

**LAKWOOD TOWNSHIP COMMITTEE
MINUTES
MARCH 13, 2008**

The Lakewood Township Committee held a Meeting on Thursday, March 13, 2008 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.....	Guy Ryan
Municipal Clerk.....	Bernadette Standowski

CLOSED SESSION

**Motion by Mr. Cunliffe, second by Mr. Miller,
Resolution No. 2008-103 – 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, 2008 and published in the Asbury Park Press on January 8, 2008.

ROLL CALL

OPEN SESSION

Motion by Mr. Cunliffe, second by Mr. Miller, and carried, to open the Meeting.

MOTION TO APPROVE MINUTES OF: 02/28/08

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 02/28/08

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

PRESENTATIONS:

Mr. Miller presented a Proclamation to Ken Dix in recognition of his employment for the past twenty-four years in the Township Parks Department.

Mr. Anderson – Lakewood Township Public Schools

Mayor Coles introduced Mr. Luick, Superintendent of Schools, Mr. Anderson, Ass't. Superintendent, and Chet Galdo, President of the Board of Education.

Mr. Anderson and representatives from various schools and programs offered a presentation of the different initiatives that are ongoing in the Lakewood Public Schools. He thanked the Committee and Chief Lawson for their efforts in supporting them in some of their safety and security undertakings, and also for shared services.

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 Coles opened the meeting to the public.

Carol Suckno, 59 Foxwood Road – Commented on the new cell phone law, and how it is being enforced in Lakewood. Also voiced her objection to the use of Town Square for barbeque purposes; she feels that type of event belongs in a park setting, not in the middle of a business district. She asked why that was allowed to happen.

Mayor Coles advised they did not have enough control over the approvals that were given. When people come to the Committee asking to use the facilities in town, in the past, they have always kept to the understanding that they use the facility and leave. This time they used the Square from the 11th to the 14th. This is something that has not happened before, and will not happen again, because they do need to tighten things up to make sure they do not have a liability issue. After tonight, they will be introducing some measures that put restrictions on the hours that the facilities can be used, and what can be done there, etc. They will do everything in their power to make sure the facilities are being used for the intended purpose, and that they have a better understanding of what the people want to use them for.

James Waters, 1275 Old County Line Road – Commented on the school system in Lakewood, and school board issues.

Michael Billig, 36 Monterey Circle – Commented on the proposed school budget.

John DeFillipes, 314 Fifth Street – Commented on the school presentation. Also objected to the improper use of Town Square this week.

Diane Reaves, 19 Holly Street – Voiced her objections to the improper use of Town Square this week.

Pat DeFillipes, 314 Fifth Street – Voiced her objections to the improper use of Town Square this week.

Ray Inglero, 1361 Scranton Avenue – Member of the Lakewood First Aid Squad. Commented with regard to the Fair Labor and Standards Act, Part 553, a law created to prevent supervisors from coercing their employees into doing unpaid work. This law, while good in theory, will prevent Fire and EMS professionals from volunteering their life saving skills to their community that they work and live in. This law will make violators of people who are willing to give of their free time without expectation for pay to help their neighbors in need. This law violates their volunteer rights by telling them what they can and can not do in their spare time.

Deputy Mayor Lichtenstein advised that he has requested Mr. Secare to research any loop holes that may permit the EMS employees to volunteer their services to the Lakewood First Aid Squad. He feels it is a shame that the federal government has found a way to kill volunteerism.

Minister Stephen Brigham – Commented on the homeless issue in Lakewood, and the need for a homeless shelter.

Helen Laneer, 152 Downing Street – Commented on a homeless issue.

Mary Ann Allacci, Mi Casa – Commented on the homeless issue in Lakewood.

Alice Kelsey, 295B Malvern Court East – Commented on the existence of a County shelter in Monmouth County. Further commented on the homeless issue, and affordable housing.

Moshe Raitzik, 166 North Crest Place – Commented with regard to the drainage ditches in Westgate that fill up with water when it rains, and his previous request for a fence to protect the children. He feels it is an unsafe situation. His understanding was that there was a petition sent to the Township. He asked for the status on this issue.

Senator Singer advised that the Developer is involved. He suggested that the Inspection Department place a stop work order on the project until this matter is taken care of.

Motion by Senator Singer, second by Mr. Cunliffe, and carried, that a stop work order be placed on the project until the fences are put up, to protect the children.

Mr. Cunliffe advised they could discuss this issue at the March 27th meeting when the professionals are present.

Mr. Raitzik further commented on the subject of internet bloggers.

Dr. Dasgupta, GCU – Commented on the homeless issue, and the use of Town Square this past week.

Charles Anthony, Director of “Under His Wing” – Commented on the homeless issue.

