers for training. The program will be offered at the High School, for not only the students, but also for their parents. The second part, with enforcement, they are partnering with neighboring towns to address severe areas, such Route 70 and New Hampshire Avenue, and Route 9 into Toms River, Jackson, and Howell. These joint programs will provide combined resources to do these programs effectively.

Senator Singer advised that in Jackson, because of the recent accidents, they are doing a series of "spot checks" after students leave the parking lot after school, to make sure seat belts are being utilized, and to make sure the individuals in the car are of the proper age in accordance with the graduated drivers license regulations. A number of summonses have been issued.

Senator Singer further advised that he has received many complaints about drivers utilizing hand-held cell phones while driving. It is becoming an acute problem in this community. He feels they need to take a look at this and plan a way to deal with it.

Mr. Miller stated that with regard to traffic and pedestrian safety, he has received requests that the radar board be placed on Martin Luther King Drive. And also that a temporary crossing guard be stationed at Seventh Street and Forest Avenue, due to the illness of the regular crossing guard.

ORDINANCES FOR DISCUSSION: None

Mayor Coles reviewed quality of life items from the previous meeting.

As to the issues brought up by Senator Singer with regard to Kennedy Boulevard and County Line Road, Mr. Mignella advised that he is supposed to have a field visit with Mr. Conover, which was scheduled for last Thursday. This meeting was cancelled due to bad weather and has yet to be rescheduled.

With regard to the construction issues on County Line Road, Mr. Mignella advised that officers are on site at all times. Traffic has been heavy around Clifton Avenue and County Line Road, and on Lexington Avenue, but is moving well on Squankum. Additional officers have been hired as part of the detail.

As to the Locust Street project, Mr. Mignella advised that the design engineers looked at the existing clearing limits versus the proposed, and they are in line.

As to the condition of the railroad tracks between Route 88 and Route 9, Mr. Mignella advised he has a meeting set up for Monday with maintenance personnel.

As to the issue of the Martin Luther King Drive/Pine Street light upgrade, Chief Lawson advised that Traffic & Safety did a survey, and they recommend the installation of a new 200 watt light pole at a specific location on Pine Street, and upgrading the current 150 Watt light pole located at the intersection MLK and Pine Street to a 200 watt light pole.

As to the illegal turns at Route 70 and New Hampshire Avenue, Mr. Mignella advised he received a response from the County, and they have forwarded the request to NJDOT for investigation. Chief Lawson advised they have been doing selective enforcement at this intersection, and have placed the message board at the site.

As to the Peterson's Sunset Cabin site, Mr. Mack advised that the word was that they exceeded the plan as far as the DEP was involved. He could not get any more details on this subject.

Mr. Miller asked Mr. Franklin to look at Princeton Avenue to see if any trees are blocking street lights, and if so, to please trim the branches.

Mr. Miller also asked Mr. Franklin to trim the overgrowth in the area of the railroad tracks at the end of Sixth Street.

Mr. Cunliffe asked Mr. Mignella what was the County's reaction to enlarging the intersections at Pine Street and Oak Street along New Hampshire Avenue; are they willing to make dedicated left turn lanes with left turn arrows.

Mr. Mignella answered that they wrote the letter, and sent it out last week, but he has not received a response as of this date.

Mr. Miller asked Mr. Mignella to get a time line from the County regarding the project on County Line Road, as to when they project the job will be completed.

Mr. Mignella answered that they plan on paving in early November, and they will begin at Squankum and head east. Weather permitting, they plan on being substantially complete by the end of December.

Senator Singer stated he is concerned about the County Line Road/Squankum Road/Kennedy Boulevard section.

Mr. Mignella advised that there is a traffic signal planned for that intersection.

Senator Singer asked what are they going to do about the north turn heading east on County Line Road at Squankum; are they going to make that a dedicated left turn lane.

Mr. Mignella answered that he believes that intersection will be a protected left movement. He has the plans for the project in his office.

Deputy Mayor Lichtenstein commented on the attack on the Rabbi. There has been much talk about community watch groups. He does believe it is time to bring community watch programs back to Lakewood. He does believe that the time has come; there are many people willing to become involved. There is a way to do this town-wide; he does not think it necessarily needs to be separate neighborhoods going with their own specific program. He requested Mayor Coles to allow him to entertain taking to the various groups and to the Chief of Police, putting together a package and coming back to the Committee at the next meeting and presenting what he feels would work well for this town, and be safe for the town.

