

ORDINANCES FOR DISCUSSION:

ROP Zone Amendment

Mr. Cunliffe advised he has reviewed the Ordinance amendment. It deletes the references to townhouses and multi-family in the ROP zone, which would have been an addition to the original Ordinance as it stood, which did not allow townhouses and multi-family. This amendment will revert it back to the original ROP Ordinance.

Mayor Lichtenstein asked that the Ordinance be placed on the Agenda for first reading at the next meeting.

Senator Singer advised that he has been in touch with members of the Committee this week concerning the situation with the schools. He has written a letter directly to the Commissioner of Education requesting a meeting with her and the County Superintendent, the Mayor and himself as soon as possible to discuss the entire issue. He asked, if they advertise the meeting, can they meet as a Committee with the Commissioner in closed session to discuss the issue of possible problems with the State and funding matters, or is that not viable.

Mr. Secare answered that he does not think it is viable. He spoke with Committeeman Cunliffe at length about the possibility of going into closed session, and they talked about lawsuits against certain people, and would that be permissible in closed session, and that certainly would be. But the majority of the topics, as he understands it, would be outside of the closed session area. Rather than make a final decision this evening, because he is not certain what the topics would be, right now, they will be cautious about that.

Senator Singer added that he wanted to be flexible on the fact that he did name himself and the Mayor to go to the meeting, but that is flexible. If the Mayor wants to take Mr. Cunliffe to the meeting, he is not against that. He just wants to get the meeting expedited to discuss the issues.

Mr. Cunliffe asked Mr. Secare if he could do some research that would allow them to have all five Committeemen present, because the two Committeemen who are chosen to attend, it will be a tremendous amount of responsibility to put on only two people's shoulders.

Mr. Secare answered that as he understands the topics as are being discussed now, there is certainly no harm in having an advertised meeting, assuming that the Commissioner acquiesces to Senator Singers request, and he sees no reason why she would not, and given the fact that the school board has come under a lot of criticism for their "closed sessions", it probably would be a combination of open and closed session subjects. So they would advertise a regular meeting with the five Committeemen present, and as topics come up, it would seem appropriate for whatever reason... litigation.... which is about the only exception to the statute that he can perceive at this time....as those topics come up, you could go into closed session to discuss those. But most of the topics you will be

discussing, including budgeting items, and assistance from the state, are open session issues. And given the criticism that he hears about the school board and their secretive behavior, he certainly does not think the Committee has ever done anything close to that. So probably, most of the issues would be open. Obviously, you could advertise a meeting and have the Commissioner and anyone else, come to that meeting, and discuss the issues.

Mr. Cunliffe advised he would be agreeable to that scenario, and it will have to be part open, and part closed, as needed, and he would certainly participate. He also asked if they could ask the Attorney to draft a Resolution that they could send to Governor Corzine, and also ask Senator Singer to possibly sponsor a Bill, that with regard to civilian boards, advisory boards, boards of education, if they have an advertised public meeting, they should permit public comment.

Mr. Secare answered that the statute currently only mandates that governing bodies allow, or permit, public participation. There is no requirement that school boards, MUA's, Planning Boards, Zoning Boards, or any other autonomous body permit the public to speak. So Mr. Cunliffe's suggestion is a good one. If they want him to draft a Resolution asking the legislation to review that, he certainly will.

Senator Singer advised he will draft a Bill, and provide a copy to the Committee before it is introduced.

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

As to graffiti issues on the building in the area of Laurel Avenue and Holly Street, Mr. Mack advised it has been painted over, for now. He spoke with the owner of the building, JCP&L, about their intentions with that building. It is just sitting there, boarded up, and it is a nuisance. They promised to get back to him within thirty days with their plans for building, either to repair it or demolish it. They will also clean up the property, and cut the weeds.

As to the issue concerning South Lake Drive and the DEP, Mr. Edwards advised that it was his understanding that Senator Singer brought up the matter at the Board of Health Meeting, and was going to take it up with DEP.

Senator Singer advised he was under the impression that the Board of Health was going to contact Mr. Edwards.

As Mr. Edwards answered that they have not contacted him to date, Senator Singer suggested that Mr. Edwards speak with Bob Anginitto or Joe _____, or Dr. Boyd, head of the Board of Health.

With regard to the tree trimming on Route 9, Mayor Lichtenstein asked that this issue be brought back to the next meeting.

As to the drainage issues on Princeton Avenue and Twelfth Street, Mr. Mignella advised that his office will do some field work to determine the gutter elevations and try to find the low point, and then they will come up with a cost estimate to see how they can get the drywell installed. He hopes to have the field work completed in a week or two, but

as to installation they will have to see what the costs are. If the job can be done in-house, he will have to coordinate with John Franklin to see if his crews can do the work.