Larry Simons – Commented on Resolution 6 on the Consent Agenda.

Mayor Coles advised that the State has awarded a grant to Cedarbridge Corporate Campus in the amount of \$1,000,000.00, for the construction of sidewalks along Cedarbridge Avenue, Pine Street and interior roads.

Janet Payne, Massachusetts Avenue – Commented on the homeless issue. Also commented with regard to gypsy moth spraying.

Moshe Lankry – Commented on the parking problems in the downtown area. He suggested that a percentage of the parking spaces in the municipal parking lot be dedicated as “one-hour parking”.

Mayor Coles requested that the Engineering Department review this request.

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 authorizing Emergency Temporary Appropriations for the Period Between the Beginning of the Current Fiscal year and the date of the Adoption of the 2008 Budget (Temporary Appropriations)
Resolution No. 2008-104
2. Resolution authorizing Submission of application to the New Jersey Urban Enterprise Zone Authority of Enterprise Zone Assistance Funds for the Year 2008 (UEZ - “Block 93 and Block 119 Redevelopment Area Plan”)
Resolution No. 2008-105
3. Resolution authorizing Submission of Application to New jersey Urban Enterprise Zone Authority for Enterprise Zone Assistance Funds for the year 2008 (UEZ – “NJ Manufacturing Extension Program”)
Resolution No. 2008-106
4. Resolution Authorizing Gypsy Moth Spray Program
Resolution No. 2008-107
5. Resolution changing meeting time of April 3, 2008 Committee Meeting to 4:00 P.M.
Resolution No. 2008-108

6. Resolution authorizing an application to the Commissioner of Transportation for an Allotment of aid for the improvement of Cedarbridge Corporate Campus in the amount of \$1,000,000.00
Resolution No. 2008-109
7. Resolution Authorizing the Award of a Professional Services contract to Birdsall Engineering, for The Vine Street Access Project – Phase II
Resolution No. 2008-110
8. Resolution Appointing a Member to the Lakewood Township Parks and recreation Advisory Board/Special Events Committee (Henry “Ricky” Sanchez)
Resolution No. 2008-111
9. Resolution Authorizing the Township of Lakewood Tax Collector to cancel Municipal Liens
Resolution No. 2008-112

Motion by Mr. Cunliffe, second by Mr. Miller, to approve Resolution Nos. 1 through 9 on the Consent Agenda.

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

Resolution Nos. 2008-104 through 2008-112 – Adopted.

ORDINANCE SECOND READING

• **Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of Lot 1 in Block 1105 and Lot 1 in Block 1109 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. (Salem Ave. and Sussex Ave.)**

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Gerry Ballwanz, Governors Road – Stated this Ordinance was originally to be discussed at the February 14th meeting, but was carried to this meeting. Chris Abrams had given a presentation at that meeting as to why this was not a good idea. The Ordinance was then tabled until this evening. Her presentation indicated that this land is part of Kettle Creek, which was to be designated as open space.

Mayor Coles advised that the Committee would not be voting on this Ordinance this evening.

Mrs. Ballwanz also commented with regard to the value of the land. There was an inconsistency regarding the assessment of the property.

Seeing no one else wishing to be heard, the hearing on this Ordinance was closed to the public.

The above Ordinance was offered by Senator Singer. No second was offered. Resolution No. 2008-1 died on second reading due to lack of second to the Motion.

Mayor Coles asked for a Motion to table the following Ordinance.

• Ordinance amending the Code of the Township of Lakewood, Chapter 18, Unified Development Ordinance, by revision and supplementing the Regulations concerning the exemption of off-street parking in the Central Business Zone (B-2) for non-residential uses and provisions regarding off-premise parking in the Township of Lakewood, County of Ocean, State of New Jersey (Zoning B-2)

Mr. Cunliffe offered a Motion to table this Ordinance, and send it back to the Planning Board. A second was offered by Mr. Miller.

Mayor Coles asked Mr. Ryan to go back to the drawing board on this one.

Senator Singer stated there are too many changes in this Ordinance to amend it, you have to let it die.

Mayor Coles stated they are not amending it; they are tabling it.

Senator Singer added that tabling it does not kill it.

Mr. Ryan agreed that if you table it, you do not kill it. If there was no second, then it dies. If you table it, you are leaving it on the Agenda carrying it to a further meeting.

Mr. Miller withdrew his second to the Motion. Mr. Cunliffe withdrew his Motion.

Ordinance No. 2008-11 died on second reading due to lack of Motion.