Mr. Cunliffe wanted to go on record that they have to be very careful before they consider any type of civilian watch group, or civilian patrols. He thinks that it is documented that unfortunately even with the best of intentions, they can do more harm than good. If it comes to the point where they all agree that they need more people out in the streets, then they will have to present that issue to the voters and listen to what they have to say. But if it is going to cause them to spend more money to put more men and women out on the street, professionally trained, then that is what he would be in favor of....sworn officers, professionally trained. If they need more, then they should hire more. He thinks they should be very careful before they consider civilian watch groups or civilian patrols.

Deputy Mayor Lichtenstein agreed that one needs to be very careful, but does not fully agree that the only people that can look at their streets are sworn officers. He believes that the citizens are able to look out of their windows, or make it known that it is not a safe place to commit a crime. He is not advocating that anyone interact with a suspicious person, but there will be eyes watching, and if someone looks suspicious, they can call the Police Department and allow them to make the determination. Of course, one needs to be very careful who is deemed suspicious and who is not, this is a free country. But that is all part of what he would like to put together and present to the Committee.

Mr. Secare stated this is so fraught with legal implications, liability, etc. He went through this with the Chief with another group a year or so ago. He suggested that this matter be discussed internally and that they do not bring it back to a meeting, because there are all kinds of issues that come up. If civilians want to form their own groups, and watch for each other, that is one thing. But once you start sanctioning it as a Township, then you are buying liabilities you probably do not want to buy. But he prefers to talk about it in private along with the Police Chief, and perhaps members of the Prosecutor's Office, because

there are things that sworn officers can do, and there are things that you have to stay away from. If people want to report things, that is fine, but when you start involving them as agents of the town, you are really buying some problems. He suggested that they get together and discuss it rather than making a public issue out of it at this time.

Mayor Coles agreed, and requested that they get together and discuss it to see if it is something that is feasible. Anything that is done he would only do with the expressed consent and support of the Police Department. It is a very dangerous thing to get involved in. There is a big difference between a community watch, or a neighborhood watch, and a community patrol, and it scares him. He thinks you have to be very careful with it, but with the guidance of the Police Department, and Mr. Secare, discuss it and see what you can come up with.

At this time, Mayor Coles asked if the representatives from 175 N. Oberlin were present. He asked that they please come forward, and they would do the Ordinance for second reading first so they do not have to sit through the rest of the meeting.

ORDINANCE SECOND READING

- **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 175 N. Oberlin Associates, LLC for Facilities Located at Block 1605, Lot 3 and Authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter a Tax Abatement Agreement. (175 N. Oberlin)**

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Mayor Coles asked that the representative state his name and address for the record and provide them with a little history as to exactly what the abatement will entail.

Nick Pistolakis, 175 N. Oberlin Assoc., explained that it is their intent to apply for the tax abatement program. They are adding 9,375 square feet to the building. One of his partners will be occupying it with his business, and they will have approximately seventy employees coming to Lakewood.

Eric Farrell, Farrell Transportation, explained they have been in business for sixteen years. They have seventy employees who will be coming to Lakewood. They are a school bus company and do a lot of work in Lakewood, and have for many years. They will be bringing seventeen to twenty new jobs to Lakewood, and hope to employ additional people in the future.

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. Cunliffe, second by Deputy Mayor Lichtenstein.

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

Ordinance No. 2007-48 adopted on second reading.

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 Coles opened the meeting to the public.

Morris Wilder, 314 East Seventh Street – Commented with regard to the proposed tents and propane heaters in the railroad area, for the homeless. He offered to meet with community groups and Township officials with regard to his plans. He also advised that he has state and federal representatives who would like to be part of the meeting.

Mayor Coles asked Mr. Wilder to contact the Manager's Office, and provide contact information, and dates and times when he would be available to meet.

Motion by Senator Singer, second by Mr. Cunliffe, and carried, that Deputy Mayor Lichtenstein attend the meeting, together with Mayor Coles.

Noreen Gill, 192 Coventry Drive – Commented with regard to the Shop Rite Shopping Center, where there are two entrances/exits on Kennedy Boulevard. Complained about people making illegal left turns out of the shopping center onto Kennedy Boulevard. Asked that the Police Department monitor the site and issue tickets.

Mayor Coles asked Chief Lawson to request Traffic & Safety to make sure the intersections are signed properly, and enforce the no left turn regulation.

