

**LAKWOOD TOWNSHIP COMMITTEE
MINUTES
JULY 24, 2008**

The Lakewood Township Committee held a meeting on Thursday, July 24, 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.....	Absent.... Meir Lichtenstein
Committee Members.....	Senator Robert Singer Menashe Miller Charles Cunliffe
Municipal Manager.....	Frank Edwards
Municipal Attorney.....	Steven Secare
Municipal Clerk.....	Bernadette Standowski

CLOSED SESSION

Motion by Mr. Cunliffe, second by Mr. Miller.
Resolution No. 2008-264 – 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: 06/26/08 & 07/10/08

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 07/10/08

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

LAND SALE:

Block 190.04 Lot 41; Block 199, Lot 1; Block 199, Lot 3; Block 200, Lot 1; Block 200, Lot 5; Block 201, Lot 1; Block 202, Lot 1; and Block 853, Lot 1

The above Land Sales were carried to the meeting of August 28th, 2008, and the information was to be posted on the website.

PRESENTATIONS - None

Mr. Cunliffe requested that two letters be drafted; one to the Ocean County Board of Chosen Freeholders that the property to be acquired and dedicated on Massachusetts Avenue has nothing to do with the Crystal Lake Preserve; so the Freeholders should move forward with Massachusetts Avenue.

The second letter is to go to the State with regard to the matter that if the Township dedicates the Crystal Lake Preserve to the Land Trust, that they want to make sure it counts towards the Plan Endorsement.

Motion by Mr. Cunliffe, second by Senator Singer, to request that Mr. Edwards draft the subject letters.

Recording of this meeting commenced during discussion on the following matter.

ORDINANCES FOR DISCUSSION:

Proposed Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, Draft Regulating Basement Apartments

Senator Singer confirmed that what Mr. Cunliffe was saying, was if you do this to all zones right now, someone could build a basement at Four Seasons or Fairways, and have a basement apartment. He says that is restricted by their by-laws.

Mr. Secare stated he assumes that their by-laws would prevent that.

Mr. Cunliffe stated that philosophically he would agree, but realistically he would not agree.

Mr. Secare stated that was a legal opinion, but if they are going to violate their by-laws, then the association has to take action against that homeowner. They can be ejected from the association and the community. So they take an awful chance to violate those by-laws.

Mr. Cunliffe stated he was not trying to be adversarial with this; he is just making a suggestion that they zero in and make this pertinent to certain zones to start, rather than all zones.

Mayor Coles asked if there were any other concerns or changes, and if this was something they wanted to consider bringing back for a first reading, and asked for a Motion.

A Motion was offered by Senator Singer, second by Mr. Miller.
On Roll Call – Affirmative: Senator Singer, Mr. Miller and Mayor Coles
Negative: Mr. Cunliffe

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.

Noreen Gill, 192 Coventry Drive – As a long-time resident of Coventry Square, she stated that she would like to see the subject matter of the Ordinance that is on the Agenda for discussion in only certain zones. She further commented on basement apartments, the lack of enforcement of by-law regulations in Coventry Square, and the unsafe conditions in the development.

Mayor Coles asked that Mr. Mack look at the safety issues in her development. But the Township does not have any jurisdiction over condo associations. He suggested that she contact the Department of Community Affairs who supervise the condominium associations.

Senator Singer added that no association has jurisdiction over life and safety issues. If there is a dangerous condition reported, the Township inspectors will come in.

Ovadi Malchi, 607 South Lake Drive – Commented on the preservation of green acres. He has seven and a half acres that he is looking to donate to the Township, off Kennedy Boulevard, behind Shop-Rite. He was told that the Township is not interested in this donation.

Mr. Edwards advised this is a larger parcel, the front being developed, and the rear is wetlands, with no access. He believes the Committee did not want to accept the property as there was no access.

