

**LAKWOOD TOWNSHIP COMMITTEE
MINUTES
AUGUST 2, 2007**

The Lakewood Township Committee held a Meeting on Thursday, August 2, 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

CLOSED SESSION

**Motion by Mr. Cunliffe, second by Mr. Miller.
Resolution No. 2007-246 – 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 Mr. Cunliffe, second by Mr. Miller, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 07/19/07

Motion by Senator Singer, second by Mr. Cunliffe, to approve the above Minutes.

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

Minutes approved.

MOTION TO APPROVE CLOSED SESSION MINUTES: 07/19/07

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

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

Closed Session Minutes approved.

PRESENTATIONS:

T & M Associates – Vanessa Morin

Vanessa Morin offered a brief status report with regard to the Lakewood Regional Center Working Group. The DEP has provided information to the Working Group, which is their wish list in terms of Priority Preservation Areas in the Township. DEP has provided this information to the Township and to the Working Group to have the Township look at preservation areas and to provide their input into prioritizing preservation areas within the Township. The DEP is not suggesting that all the areas they have presented to the Township need to be preserved; more that this should be part of a comprehensive strategy. They acknowledge the fact that a large majority of the areas are regulated by existing flood plain regulations, category one waterways, threaten endangered species, and that type of regulation. They also wanted to stress that the Township should not be looking at privately held property for preservation purposes, that there was not a “taking”. Basically, what they are doing is taking a look at the information, looking at the regulated areas, and existing park areas, and they were able to remove the majority of those areas from the mapping. Then they looked at the Township held properties, and large areas, and have presented recommendations for the Township Committee to review and get back to the Working Group for further recommendation.

The presentation continued with reference to the exhibit maps.

Mayor Coles opened the meeting to the public, and asked that anyone with questions for Vanessa Morin, the representative from T & M Associates, to please come forward first.

Bill Hobday, 30 Schoolhouse Lane – Asked where the public can get a copy of the report and map.

Mayor Coles advised that they just received them today.

Mr. Secare advised that if it is not a final report, he would recommend that they not be given out if it is going to be revised or modified. The OPRA rules provide that when something is in a working mode you do not have to give it out; you can if you want, but if it is going to be modified it is probably wise not to disseminate it to the public, because then the current edition is going to be criticized, and then you will have a follow up to it that is going to be final.

Deputy Mayor Lichtenstein stated there will be public hearings on this process with the maps available to be viewed; that is what they want, and it is by state requirement. And they will do it with the State here, with the maps, and when they do that, hopefully the maps will be available long enough in advance for people to view.

Mr. Secare added that he did not know they were going to receive this information this evening. He has not reviewed it, and there may be some confusion.

Mr. Hobday asked that when the final is ready, will the Township advise the public.

Mayor Coles answered that when they are ready to present the final report, they will be holding public hearings, and all the information will be available at that time.

Mr. Secare added that when it becomes final they can notify the public on the website, and then it will be available, and they will have it well in advance of the meeting.

Mr. Cunliffe added that once it becomes final, he would ask that the files be posted on the website.

Chris Abrams, Coral Avenue – She differed with the comments made by Mr. Secare, because the whole file upstairs in the Clerk's Office is nothing but drafts.

Mr. Secare answered that if he had known that, he would have suggested that information not be given out.

Ms. Abrams added that she has been requesting through OPRA copies of just about everything in that file, including maps.

Mr. Secare again stated that if he had known that there were all drafts floating around, he would have suggested that they not be given out, because it is going to cause confusion. If they change, people are going to refer to the wrong copy, and it is going to create confusion. That is the reason that the law exists that way.

Ms. Abrams stated that she does not believe that it is a matter that they change, in that they will be looking at something old, but it is the process itself....to see the process and understand it. Part of that is to see what the DEP is requiring, and what the Township is saying, and to see where it is going.

Mr. Secare stated it is his opinion that it does not have to go out. He is not criticizing her points.

Ms. Abrams added that the Master Plan was a preliminary draft, and they all had access to that. The public notice that was in the newspaper said that everything regarding the IPE should be at the Township Clerk's Office for review, so she believes that all the documents that were presented this evening should be made available to the public, and she will OPRA them.