Mrs. Gill further advised that there is a "Sold" sign at the Peterson's site. She complained about the condition of the site.

Mayor Coles asked the Inspection Department to check the condition of the site.

Bill Hobday, 30 Schoolhouse Lane – Commented on three issues. Thanked the Committee for the "Welcome to Lakewood" sign on Massachusetts Avenue; requested a no right turn on red sign at the traffic signal at the entrance to the Fairways and the Enclave (they are writing a letter to County with this request); further commented on police enforcement.

Shabsi Sorscher, 626 Clifton Avenue – Commented on the traffic problems between Forest Avenue and Private Way; a pedestrian was hit by a car today.

Mayor Coles advised they are in the process of doing a comprehensive traffic study of the area.

Abraham Beer, 1128 Somerset Avenue – Commented on his water bill charges, and the increase in additional charges.

Senator Singer suggested that a representative from NJ American Water Co. come to a meeting and explain their billing procedures.

Mayor Coles asked the Deputy Clerk to check into having a representative from NJ American Water Co. attend a meeting in December.

Larry Simons, 7 Schoolhouse Court – Voiced his concerns about the concept of a Neighborhood Watch. His preference is to leave it to the professionals.

Moshe Raitsik, 166 Northcrest Place – Spoke in favor of neighborhood watch groups and additional police enforcement.

Alice Kelsey, 295B Malvern Court East – Commented on the subject of community watch groups.

Mrs. Kelsey also asked what, and when, will the Township be doing enforcement of the “no propane in the woods”, and what office, Township or County level, does she go to, to research foreclosures.

Mayor Coles advised that the Township Tax Assessor and Collector can help her with foreclosures.

Mr. Secare suggested that the Committee not speak on the subject of providing propane, as the Township does not advocate one position or another.

Gerry Ballwanz, Governors Road – Spoke on the advertisement for new affordable for sale housing, which indicated it would be for Monmouth, Mercer and Ocean Counties. She asked in what other newspapers has this been advertised.

Mayor Coles advised Mrs. Ballwanz to contact Ervin Oross for that information.

Mrs. Ballwanz also spoke on the regional contribution agreements. She asked if any of the money was used for the building of the seventy-two units that are for sale. She also asked about the new deadline of November 30th established for all applications; is that just for the seventy-two units, and will there be another deadline for the other units being built.

Mayor Coles answered....when they are built. As to the RCA's, no money has been used for the building of the seventy-two units. As a result, the developer had to go out and borrow three million dollars to get them done, with the additional costs that will be passed on in the end to the prospective homeowners. When those monies do become available, they will be applied to the rest of the units in the other two developments as well.

Mrs. Ballwanz asked about the location of the Kettle Creek/Vine Avenue Access project.

Mayor Coles answered that it is the Kettle Creek Sports Complex area, which is now the John Patrick Sports Complex. It is the road that will eventually go from Route 70 to Chestnut; from Chestnut up to Vine.

Cheryl Germinaro, 1464 Oak Street – Asked if Oak Street will be going through.

Mayor Coles answered that he could not say definitely that it will not; there is nothing on the table at this time to put it all the way through.

At this time, the professionals left the meeting.

Seeing no one else wishing to be heard, Mayor Coles 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 awarding a contract to Larson Ford for the purchase of a Mechanics Truck pursuant to and in accordance with N.J.S.A. 40A:11-1 ET SEQ., in an amount not to exceed \$91,997.00
Resolution No. 2007-316
2. Resolution awarding a contract to Majestic Fence Company for the fencing at the Paddleball/Tennis Court at Pine Park pursuant to and in accordance with N.J.S.A. 40A:11-1 ET SEQ., in an amount not to exceed \$43,099.08
Resolution No. 2007-317
3. Resolution awarding a contract to Trenton Mack Sales and Services for the purchase of two Side Loader Refuse Collection Trucks pursuant to and in accordance with N.J.S.A. 40A:11-1 ET SEQ., in an amount not to exceed \$504,000.00
Resolution No. 2007-318
4. Resolution awarding a contract to Wastequip Manufacturing Company for the purchase of Front Load Slant Containers with Plastic Lids pursuant to and in accordance with N.J.S.A. 40A:11-1 ET SEQ., in an amount not to exceed \$51,255.00
Resolution No. 2007-319
5. Resolution awarding a contract to Gran Turk, Inc. for the purchase of a Three Wheel Broom Street Sweeper with Belt Conveyor pursuant to and in accordance with N.J.S.A. 40A:11-1 ET SEQ., in an amount not to exceed \$147,618.00
Resolution No. 2007-320
6. Resolution authorizing the execution of an Interlocal Service Agreement between the Township of Lakewood and the County of Ocean for participation in the Driving While Intoxicated Checkpoints Program (DWIC)
Resolution No. 2007-321
7. Resolution authorizing the execution of an Interlocal Service Agreement between the Township of Lakewood and the County of Ocean for participation in the Fatal Accident Support Team (FAST)
Resolution No. 2007-322
8. Resolution releasing a Performance Bond posted by Sharon Tal in connection with Block 42 Lot 1
Resolution No. 2007-323