Barbara Eisenberg, Morris Avenue – Commented with regard to the house next to hers, at 802 Morris Avenue. This is a rental property, owned by a family from Brooklyn, and there are several persons living in this home. She provided pictures of the house and surrounding property that were taken yesterday and today, showing the poor condition, as the grounds in front and back of the house are not maintained and there is debris and garbage all over. Also complained about the stench from the in-ground pool and over-flowing garbage; lack of proper fencing and locks around the pool; commercial trucks parked overnight. She has called the Inspection Department several times with regard to this property; someone does come out, but nothing ever changes. She is asking for help as a citizen of Lakewood. Her quality of life is being infringed upon. She is requesting that the appropriate Ordinances be enforced.

Mayor Coles asked Mr. Mack about the Ordinance they were discussing to address the proper care of swimming pools.

Mr. Mack advised that the pool has to be either in operation or if it is not in operation from Memorial Day to Labor Day, it has to be filled in.

Mayor Coles asked Mr. Mack to provide that information to Mr. Secare to prepare the Ordinance for discussion at the August 7th meeting.

Senator Singer suggested that they do not put in the Ordinance that the pool has to be in operation from those dates, because if someone has a pool, and maintains it, and decides they do not want to open it that year, they do not have to fill it in. They have to maintain the pool; if it is not in operation, they have to maintain it so it does not create a hazard. Make sure the Ordinance is realistic; it must be covered, it must not omit an odor, and must be maintained. You can keep a cover on it for the season if you do not want to open it.

Mr. Secare agreed with Senator Singer; he stated that under their police power they can not compel someone to fill in a swimming pool. They can be compelled to maintain it, so as not to create a hazard.

Mr. Mack advised there are many pools around town that are not maintained, and have not been in operation for many years.

Mayor Coles added that it goes beyond the pools. He had advised the Police Chief that he sees pick-up trucks parked on sidewalks so as not to stick out into the street. And he sees women with baby carriages walking out onto Ridge Avenue to get around them. Why isn't something being done. As a Committee, a few years ago, they adopted this quality of life situation. They hired additional Inspectors, and additional Police Officers. A lot has been done, but when he hears situations like this, that does not solve the problem.

Mr. Mack advised they spent \$90,000.00 last year, going around and cleaning properties. He further stated you could probably spend another \$90,000.00 on top of that.

Mr. Cunliffe stated he had planned to speak about this during the quality of life session, but since it was brought up by Mrs. Eisenberg, he echoed the Mayor's comments. He had previously suggested creating a quality of life force, which would be a combination of Police Officers, Inspectors, and Public Works personnel, who would go out aggressively and attack these problems. He feels that maybe they do not have enough people, or maybe they are being deployed in another matter. He was going to bring it up tonight, that he has had many visits from people in his neighborhood complaining about the same problems. They say they call repeatedly, and nothing gets done. People are saying that their quality of life now is worse than it was five years ago. As a Committee, they should get serious....they had a good Ordinance to have inspection of rental units in this town, and it did not go through. People said they would bring it back in thirty days, but it still has not come back. He wants to bring it to the floor now, and say, they should enact that Ordinance. He feels that rental units should be inspected

twice a year, because in his neighborhood, every person that has shown up on his doorstep with a complaint, every single problem goes back to a rental property, never to a house occupied by the owner. They have absentee landlords who are using the houses for investment, and as long as they get their money, they do not care about the maintenance and what goes on in the house. It is ridiculous that people have to live next to this. And he does not want people showing up at his home, at all hours of the night, yelling at him because they say they call, but nothing gets done. Or they are being told there is no noise Ordinance, there is no curfew, etc.....

Mayor Coles asked Chief Lawson and Mr. Mack to take a good look at this issue. He would like to know what violations they have on the books at this address.

Mr. Mack answered they he knows the address, and they have a lot of violations. But, as Mr. Cunliffe stated, there is no doubt about it....every one of those properties is a rental property.

Senator Singer asked if these people have been taken to Court, or are they waiting for a Court date.

Mr. Mack answered that his Inspectors spend a full day in Court on one issue. They have spent many hours in Court to get someone to stop parking cars on a property, that someone else went to jail for. It is not the Judge's fault; it is the system.

Senator Singer asked if the back up is in the Municipal Court.

Mayor Coles advised that part of the problem is that people are getting adjournment after adjournment.