As to the quality of life issues in a specific neighborhood, Director Peters forwarded the information to the quality of life team, which includes the police officers. It is a work in progress; they sent some notices out, and they are working on it.

Senator Singer commented on overcrowding conditions, and the lawsuit that the landlords have filed against the Township.

Mr. Cunliffe advised he has been contacted by a residents group in Hearthstone, and their issues have to do with trash, basketball hoops in the streets being utilized at 2:00 AM, cars parked on lawns, and drug and alcohol parties taking place at the park in the neighborhood. Quality of life is not just focused on overcrowding, although that is a very significant life and safety issue, but quality of life means a lot of things to many people.

As to the street light issue at Seventh Street and Forest Avenue, Director Peters advised that the street light has been installed.

As to the issue of flooding conditions on Holly Street, Mr. Mignella advised that their inspectors went out to investigate; the manholes were sealed tight, and they were unable to open them. During the recent rain storm, they saw no evidence of water leaking from the manholes, but they will continue to monitor the area.

As to the issue of loud music coming from homes at Lucy Road and Aaron Street, Director Peters advised they spoke with the complaining resident from Leisure Village, and adjoining neighbors, and they will monitor the area further.

As to the issue of the turn-around at the entrance at Leisure Village, Mayor Lichtenstein advised he met with representatives from DOT this week. They are moving that issue onto the front burner, and will advise Mr. Mignella of the date for the resolution of the situation.

Mayor Lichtenstein asked that this matter be brought back to the meeting of October 5th. He asked Mr. Mignella to update the Committee at that time as to what projects the DOT has prioritized.

Mr. Mignella further advised that the DOT promised to get back to them before October 5th with somewhat of a priority with reference to some of the intersection projects. But in the meantime, they did a traffic count at the Route 70 location, and they are proposing additional signing, which is an easy and quick solution.

Senator Singer advised he has been in contact with the Director of Motor Vehicles concerning the deplorable condition of the inspection station on Route 70. When they were originally granted approval to build the inspection station in the right-of-way, they agreed to plant and maintain it. They have seen, over the past two years, a series of dead trees. He suggested that they fence it with a decorative fence and plant more trees, but you can not plant in the summer; you need to plant in the Fall if you want them to survive. He was told it would cost \$8,000.00 to replace the trees. He asked them to

give the money to the Township and the Public Works Department would replace the trees. He offered a Motion to have a Resolution drafted asking the State to maintain the outside of the inspection station on Route 70, as they agreed to do when they were granted approval to build; and to replant the dead trees, and if they want to put a decorative fence. Mr. Cunliffe offered a second to the Motion.

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

Mayor Lichtenstein asked Mr. Mignella about the Ordinance for first reading with regard to the easement for JCPL; do they have a plan for the removal of the trees.

Mr. Mignella advised that he met with JCPL at the sight. There were existing homes, and with the construction of the newer homes, the existing JCPL facilities need to be upgraded. In doing so, they need to clear two trees and do some trimming. The trees were staked; one is on an island and one is adjacent to a property owner. The developer has agreed to pay for the tree trimming and also pay to grind the stumps. So they do not anticipate any stumps remaining on site for a long time, and they also do not anticipate having more trees getting removed than needed, because they have already been marked and tagged. But it is necessary in order to upgrade the facilities so these homes can get power.

Mr. Cunliffe confirmed this Ordinance is on the Agenda for first reading. The only thing he would ask is that the existing properties owners are fully informed, and that they do not have any issues with any trees that are being taken down.

Mr. Mignella answered that would not be a problem; they will go door to door and speak with the neighbors.

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 Lichtenstein opened the meeting to the public.

Carol _____, resident of the Fairways – Commented on a safety and quality of life issue. There is a religious school that backs up to the Fairways on Cross Street. There is also a school on New Hampshire Avenue and Route 70. She understands there is courtesy busing, which is provided because there are no sidewalks, crossing guards and traffic lights. That is all well and good, and it is a wonderful thing to get the children to school and back home safely. But what is happening to these schools during the day. Why does she see children running across Route 70 from the school on New Hampshire Avenue to the gas station. These are the children that we are paying to bus to school so they are safe. Why is it that when she goes to the day and night convenience store at the corner of Cross Street and Route 9 that she sees students from the school on Cross Street walking two abreast in one direction with no sidewalks, and three abreast with no sidewalks going back to school. These are children we are paying to bus, because they must be safe. This is a safety issue for the children and for the town.

Mr. Cunliffe advised they have received complaints like this before. He suggested that they send a letter to the principal of those schools, asking them to have the children not make unsupervised trips to convenience stores, just for their own safety.

Mayor Lichtenstein suggested that Director Peters assign some officers to these areas, to reach out to the schools and speak to the school children and say, this is unsafe, someone will get hurt.