Larry Simons, 7 Schoolhouse Court – Stated he disagreed with Mr. Secare comments regarding OPRA requests for drafts. He has submitted to Trenton various OPRA requests and he has received drafts. He will also submit an OPRA request for the documents presented this evening.

Mr. Simons further asked questions with regard to Smart Growth and the Regional Center Concept, including what are the benefits to Lakewood, and why has Lakewood been asking for extensions.

Ms. Morin explained that Smart Growth means well planned, well managed growth, and balancing your development with preservation activities. One goes through this Master Plan process to define the goals and objectives of Lakewood; it is whatever Lakewood sees as being well managed growth and preservation. The Regional Center concept is from the State plan that was adopted by the State Planning Commission in 2001; it has been around since 1998. There are various centers; there is an Urban Center, which is typically Newark, New Jersey; there are Regional Centers, which Lakewood is currently, which basically means looking at the impact of the employment and transportation, and other social amenities that Lakewood has, and promoting them; and then there are the lower Town Centers, which is kind of like Metuchen, that has less population and density. It is a planning concept to identify the population and employment growth that might occur in a planning horizon of twenty to thirty years. The benefits of Plan Endorsement are generally given as sort of technical and financial assistance from all the different State agencies, to look at Lakewood's goals and policies. There is also financial assistance through grant programs and also prioritization in terms of where Lakewood would be on those grant themes. She does not see any detriment. It is an important process; if the State is taking an interest in making sure that Lakewood gets to where it wants to go in twenty to thirty years, then she believes it is a win-win situation.

Deputy Mayor Lichtenstein continued that the reason it is taking awhile is because they have a lot of “back and forth” with the State agencies; that is the reason for the extensions. What the extension does is that they no longer have that designation that allows them more than thirty percent impervious coverage in any of the CAFRA zones.

Mike Sernotti, Vine Street – Stated that one of the things that they found out with the Working Group is that part of the reason for the extensions was as they completed different things and sent them in to the State, the State was not reacting to them. They would get back a letter stating that something was not done, and it was already done. They would have to send it in to the State again, and get an extension. If they do not continue to get the impervious coverage extensions, if a building in the industrial park burns down today, they could not replace it. So they lose that business because the Township does not have the extension.

Gerry Ballwanz, Governors Road – Commented with regard to the presentation...criteria for Planning Area One and the Regional Center. She asked what is the difference between those terms and the requirements.

Ms. Morin stated that in terms of the State plan, it is a nuance. But in terms of CAFRA, the impervious coverage limits are the same. If you are in Planning Area One you have eighty

percent impervious coverage; if you are in a Regional Center, you have the impervious coverage of eighty percent. But in terms of comprehensive plans, the Regional Center allows the town to actually comprehensively look at all of the difference pieces... transportation, recreation, affordable housing....and come together with a plan for the Regional Center. The whole entire State is divided into Planning Area One...Planning Area Two....which is the Metropolitan Planning area. There is a Suburban Planning Area....the fringe, which basically goes to the types and density of development that is within those areas.

Mrs. Ballwanz asked if there was any specific criteria that makes one thing different from the other.

Ms. Morin answered that the State Planning Areas are sort of a macro approach; they are not going down to a local level in terms of how they are planning from the bottom up. The Regional Center gives an opportunity to look at an area within the Township, as the Township has done, and say they want to comprehensively look at what Lakewood is doing within its boundaries.

Mrs. Ballwanz asked what exactly does Lakewood still want to do; last year they wanted to make the entire town either all Planning Area One or a Regional Center.

Ms. Morin answered that Lakewood has had the opportunity where its “infill” developmentthey are not in an area where there is a lot of open farm land....they are looking at “infill”, and it is looking at it as where are the opportunities for redevelopment, where are the opportunities for preserving open space, providing recreation, for the residents.

Mrs. Ballwanz further commented that she does not believe that Lakewood has done the “visioning process”, and that the only “visioning” that is being done is through the Working Group, which does not represent the average person in Lakewood to have input into the vision of Lakewood. With the Master Plan, she asked if the “visioning” process occurred.

Mr. Edwards stated that the Master Plan is a “visioning” process.

Mayor Coles added that is the whole point of it.