9. Resolution authorizing submission of application to New Jersey Urban Enterprise Zone Authority for Zone Assistance Funds for the Year 2008 (UEZ – Business Center Roadway Reconstruction project)
Resolution No. 2007-324
10. Resolution authorizing submission of an amendment application to New Jersey Urban Enterprise Zone Authority for Enterprise Zone Assistance Funds for the year 2008 (amendment UEZ 08-24)
Resolution No. 2007-325
11. Resolution authorizing the rescission of Township Resolution 2007-295 and authorizing the submission of a revision to the Amendment to the Lakewood Development Corporation's FY 2008 Administrative Budget reflected therein and further amending same with an increase of \$65,000.00 for Professional Services and an increase of \$4,486.49 to salaries/benefits to the NJUEZA (totaling \$69,486.49) (LDC Budget Amendment Revision)
Resolution No. 2007-326
12. Resolution authorizing the award of a Professional Services Contract to Birdsall Engineering to oversee the removal of the fueling system/underground storage tanks at the former public works facility, in the amount of \$18,300.00
Resolution No. 2007-327
13. Resolution authorizing the award of a Professional Services Contract to Birdsall Engineering in conjunction with the Kettle Creek and Vine Avenue Access Project, Phase I, in the amount of \$94,000.00
Resolution No. 2007-328
14. Resolution awarding a contract to Bil-Jim Construction Company for the Kettle Creek/Vine Avenue Access Project – Phase I pursuant to and in accordance with N.J.S.A. 40A:11-1 ET SEQ. (Kettle Creek/Vine Avenue. Phase I)
Resolution No. 2007-329
15. Resolution authorizing the Corporate Structure Change for Plenary Retail Distribution Liquor License Number 1514-44-004-006, Parsuns Liquors, INC.
Resolution No. 2007-330
16. Resolution authorizing the Lakewood Township Tax Collector to cancel and any all taxes, penalties, interest due on Block 1248 lot 477.03 QUAL.C100C (477 C Dartmoor Court)
Resolution No. 2007-331

Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein, to approve Resolutions 1 through 16 on the Consent Agenda.

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

Resolution Nos. 2007-316 through 2007-331 – Adopted.

ORDINANCE FIRST READING (Second reading and Public Hearing 11/01/07)

• Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Prohibiting annoying and offensive Illumination

Read by title only for first reading.

The above Ordinance was offered by Mr. Cunliffe, second by Senator Singer.

Mr. Miller advised he has an issue with this Ordinance. He was at someone's house recently where between the two houses there is very little space. Automatically, by a person leaving a little light on at the outside a door, it would shed some light on the neighboring property. This is an area where there is a very high crime rate. He is very apprehensive about the way this Ordinance is written, that if there are two houses that are very close to each other, this would prohibit one person from leaving a small light on. Mayor Coles stated that common sense is the rule here. It is not the matter of light shining on a house, but the intensity. He believes that in a lot of cases, they need something on the books.

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

Senator Singer stated for the record, an abstention in this form of government is a yes vote.

Ordinance No. 2007-51 adopted on first reading. Second reading and public hearing to be held on November 1, 2007.

CORRESPONDENCE

Correspondence from Diane M. Reaves for the use of the Amphitheater on October 20, 2007.

Motion by Mr. Cunliffe, second by Mr. Miller, and carried, to approve the above request.

MOTION TO APPROVE BILL LIST OF: 10/17/07

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

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Deputy Mayor Lichtenstein advised he would like to speak with the Attorney with regard to the illumination Ordinance.

ADJOURNMENT

Motion by Senator Singer, second by Mr. Cunliffe, and carried, to adjourn the meeting. Meeting adjourned at 9:00 PM.