Senator Singer added that most of these children are not courtesy bused. State law says that if you live past two miles, even if you are in private school, the state pays for the busing. But that is not the issue. The issue really is the safety factor. He lives off of Cross Street, where there are no sidewalks, and it is a very busy and dangerous roadway. He agreed they have to point out the safety factor to the principals about what is going on, and about how dangerous it is for these young people to do this unsupervised.

Mayor Lichtenstein asked Director Peters to send an officer out to the sites.

Director Peters answered that he has no problem sending an officer out to the sites, but he feels they need to reinforce, with the administrators of the schools, that it is their responsibility to keep those children within the school boundaries, in that safe environment.

Noreen Gill, 192 Coventry Drive – Commented on the zoning amendments as recommended by the Master Plan Advisory Committee.

David Drukaroff, 1433 Laurelwood Avenue – Commented on the financial problems of the school board.

Joanne LaRocca, 22 Brian Street – Commented on a recent Zoning Board meeting concerning an issue on Joe Parker Road.

Larry Simons – Commented on the issues of affordable housing and overcrowding conditions.

_____, 969 Princewood Avenue – Commented on quality of life issues in his neighborhood (Hearthstone).

Senator Singer commented on the responsibility of landlords to their property. He suggested that the Attorney review the requirement for a landlord to obtain a mercantile license as is presently a requirement in some towns. If you are a landlord, you are in business, and as a business person, you should have a license to do business in Lakewood. At the time they get their business license, and they happen to be a landlord, they can receive a set of rules and regulations that are expected of them as a landlord. Then if they violate those rules and regulations, they can lose their mercantile license, and therefore, would not have the right to operate a business. That is a solution they should look at.

Motion by Senator Singer, second by Mr. Cunliffe, to request the Attorney research this matter as to its legality.

As to the issues in the Hearthstone development. Mr. Cunliffe advised he was contacted by Mr. Palmieri to have a meeting with Director Peters and Mr. Mack. When that meeting is set up, he will ask that the resident from 969 Princewood Avenue be notified of the meeting date, because he has received calls from Hearthstone residents with concerns about quality of life issues.

Alice Kelsey, 295B Malvern Court East – Commented on board of education issues.

Mrs. Kelsey further commented on the upcoming opening of the Employment Center on October 16th.

_____ – Commented on overcrowding conditions.

Mildred Harton, Trustee Leisure Village East – Commented on the application of Georgian Court University to the Planning Board to enhance their entrance.

Bill Hobday, 30 Schoolhouse Lane – Commented on school board issues. Also commented on the zoning changes as recommended by the Master Plan Advisory Committee.

Ray Tipaldo, 882D Balmoral Court, LVE – Advised they are designated as single family units, because there are fire walls between the units. With the problems they have with certain fire hazards, he asked the Committee to consider changing their designation to multi-family housing.

Mr. Secare advised that the answer to their problem lies in their by-laws, and they may want to take a look at changing their by-laws to permit inspections by the Township.

Gerry Ballwanz – Commented on the meetings of the Master Plan Advisory Committee. Also commented on the construction at the old Agway site.

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

At this time, the professionals left the meeting.

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 Bingo and Raffle Applications: Jackson Women of Today, Georgian Court University, Greenville PTO, Lanes Mill Elementary PTA.
Resolution No. 2006-375
2. Resolution releasing a Performance Bond posted by Majestic Investment, LLC in connection with Block 169 Lots 31 and 32.
Resolution No. 2006-376
3. Resolution releasing a Maintenance Bond posted by Yomah, Inc. in connection with Block 236 Lots 35-39, 50.01- 50.04 and 52 with conditions.
Resolution No. 2006-377

4. Resolution releasing a Maintenance Bond posted by Yomah, Inc. in connection with Block 248 Lots 1,2,29,30 and 31 with conditions.
Resolution No. 2006-378
5. Resolution releasing a Maintenance Bond posted by Kedma I, Inc. in connection with Block 238 Lots 1,2 and 24-27 with conditions.
Resolution No. 2006-379
6. Resolution approving the bylaws of the Ocean County Municipal Joint Insurance Fund.
Resolution No. 2006-380
7. Resolution authorizing renewal membership in the Central Jersey Health Insurance Fund.
Resolution No. 2006-381
8. Resolution rejecting all bids received with respect to the Emergency Generator at Lions Head Woods and authorizing the Purchasing Agent to re-advertise for the receipt of bids for the Emergency Generator at Lions Head Woods.
Resolution No. 2006-382
9. Resolution amending a Leave of Absence without Pay to Elizabeth Williams for the time period of July 20, 2006 through August 18, 2006.
Resolution No. 2006-383
10. Resolution canceling unexpended balances of certain general capital improvement appropriations.
Resolution No. 2006-384
11. Resolution authorizing the Tax Collector to conduct a Tax Lien Sale.
Resolution No. 2006-385
12. Resolution authorizing the Lakewood Township Tax Collector to cancel any and all taxes, penalties, interest due on Block 774.03 Lot 2.03
Resolution No. 2006-386
13. Resolution authorizing the Lakewood Township Tax Collector to cancel any and all taxes, penalties, interest due on Block 774.03 Lot 12.03
Resolution No. 2006-387
14. Resolution releasing a Performance Bond posted by Elmhurst, LLC in connection with Block 439, Lots 2, 10 through 19.
Resolution No. 2006-388
15. Resolution authorizing the insertion of a special item of revenue into the 2006 Municipal Budget for the Urban Enterprise Zone Job Link Year XI.
Resolution No. 2006-389
16. Resolution authorizing the insertion of a special item of revenue into the 2006 Municipal Budget for the Urban Enterprise Zone Stadium Year VIII.
Resolution No. 2006-390