Ms. Morin stated she could comment on the Master Plan only in the sense that it is the purpose of the Master Plan and the Re-Examination Report, that the Township just undertook.

Mrs. Ballwanz stated that under the State Plan there is an important component of the “visioning” process. She heard about another town that was applying for Plan Endorsement who spent years with the public....“visioning”. She does not see Lakewood...she sees the only “visioning” happening is through the Working Group, which does not represent the average person in Lakewood.

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.

Milt Itell, 1 Wisteria Court – Commented on the transportation problems. Further commented on condominium by-laws, and suggested that the Inspection Department be made aware of the rules and regulations of condominium by-laws.

Mr. Itell further requested a copy of the letter that was sent to the President of the Homeowners Association from Mr. Edwards.

Mr. Edwards advised he will send him a copy of the letter.

Gene Moyer, 8 Poppy Court – Commented on the quality of life issue regarding the gentlemen on Shady Lane and the problem he is having with spot lights shining into his house. He stated he observed the lights shining onto the property and also into A Country Place. He asked that the Inspection Department do their inspection at night in order to see the light shining into his property at 119 Shady Lane.

Mr. Moyer also asked about the results of the inspection of 127-D Azalea Court.

Mayor Coles advised he will check with Mr. Mack in the morning, and get back to him.

Lois Rogers, 5A Carnation Drive – Took exception to comments made at the last meeting by Mr. Quinn. Also commented on the downtown area; suggested that the Township set up a satellite Township office so people can do Township business somewhere else.

Paul Richmond, 86-B Camelia Court – Commented on a recent gathering along South Lake Drive at the Lake, in the area of A Country Place, three weeks ago on a Thursday night, which almost caused him to have an accident because of the amount of cars and people.

Mayor Coles advised he will look into it.

Frances Moyer, 8 Poppy Court – Commented on traffic conditions in Lakewood.

Dave Quinn, 1 Morning Glory Lane – Commented on the Master Plan and Plan Endorsement process.

Bill Hobday, 30 Schoolhouse Lane – Commented on the Master Plan and Plan Endorsement process.

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

CONSENT AGENDA

The below listed items are considered to be routine by the Township of Lakewood and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

1. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2007 Municipal Budget for Downtown Parking Appraisals
Resolution No. 2007-247
2. 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. 2007-248
3. Resolution Authorizing the Release of a Performance Guarantee posted by Concord (Somerset Development) in Connection with Block 65 Lot 2
Resolution No. 2007-249
4. Resolution Authorizing the Application for and Acceptance of a 2007 Ocean County Department of Juvenile Services/Youth Services Commission Mini Grant
Resolution No. 2007-250
5. Resolution Authorizing the Execution of an Inter-Local Services Agreement between the Township of Lakewood and the Lakewood Township Board of Education
Resolution No. 2007-251
6. Resolution Authorizing the Liquor License renewal for Lakewood Elks Lodge #1432, for the year 2007-2008, License No.1514-31-037-001
Resolution No. 2007-252
7. Resolution Authorizing the Mayor and Township Clerk to execute Application to New Jersey Department of Transportation, for Raintree – Phase IV
Resolution No. 2007-253
8. Resolution Authorizing the Mayor and Township Clerk to execute Application to New Jersey Department of Transportation, for Central to South Lake – Phase I
Resolution No. 2007-254
9. Resolution Extending a Leave of Absence without pay, for Jeanette Kaminek, from July 23, 2007 through August 7, 2007
Resolution No. 2007-255
10. Resolution Authorizing the Execution of an Amended Agreement with the County of Ocean for the Installation of Sidewalks on Route 528
Resolution No. 2007-256

Motion by Mr. Cunliffe, second by Senator Singer, to approve Resolution Nos. 1 through 10 on Consent Agenda

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

Resolution Nos. 2007-247 through 2007-256 – Adopted.

ORDINANCES SECOND READING

• **Bond Ordinance of the Township of Lakewood, in the County of Ocean, New Jersey, providing for Various Capital Improvements and other related expenses in and for the Township of Lakewood and appropriating \$2,577,886 therefore and providing for the issuance of \$2,455,126 in general improvement Bonds or notes of the Township of Lakewood to finance the same.**

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.