Senator Singer suggested that if the Judge is adjourning things, on a regular basis, then change the Judge.

Mr. Cunliffe agreed.

Mr. Mack stated that if someone gets written a summons, he can guarantee you will not have to show up in Court for seven months.

Senator Singer offered a Motion that the Judge come before the Township Committee to discuss this issue.

Mr. Secare stated you can not do that. You can ask the Prosecutor.

Senator Singer then suggested that the Prosecutor be requested to come to the next meeting.

Mr. Secare offered the suggested that some municipalities have hired special quality of life Prosecutors and special quality of life Judges. There is probably no money in the budget for this, but if there was money available, that is one potential solution. This way, the Inspectors would not be tied up while the regular traffic and disorderly persons' offenses are waiting to be heard.

Mayor Coles asked if they can schedule a quality of life session twice a month.

Mr. Secare answered that you can ask the Judge to do that, and tell your Prosecutor and Public Defender that you want a special session for quality of life. The Courts do not pay high priority attention to those issues, because there are more pressing issues. And Lakewood has a very busy Municipal Court; they have more contested parking tickets than any town in the County.

Mr. Secare further suggested, as Deputy Mayor Lichtenstein is the Liaison to the Court, he will speak with him, and as the Judge has been receptive to meeting with them in the past, perhaps they can set up a separate meeting to discuss this issue, that whether or not a separate Court session would be warranted.

Mr. Cunliffe stated he would not object to Mr. Secare's idea if it is truly an overload situation. Then he would certainly support a Special Prosecutor and a Special Judge for Quality of Life.

Mr. Secare stated he will meet with the Judge, and speak with Deputy Mayor Lichtenstein with regard to this matter.

Mr. Edwards added that technically, the Township hired the Judge and Prosecutor to provide the service to the Court, so you could probably tell them they would have to serve another session without any additional compensation.

Mr. Secare answered he has to research it, but he thinks that scheduling is entirely up to the discretion of the Judge. He does not think they have the right to tell him how many sessions he has to run, but he has the obligation to run the Court efficiently. He will schedule the meeting, and try to get a report back to the Committee by the next meeting.

Mayor Coles asked Mr. Secare to do whatever he can do to get the Judge to crack down on these adjournments. It is a frustrating situation.

Mr. Secare stated he would definitely speak with him about it. He agrees, that if an inspector is in Court for fifteen hours, he is not out writing summonses.

Mayor Coles repeated that it is the little things that people are seeing day in and day out, and it is frustrating. The little things tend to be overlooked, until they get bigger. He asked Mr. Mack to stress to the Inspectors, especially in the evenings when the cars are parked all over the lawns....that is when they find out. If you see five cars parked on the lawn, or parked on the sidewalks because there is no room in the driveway, a light should go off that perhaps there is overcrowding at that location. He knows that there is a lot going on, but they need to schedule the quality of life Inspectors to work at night sometime, they may need to do that to make sure they are finding those violations. Because you are not going to see an overcrowded house, or a lawn filled with cars, at two o'clock in the afternoon on a Monday through Friday.

Larry Simons, 7 Schoolhouse Court – Commented with regard to Resolution 16 on the Consent Agenda. Also commented with regard to the suggestions made by the Rental Advisory Committee; by-laws regarding basement apartments; the poor condition of the Fargo property on Ocean Avenue; and the poor condition of properties along Route 88.

Mary Ann Allacci, for Mi Casa – Commented with regard to the proposed Lakewood bus routes; urged the Committee to incorporate clean technology. Also commented regarding the loss of affordable housing units for the lowest income people and residents in town.

Mayor Coles advised that the Housing Authority has proposed to get rid of the Kennedy apartments, as they are, and replace them with more low income rental units. So the people who are in there now, would all be placed, either through a Section 8 certificate or into another apartment. It would be developed into more affordable housing, but in a more modern style, something that lends itself to more of a community feeling, so that it is possible for the police to respond in a timely manner. The Housing Authority has no intention of eliminating housing; their only purpose is to protect it. He suggested that she provide the information to him on any other properties, and he will look into it.