Mayor Coles asked Mr. Ryan to draft a new Ordinance, adding the caveat that in lieu of providing your own on-site parking, that you will be able to pay into a fund, at a rate of \$25,000 per spot. Also, the Planning Board wanted to re-evaluate the Ordinance, so he would like it to be sent back to them. They will meet Tuesday, and have additional comments which Committeeman Miller will bring forward and they can think about incorporating those comments into the Ordinance.

• Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the exchange of certain lands within the Township of Lakewood, in particular, the Township of Lakewood to acquire Block 1143, Lot 9 and Block 1146, Lot 10 and to convey Block 445, Lot 9 as part of an exchange of lands pursuant to N.J.S.A. 40A:12-12 (Caldwell Ave.; Bradhurst Ave.; Blanche St.)

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Gerry Ballwanz – She stated that again there is a discrepancy with the assessed valuation of these properties. She called the Tax Assessor and was told the information was correct on the books. She feels that the land that is being exchanged is far more valuable than what it is assessed for.

Mr. Edwards advised that the values indicated are appraised values, not assessed values.

Janet Payne – Advised that Block 445, Lot 9 is directly behind her property. She asked why she could not purchase the property.

Mr. Edwards advised that possibly she is not an adjacent property owner.

Mayor Coles advised that if it was a land sale, and the property was undersized for the zone, then adjoining property owners could bid on it. If it was a full size lot, it would have to be put out for open bid.

Mayor Coles added that if she was interested in property behind her property, and if it is owned by the Township, she should check with the Tax Assessor, and send in a letter and they would be happy to entertain the idea.

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 Mr. Miller.

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

Ordinance No. 2008-14 adopted on second reading.

• **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 (Loading Zone – Park Ave.)**

Read by title only for second reading.

Mayor Coles 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. Cunliffe, second by Mr. Miller.

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

Ordinance No. 2008-15 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 03/27/08)

- **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the acquisition of a portion of Lot 2, Block 549.01, as shown on the Tax Map of the Township of Lakewood, pursuant to and in accordance with N.J.S.A. 40A:12-1, et. seq. (America Ave.)**

Read by title only for first reading.

The above Ordinance was offered by Mr. Cunliffe, second by Mr. Miller.

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

Ordinance No. 2008-16 adopted on first reading. Second reading and public hearing to be held on March 27, 2008.

- **An 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 Shvarzblat Real Estate Holdings, No. 2, LLC, for facilities located at Block 536, Lot 77.01, and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a Tax Abatement Agreement**

Read by title only for first reading.

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

Mr. Cunliffe asked that the applicant come in and make a presentation to the Township Committee.

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

Ordinance No. 2008-17 adopted on first reading. Second reading and public hearing to be held on March 27, 2008.

CORRESPONDENCE

Correspondence from William Rieker, Chief Financial Officer, reporting on the sale of \$21,800.00 Bond Anticipation Notes.

Motion by Mr. Cunliffe, second by Mr. Miller, and carried, that the above correspondence is received and filed.

MOTION TO APPROVE BILL LIST OF: 03/11/08

Motion by Mr. Cunliffe, second by Mr. Miller.

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

Negative: Senator Singer

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Senator Singer asked that the Manager have an Ordinance drawn to create a new bus stop, per NJ Transit. The bus stop on the south side of Route 9, across from the gas station, is so low that people have trouble getting off the bus. He asked John Franklin to take a look at it, and they can not do it because of the curb. The suggestion was made to move it mid-block, between Eighth Street and Ninth Street on the west side of the street. NJ Transit has advised that it has to be done by Ordinance. A Motion was offered by Senator Singer, second by Mr. Miller, and carried, that the subject Ordinance be drafted.

Mr. Cunliffe advised of the passing of one of the members of the ADA Board, Phil Charrow. He asked that a plaque be prepared in his memory, and in appreciation of his years of service. His family could be invited to their re-organization meeting and the plaque can be presented at that time.

Also, as to the ADA Board, the Ordinance was amended with regard to membership. Mr. Cunliffe offered the following appointments: Bill Sette, Alt.; Jean Hannon, Alt.; Tom Barry, Alt.; for three year terms, Larry Lazzaro and Dr. Stephen Scher; for two year terms: Roz Baer, Hannah Havens, Tom Lorenc, Linda Halm and Mike D'Elia; for one year terms, Joan Lorenc and Hindy Langer. A second to the Motion was offered by Mr. Miller. Motion carried.

Senator Singer advised that he received the Emergency Procedure Manual for 2007-2008 for GCU. It is a wonderful document, and the Township should have something similar generated by Emergency Management. It shows procedures for any incident that should occur.

ADJOURNMENT

**Motion by Mr. Miller, second by Mr. Cunliffe, and carried, to adjourn the meeting.
Meeting adjourned at 10:25 P.M.**