Mr. Miller asked that Mr. Edwards notify him on Item 3E, which talks about drainage improvements at Twelfth Street and Princeton Avenue; he would like to receive a memo advising him of the status of the project.

Mr. Edwards advised he spoke with Mr. Franklin today, and will request the status of the project in writing.

Mr. Edwards further reminded the Committee that this is an Ordinance that requires four affirmative votes in order to be passed.

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

Negative: Senator Singer

Ordinance No. 2007-39 adopted on second reading.

• **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Conveyance and Execution of a Deed of Easement and Right of Way Agreement with respect to Block 174.01 Lot 13.66.**

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. 2007-40 adopted on second reading.

Deputy Mayor Lichtenstein stated for the record that due to a conflict he would be stepping away from the dais for following Ordinance.

• **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of Block 448, Lot 3; Block 466, Lot 3; Block 467, Lot 6, and Block 477, Lot 11 in the Township of Lakewood, at a Private Sale pursuant to N.J.S.A. 40A:12-1 et. seq.**

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Gerry Ballwanz - Stated that she hopes that the Township would not go forward with this Ordinance to sell more land. The Committee just received a map from T & M Associates showing how much land there is, and this is part of the parcel that the Planning Board said that there should be a park set aside. Also, if you go to Block 448, Lot 3, that is the lot that is closest to the fire tower, that was also supposed to be preserved as a potential park and open space in the future. If you sell that lot, you are losing any opportunity for future negotiations for any other land that the Township may want to trade off to create a parcel that is big enough to be used by the public, or to be saved for any of the wildlife. It is also across from the Fairways, and they wanted to keep it as open space. She hopes that the Committee does not go forward with this Ordinance.

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, second by Mr. Cunliffe.

Mr. Cunliffe advised he is looking at a map that was prepared by T & M and the area in question is cross-hatched, not proposed for preservation. He is confused by Mrs. Ballwanz' comments.

Senator Singer added that the property is not even close to the Fairways.

On Roll Call – Affirmative: Senator Singer, Mr. Miller, Mr. Cunliffe and Mayor Coles. Ordinance No. 2007-41 adopted on second reading.

ORDINANCE FIRST READING - None

CORRESPONDENCE

Correspondence from William C. Rieker, CFO, regarding the sale of \$1,735,000 Bond Anticipation Notes.

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

PARKS AND EVENTS CORRESPONDENCE

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

Motion by Mr. Cunliffe, second by Senator Singer, and carried, to approve the above picnic requests.

MOTION TO APPROVE BILL LIST OF: 7/31/07

Motion by Deputy Mayor Lichtenstein, second by Mr. Miller.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Senator Singer advised he sent a letter to Deputy Mayor Lichtenstein, with a copy to Mayor Coles, with regard to Leisure Village, and their problem. It has been determined that the Township needs an Ordinance to issue tickets on the other side of the gate to Original Leisure Village. He added that time is of the essence, and requested that the Ordinance be prepared for the next meeting.

Mr. Miller invited the public to attend the Night Out Against Crime on August 7, 2007 from 4:00 PM to 9:00 PM at Pine Park.

Deputy Mayor Lichtenstein wanted to inform the Committee that over the last week, Wednesday and Thursday nights, and then again this past week, Monday and Tuesday nights, the Township's Office of Emergency Management in conjunction with the State and County Offices of Emergency Management, lead a drill in the High School and they actually got graded by FEMA and did very well; there was no corrective action needed and there were no deficiencies. This was a drill that took approximately thirty-five to forty volunteers in Lakewood from various first responding groups and others; the Police Department; EMS; Hatzolah First Aid; and this was in case of a nuclear disaster and they had to accommodate people in the High School. They were taught how to use radiation tools; they were taught how decontaminate people and vehicles, and how to set up a congregate care center, and for evacuees to come down this way and for the Township to be able to accommodate them. He asked if on behalf of the Committee he could write a letter to the people who participated thanking them for their participation.

Mayor Coles agreed.

ADJOURNMENT

**Motion by Mr. Cunliffe, second by Mr. Miller, and carried, to adjourn the meeting.
Meeting adjourned at 8:50 PM.**