Bill Hobday – Requested a private meeting with the Police Chief after this meeting, to go over his concerns regarding the recent mini crime wave at the Fairways. Also commented on a specific case, where someone drove into the neighborhood at a very high speed for about forty-five minutes.

Mr. Secare advised he would look into it.

Mayor Coles asked Mr. Hobday to provide Mr. Secare with the details.

David Drukaroff, 1433 Laurelwood Avenue – Commented with regard to quality of life issues.

Alice Kelsey, 295B Malvern Court – Commented with regard to condominium association regulations. Also commented regarding the Housing Authority project for affordable housing, and rental units in Lakewood.

Gerry Ballwanz, Governors Road – Commented with regard to the Ordinance on the Agenda concerning Animal Control.

Mr. Secare advised there was a suggestion made by the Police Department that the fines for dogs running loose be raised because the old fines were low. So this Ordinance was drafted at the request of the Police Department, through the Mayor.

Mrs. Ballwanz also commented on the matter of basement apartments, and suggested that they also concentrate on illegal attic apartments.

Mr. Mack explained attic regulations.

Mayor Coles asked Mr. Mack to make sure the applicants know what is required, and that it is safe.

Mrs. Ballwanz further commented with regard to her tax appeal, and the postponement of the land sales.

Sheldon Wolpin, 245 Martine Way – Commented with regard to the access road off Shorrock Street, to the shopping center. He is concerned that when you are traveling north, you pull off onto a little roadway, there is a paved area, and three feet beyond that there is a ravine, and there is no guardrail.

Mr. Mignella explained that typically a guardrail is not warranted if you have a recoverable slope.

Mr. Cunliffe stated that he knows that area, and it is not recoverable. You will flip the car.

Mayor Coles asked Mr. Mignella to check it out, and if it is needed, to request that it be installed.

Mr. Wolpin also stated he is concerned that pedestrians will be crossing from one shopping center to the other. It is a six lane road, and he thinks they are inviting tragedies.

Mayor Coles stated that if they are going to have sidewalks there, proper designation for lanes is required, and also to make sure that the light gives people sufficient time to cross the road. Also, there is a barricade to keep the trucks from going in; there is no barricade on the other side to keep the trucks from leaving onto Shorrock Street. He asked Mr. Mignella to request that the matching barrier be installed to make sure you can not get the trucks in or out.

Aharon Rottenberg, 207 Carey Street – He requested that the Township Committee hold the land sale on August 7th because he will be on vacation on August 28th

Mr. Secare stated there has already been a public announcement as to the date for the land sale, so it would not be legal for them to change that date without doing further advertising.

Mr. Miller advised he received a letter from a resident from the Hearthstone development. The Hearthstone area has quality of life issues. There were six items in the letter. He gave the letter to Mr. Edwards to be forwarded to Mr. Mack. He requested a print-out as to what was done at each of the locations.

Mr. Miller also advised that during the school year, Mr. Cunliffe had brought up the issue on Martin Luther King Drive, Pine Street, Marc Drive; a crossing guard was placed at one of the intersections during the school year. Unfortunately they are short crossing guards. But now, in the summertime, when the camps are using the playgrounds by the schools, he understands that the crossing guards are not used for the schools. So he asked that the crossing guards be placed at these intersections during the summer months to help those pedestrians going to the camps. He would be in touch with the Police Chief as to exact times.

Mr. Cunliffe stated that over by John Patrick Park, where the right-of-way was given for the utility easement, trees were removed, and the shrubbery that was planted has died off. He asked what they can do to get that fixed. The other item is the actual paving of the project, and the paving of the road going out to Chestnut Street. In the June engineering report, it says.....Kettle Creek – Vine Street Access Project – Contractor has completed most of the project except for the paving. BEI is awaiting Township direction on the paving completion. He asked what they were waiting for....they want it done.

Mr. Mignella answered that many of the trees in the easement have died. They spoke with Down to Earth Landscaping and they will do a replanting in the Fall, and they will be watered with non-potable water. That should be done after Labor Day. As to the paving, there were some issues with the Zoning Board application in which on one block, from Chestnut to Mercer, along Vermont, the Developer had certain obligations, and he had gotten an Attorney, and the Township had based their bid.....