17. Resolution expressing opposition to the institution of a Statewide Equalized School Tax for the funding of public education in the state of New Jersey.
Resolution No. 2006-391
18. Resolution authorizing the Lakewood Township Tax Collector to refund payments.
Resolution No. 2006-392
19. Resolution authorizing the award of a Professional Services Contract to Birdsall Engineering for post-closure engineering services at the Cross Street Landfill, sum not to exceed \$22,000.00.
Resolution No. 2006-393
20. Resolution requesting an extension of time for the Vine Street Access Project.
Resolution No. 2006-394
21. Resolution authorizing the execution of a change order no. 1 in connection with a project known as Kettle Creek Recreational Complex.
Resolution No. 2006-395
22. Resolution awarding contract to SCNJ Inc . for the purchase of Heil Rail Repair Parts, sum not to exceed \$85,000.00.
Resolution No. 2006-396

Motion by Senator Singer, second by Mr. Cunliffe, to approve Resolutions 1 through 22 on the Consent Agenda.

As to Resolutions 6 and 7, Mr. Cunliffe asked if Mr. Rieker has completely reviewed all of the items.

Mr. Edwards answered that he has completely reviewed the information, and has discussed the matter with Mr. Rieker.

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

Mr. Cunliffe abstained on Resolution N. 9

Resolution Nos. 2006-375 through 2006-396 – Adopted.

ORDINANCES SECOND READING

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter VI of the Code of the Township of Lakewood entitled Alcoholic Beverage Control.
Read by title only for second reading.

Mayor Lichtenstein 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 Senator Singer.

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

Ordinance No. 2006-64 adopted on second reading.

ORDINANCES FIRST READING (2nd Reading and Public Hearing 10/26/06)

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey amending an Ordinance authorizing the exchange of certain lands within the Township of Lakewood, in particular, the Township of Lakewood to acquire Block 815 Lot 7 and Block 816 Lot 3 and to convey Block 473 Lots 3 and 5 and Block 445 Lot 13 as part of an exchange of lands pursuant to N.J.S.A. 40A:12-16.

Read by title only for first reading.

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

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

Ordinance No. 2006-65 adopted on first reading. Second reading and public hearing to be held on October 26, 2006.

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the execution of a deed of easement and right of way agreement with JCP&L with respect to Block 13 Lot 1.

Read by title only for first reading.

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

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

Ordinance No. 2006-66 adopted on first reading. Second reading and public hearing to be held on October 26, 2006.

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, renaming a street name within the Township of Lakewood in order to eliminate a duplicate street name pursuant to and in accordance with N.J.S.A. 40:67-1(k) et seq. (Park Ave. to Havens Ave.)

Read by title only for first reading.

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

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

Ordinance No. 2006-67 adopted on first reading. Second reading and public hearing to be held on October 26, 2006.

CORRESPONDENCE

Letter from Cornerstone Calvary Chapel requesting to use Town Square on October 28, 2006 from 12:00 Noon until 4:00 PM.

Letter from Lakewood Spanish Church requesting to use Town Square on October 14, 2005 from 10:45 AM until 2:00 PM.

Motion by Mr. Cunliffe, second by Senator Singer, to receive, file and approve the above correspondence, and to approve the following picnic requests.

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

PARKS AND EVENTS CORRESPONDENCE

Per schedule of three (3) items attached hereto and made a part hereof.

MOTION TO APPROVE BILL LIST OF: 9/5/06

Motion by Mr. Cunliffe, second by Senator Singer.

On Roll Call – Affirmative: Mr. Cunliffe and Mayor Lichtenstein

Negative: Senator Singer

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

The Committee thanked Leisure Village East for inviting them into their community.

ADJOURNMENT

Motion by Senator Singer, second by Mr. Cunliffe, and carried, to adjourn the meeting.

Meeting adjourned at 9:20 P.M.