Mr. Edwards advised he was involved in handling this. He presented it to the Township Committee. The issue is that they have not completed the requirements of the Zoning Board. Birdsall is getting a cost estimate that he presented to the Committee in order to finish the job, and then they would take legal action to recover the funds. They are waiting for Birdsall to square it away with the Contractor about the additional costs.

Mr. Cunliffe asked about the existing roadway. Mr. Franklin's department did a wonderful job; they came in and chopped it up. They still have the cut along the curb. He asked if that could be fixed.

Mr. Mignella answered that he has been calling them all week and he spoke with someone from Bil-Jim today. Their case is that they would like to pave everything in one shot. He is pushing them to get that done. They are not being very cooperative. But they are on schedule, and he hopes the complete project will be paved around mid August. They want to be finished before Labor Day as well, and now they are working out the numbers.

Mr. Edwards added that Mr. Calabrese is the mediator with the Contractor.

Mr. Mignella also advised he is trying to get them to do those repair strips along the curb, but they are saying they want to pave it all at once; it is not cost effective for them to do it any other way.

Mr. Cunliffe also commented that in terms of all of the quality of life issues that were brought up this evening. He asked if there was any possible way that they could find the money somewhere in an unused portion of a Bond Issue..... At one time, they were going to put all of the Ordinances on the website, and it was going to cost the Township a lot of money, for the Township to do it all, or to have the webmaster do it. The alternate was to just have a link from the Township website which was far less costly, to go to Coded Systems, so that anyone, through the Township website, could go to a completely existing scanned document of every single Township Ordinance.

That was not much money at all. For quality of life issues, Public Works issues, Board of Health issues and Police issues, he asked the Committee if they could move forward. Mr. Cunliffe offered a Motion with regard to this matter. He wanted them to find the funding; all they want to do, is not spend the money to create it all, but to just be able to have a link that goes to Coded Systems so that the residents can go in and access all of the Ordinances.

Mr. Edwards suggested that they get a proposal first and find out what it will cost.

Mr. Cunliffe accepted Mr. Edward's suggested, and he amended his Motion that they get a proposal. Mr. Miller offered a second to the Motion. All voted in favor. Motion carried.

Senator Singer commented that he would really like to the Township to coordinate when they do street closings, as they are still not being coordinated. They had notification that for an entire week Sunset Road was going to be closed. That was not the problem; work was being done, the road had to be closed for a week or so. But the same week, the street was also closed at Massachusetts Avenue and Prospect Street. If you live in that area of town, you could not move. You can't allow them to close both streets at the same time. Someone has to coordinate these street closings.

Senator Singer further commented that there has been a tremendous amount of writing from a gentleman in Jackson concerning the Route 9 and County Line Road intersection, that the DOT has redone. And everyone is saying you can not make a turn going north on County Line, and can not make a turn going South. The DOT Commissioner has said to wait and see; it is under investigation. The problem they are having, and the reason for the delay is that if they have a green turning arrow in either direction, you must stop traffic the other way to allow that to happen. Unfortunately, because of the nature of Lakewood, right past County Line Road going east is Clifton Avenue. In the westerly direction, right after Route 9 is Forest Avenue. You have a stacking problem if you are not going to do a feed that way. That is why they are trying to do it that way so you don't end up having a stacking problem on County Line Road going from Route 9 through Clifton Avenue. Because at certain times of the day, it is very busy, and if you do not have a flow, you have to stop and wait for the other traffic to go.

Mr. Mignella agreed. He was trying to follow up on that with the State. The State is still trying to investigate and study it, and determine what is going to be the best route there.

Senator Singer continued that they agreed that having a left turn arrow would be the best thing. The problem is that they have got to make it work so it flows correctly.

Mayor Coles agreed to an extent. He also thinks that the arrow is going to be critical because they are a lot of near misses there. He was going to ask for a Motion this evening that they send a Resolution to the State asking them to put it in. He would much rather have traffic stack up a little bit than to have people dying because they are trying to jump a light or make a turn because they can not see what is coming.

Senator Singer stated it is not a little stack up. His fear is that you will have a blocked intersection at Forest Avenue, and a blocked intersection at Clifton Avenue. He knows that is going to happen.

Mr. Cunliffe stated he would like to support that Motion, if it was offered from the floor, because he thinks it is absolutely necessary. But it will not solve the whole problem. He agreed with Senator Singer. You have the opposing left turns on Route 9 now, with Cross Street and Chestnut Street. The traffic stacks there from Route 9 sometimes all the way down to Jennifer Drive, just because of those opposing arrows. He thinks they are needed on Route 9 but it did cause a big stack-up problem on Chestnut Street and Cross Street.

Senator Singer stated he would not be as concerned if there were not lights at Clifton Avenue and Forest Avenue. He is very concerned because of the close proximity of the lights at those two intersections. They are having a gridlock situation in those areas. He does not know if the solution is that they should only have a turning arrow on Kennedy Boulevard, and not Clifton., or vice versa. In other words, divert some of the traffic to use Kennedy as the turning ratio.

Mr. Mignella added that Sgt. Work has been coordinating with the State, providing them with updated accident data. The problem is that there is only so much time to a light cycle; so fix one problem, and you are causing another problem. They have been studying this since February.

Mr. Miller stated he thought they should go ahead with the Resolution, to have the turning arrows. He understands there is a problem, so have it for a short period of time....it does not have to go for such a long period of time. There are two ways to work a turning arrow; one way is that both turning arrows go at the same time. The other way is that the entire direction goes at one shot, while the opposing side stays put. Maybe they can tweak it in a way that it would actually solve the problem.

Mr. Mignella stated that the County met with the State out there, back in February or March, and they have yet to come to an agreement as to how they want to phase the signal.

Mr. Cunliffe asked if you alternate, as suggested by Mr. Miller, on Route 9, do you have the stacking volume for left hand turn lanes; do you have enough depth.

Mr. Mignella answered that the State did take traffic counts, but they did not provide the Township with the data.

Mayor Coles offered a Motion that they pass a Resolution to ask the State to work out some kind of traffic realignment using arrows over there, as opposed to just not having them. He understands that the cameras for them are already in. Mr. Miller offered a second to the Motion. All voted in favor. Motion carried.

Mayor Coles further offered a Resolution to hire T & M Associates to prepare a third round housing element and fair share plan for the Township. The Motion was offered by Mr. Cunliffe, second by Mr. Miller. All voted in favor; Motion carried.

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

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 of the Lakewood Development Corporation authorizing submission of application to New Jersey Urban Enterprise Zone Authority for Enterprise Zone Assistance funds for the fiscal year 2009, in the amount of \$438,220.00
(UEZ - Job Link)
Resolution No. 2008-265**
- 2. Resolution authorizing submission of application to New Jersey Urban Enterprise Zone Authority for Enterprise Zone Assistance Funds for the year 2009, in the amount of \$104,000.00 (UEZ - Ambulance)
Resolution No. 2008-266**
- 3. Resolution Releasing an Escrow posted by Harold Hershowitz, in connection with Block 91, Lot 6
Resolution No. 2008-267**
- 4. Resolution Releasing an Escrow posted by Joseph Gutterman, in connection with Block 12.04, Lot 41
Resolution No. 2008-268**
- 5. Resolution Releasing a Performance Bond posted by Lakewood Cheder School, Inc./Bais Faga Girls School, in connection with Block 248.01, Lots 71 & 72
Resolution No. 2008-269**
- 6. Resolution Releasing a Performance Bond posted by Kedma, Inc., in connection with Block 768, Lots 18 & 20
Resolution No. 2008-270**
- 7. Resolution Releasing an Escrow posted by Shvarblat Real Estate Holdings No. 2, LLC, in connection with Block 536, Lot 77.01
Resolution No. 2008-271**
- 8. Resolution Releasing an Escrow posted by Congregation Anshe Sfard, in connection with Block 61, Lots 4 & 9
Resolution No. 2008-272**

9. **Resolution requesting approval of the Director of the Division of Local Government Services to establish a Dedicated Trust by Rider for an Industrial Commission pursuant to NJSA 40:55B-8
Resolution No. 2008-273**
10. **Resolution Authorizing a Leave of Absence, without pay, for Carol Andrews, from July 24, 2008 to September 15, 2008
Resolution No. 2008-274**
11. **Resolution authorizing the Submission by the Lakewood Development Corporation of an Administrative Budget Amendment in the amount of \$27,500.00 to the NJUEZA (UEZ)
Resolution No. 2008-275**
12. **Resolution authorizing the submission by the Lakewood Development Corporation of a Second Generation Project to the NJ Urban Enterprise Zone Authority entitled 'State Plan Endorsement Initiative' in the amount of \$250,000.00 (UEZ)
Mr. Cunliffe removed this Resolution from the Consent Agenda.**
13. **Resolution consenting to Assignment of Payments under 1975 Service Contract for the Benefit of the Holders of the Revenue Bonds, Series 2008A and 2008B of the Lakewood Township Municipal Utilities Authority (MUA – Service Contract)
Resolution No. 2008-276**
14. **Resolution Authorizing a Military Leave of Absence, for Andres Rodriquez, from August 13, 2008 to October 27, 2008
Resolution No. 2008-277**
15. **Resolution Authorizing the Application for a 2009 Recreational Opportunities for Individuals with Disabilities Grant from the Department of Community Affairs, in the amount of \$24,981.00
Resolution No. 2008-278**
16. **Resolution Releasing an Escrow posted by Chestnut 70 Associates, LLC, in connection with Block 1087, Lots 18, and 31
Resolution No. 2008-279**
17. **Resolution Releasing a Performance Bond and Escrow posted by Advantage Properties of NJ, LLC, in connection with Block 1603, Lot 2.01
Resolution No. 2008-280**
18. **Resolution Authorizing the Execution of an Agreement with the County of Ocean for Municipal Alliance Funds pursuant to and in accordance with the Drug Enforcement Demand Reduction Act of 1987
Resolution No. 2008-281**

19. **Resolution in Opposition to Cablevision's request for Determination of effective Competition
Resolution No. 2008-282**
20. **Resolution in Support of Green Acres Diversion (Little League Ballfields – Clifton Ave.)
Resolution No. 2008-283**
21. **Resolution in Support of Green Acres Diversion (Public Works Facility)
Resolution No. 2008-284**
22. **Resolution Authorizing a Leave of Absence, without pay, for Tonia Watson from August 1, 2008 to December 31, 2008
Resolution No. 2008-285**
23. **Resolution Supporting the Over the Limit Under Arrest 2008 Statewide Crackdown
Resolution No. 2008-286**
24. **Resolution Authorizing the Tax Collector to Cancel Any and All Taxes, Penalties, Interest due on Block 189.17, Lot 95
Resolution No. 2008-287**
25. **Resolution Authorizing the Tax Collector to Cancel Any and All Taxes, Penalties, Interest due on Block 12, Lot 4.09, C1000
Resolution No. 2008-288**
26. **Resolution Authorizing the Tax Collector to Cancel Any and All Taxes, Penalties, Interest due on Block 418, Lot 2
Resolution No. 2008-289**
27. **Resolution Authorizing the Tax Collector to Cancel Any and All Taxes, Penalties, Interest due on Block 104, Lot 50
Resolution No. 2008-290**
28. **Resolution Authorizing the Township to hire T & M Associates
Resolution No. 2008-291**

Motion by Mr. Miller, second by Senator Singer, to approve Resolution Nos. 1 through 11, and 13 through 28 on the Consent Agenda.

On Roll Call – Affirmative: Senator Singer, Mr. Miller, Mr. Cunliffe and Mayor Coles.
Resolution Nos. 2008-265 through 2008-291 – Adopted.

Resolution No. 12 that was removed from the Consent Agenda was discussed and acted upon as follows:

12. Resolution authorizing the submission by the Lakewood Development Corporation of a Second Generation Project to the NJ Urban Enterprise Zone Authority entitled 'State Plan Endorsement Initiative' in the amount of \$250,000.00 (UEZ)

Motion by Senator Singer, second by Mr. Miller, for discussion.

Mr. Cunliffe asked that since it has to do with the area around the stadium, and it talks about the area there being for town center purposes, and then in the fourth "Whereas", it says that the feasibility of such a design and zoning change.....he asked what is the zoning change they are advocating for that area.

Mayor Coles answered they had hired T & M to prepare an amendment to that at the last meeting, strictly to look at creating some type of a mixed non-residential use over there, of retail, commercial, professional, hotel....things along those lines. But again, he stressed, non-residential.

Mr. Cunliffe asked what is the town center part of this.

Mayor Coles answered that the town center is a designation that the State has come up with as part of the Planned Endorsement process. He was not the Liaison on this issue.

Mr. Cunliffe asked if there were specific things that you have to adhere to, to get the town center designation.

Mayor Coles answered he did not know exactly; Deputy Mayor Lichtenstein has been following it with the State.

Mr. Cunliffe suggested that they move this to the next meeting.

Mr. Edwards added he believes that the Resolution was prepared by Mr. Corby's office, and he does not know whether or not he is using the term town center in a strict way that the State would interpret it. He may be talking about a mixed use type of development because if you notice, part of these funds would be used to pay for T & M to do the study that the Township has authorized, as well as some additional work.

Mr. Cunliffe asked if in that Resolution, did it specifically say mixed use non-residential, or did it say mixed use.

Mr. Edwards answered that it basically said they would review whether retail uses would be appropriate there. And then, because it was a redevelopment area, you would have to change the redevelopment plan, the Zoning Ordinance, you would have to satisfy CAFRA, because there are CAFRA tree-save areas there, and you would have to do all those things. So he believes the intent is to provide funding to do that entire comprehensive study.

Senator Singer stated, for the record, that DEP would like to see that area, mixed use of retail, commercial, non-residential.

Mr. Cunliffe stated he was concerned about the town center.

Mayor Coles stated they have a Motion and a second to approve it; did Mr. Cunliffe still want to carry the Resolution.

Mr. Cunliffe answered he did not think there would be an approval on that.

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

Resolution No. 2008-292 – Adopted.

ORDINANCE 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 portions of Rockefeller Avenue and Gold Avenue in the Township of Lakewood, pursuant to and in accordance with N.J.S.A. 40:67-1, et seq. (Rockefeller 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 Senator Singer, second by Mr. Miller.

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

Abstain: Charles Cunliffe

Ordinance No. 2008-35 adopted on second reading.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Private Sale of Block 565, Lot 6 for nominal consideration to the Lakewood Township Municipal Utilities Authority pursuant to and in accordance with N.J.S.A. 40A:12-1(a), et seq. (Hughes Ave.)

Read by title on 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 Senator Singer, second by Mr. Miller.

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

Ordinance No. 2008-36 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 08/07/08)

Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, prohibiting the use of private containers on Township property.

Read by title only for first reading.

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

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

Ordinance No. 2008-37 adopted on first reading. Second reading and public hearing to be held on August 7, 2008.

An Ordinance of the Township of Lakewood, County of Ocean, State of New

Jersey, amending and supplementing Chapter 5 of the Code of the Township of Lakewood entitled Animal Control

Read by title only for first reading.

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

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

Ordinance No. 2008-38 adopted on first reading. Second reading and public hearing to be held on August 7, 2008.

CORRESPONDENCE

Per attached list of one (1) correspondence item, attached hereto and made a part hereof.

Motion by Mr. Cunliffe, second by Mr. Miller, and carried, to receive and file Mr. Rieker's memo, and also to approve picnic requests 1 through 7.

PARKS AND EVENTS CORRESPONDENCE

Per attached schedule of seven (7) items attached hereto and made a part hereof.

MOTION TO APPROVE BILL LIST OF: 07/22/08

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

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

Negative: Senator Singer

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS – None

ADJOURNMENT

Motion by Cunliffe, second by Mr. Miller, to adjourn the meeting. Meeting adjourned at 9:20 PM.