

**LAKWOOD TOWNSHIP COMMITTEE  
MINUTES  
MARCH 8, 2007**

The Lakewood Township Committee held a Meeting on Thursday, March 8, 2007 in the Lakewood Municipal Building, at 6:30 P.M. for the Executive Session and 7:30 P.M. for the Public Meeting, with the following present:

Mayor.....	Raymond Coles
Deputy Mayor.....	Meir Lichtenstein
Committee Members.....Absent.....	Senator Robert Singer Menashe Miller Charles Cunliffe
Municipal Manager.....	Frank Edwards
Municipal Attorney.....	Steve Secare
Municipal Clerk.....	Bernadette Standowski

**CLOSED SESSION**

Motion by Mr. Cunliffe, second by Mr. Miller.  
Resolution No. 2007-95 – 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: 2/15/07**

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

**MOTION TO APPROVE CLOSED SESSION MINUTES: 2/15/07**

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

## **PRESENTATIONS**

Chief Lawson administered the Oaths to the six new officers of the Lakewood Police Department.

Mayor Coles presented the Chief's Badge to Police Chief Robert Lawson, and Deputy Chief Badges to Deputy Chief Fred Capper and Deputy Chief Charles Smith.

## **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.

David Drukaroff, 1433 Laurelwood Avenue – Congratulated the new police officers.

Esther Green, 20 Holly Street – Complained about the fees in connection with the Lakewood First Aid ambulance service.

Mr. Edwards suggested that Mrs. Green put her questions in writing to his attention and he will forward them to Mr. Krell.

Larry Simons, 7 Schoolhouse Court – Commented with regard to the landlord lawsuit against the Township of Lakewood.

Alice Kelsey, 295B Malvern Court East – Asked about the third meeting to be held in March.

Mayor Coles advised the meeting will be held on March 22nd in the Municipal Building.

Mrs. Kelsey also commented with regard to signs in the area of Georgian Court University, and the recall issue.

Noreen Gill, 192 Coventry Drive – Commented on the landlord lawsuit.

Jim Waters, 1275 Old County Line Road – Commented with regard to the Lakewood Heritage Museum; requested that the Committee consider a permanent site for this museum.

Lindsey, SAGE Foundation – Commented with regard to the auction of surplus equipment.

Mr. Edwards advised that the sale of the equipment will be advertised in the newspaper, and the Township has a contract with an internet service; the bids can be made over the internet. The date for the sale will be placed on the website.

Herman Winkelman – Advised he has many grievances; also commented with regard to his lawsuit against the Planning Board.

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 appropriation reserve transfers in the 2006 Municipal Budget.  
Resolution No. 2007-96
2. Resolution authorizing emergency temporary appropriations for the period between the beginning of the current fiscal year and the date of the adoption of the 2007 Budget.  
Resolution No. 2007-97
3. Resolution approving application for a P.A.R.I.S. Grant.  
Resolution No. 2007-98
4. Resolution authorizing submission of an application to the New Jersey Enterprise Zone Authority for the Fiscal Year 2007-2008.  
Resolution No. 2007-99
5. Resolution authorizing the Lakewood Township Tax Collector to cancel any and all liens, taxes, penalties, interest due as as to Block 1051 Lots 32, 33, 66 and 67.  
Resolution No. 2007-100
6. Resolution authorizing the issuance of a duplicate tax sale Certificate for Block 27 Lot 69.  
Resolution No. 2007-101
7. Resolution authorizing a state contract purchase of office equipment to Butler Office Interiors, sum not to exceed \$97,880.24.  
Resolution No. 2007-102
8. Resolution reducing a performance guarantee posted by Somerset Development, LLC in association with Block 830 Lot 1.  
Resolution No. 2007-103
9. Resolution awarding a concession contract for the John F. Patrick Recreational Complex to American Country Deli, sum not to exceed \$2,500.00.  
Resolution No. 2007-104
10. Resolution authorizing a leave of absence without pay to Jose Ortiz for the time period of February 22, 2007 through September 22, 2007.  
Resolution No. 2007-105

11. Resolution authorizing the Division of Purchasing or its Designee, to participate in a contractual relationship with PropertyBureau.Com for the sale of surplus items in possession of the Lakewood Township Police Department.  
Resolution No. 2007-106
12. Resolution appointing a member to the Lakewood Township Community Development Block Grant Committee.  
Resolution No. 2007-107
13. Resolution authorizing the award of a Professional Services Contract to Birdsall Engineering for engineering services for the installation of curb and sidewalks on 14th Street between Route 9 and Forest Avenue, sum not to exceed \$17,400.00.  
Resolution No.2007-108

**Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein, to approve Resolution Nos. 1 through 13 on the Consent Agenda.**

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

Resolution Nos. 2007-96 through 2007-108 – Adopted.

## **ORDINANCES SECOND READING**

- **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter II of the Code of the Township of Lakewood entitled “Administration”. (Fees for Misc. Services)**

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: Mr. Miller, Mr. Cunliffe, Deputy Mayor Lichtenstein and Mayor Coles.

Ordinance No. 2007-10 adopted on second reading.

- **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, adopting the Codified Tax Abatement Ordinance, Section 24-1 of the Code of the Township of Lakewood, so as to renew the Tax Abatement Ordinance.**

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 Deputy Mayor Lichtenstein.**

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

Ordinance No. 2007-11 adopted on second reading.

• **An 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 820 Lot 1 and to convey Block 834 Lot 1 as part of an exchange of lands pursuant to N.J.S.A. 40A:12-16. (Kinsey Ave. & Wilson Ave.) (Sherman & Funston)**

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Gerry Ballwanz, Governors Road – Commented on a recent newspaper article regarding the assessed value of the land being so out of range to the appraised value. According to the Ocean County Deeds the assessed value ranges from \$297,000 and yet the appraiser put it on for \$70,000. She asked why there is such a big difference. She also commented that the land that the Township owns is identified as Lot 1, and is over an acre, versus the land to be acquired which is less than half an acre. She believes part of the problem is the way the properties are listed. She believes it needs to be clarified as to what is being exchanged. She also thought that land on a paved road is more valuable, and yet the land to be acquired is a paper street. She would think that the appraised amount should be questioned. If the parcels are the same, it would seem that the land on Spruce Street would be valued more than just \$10,000 than the land that is on the paper street. She thinks this Ordinance needs to be reviewed to see what exactly the Township is giving up, and what is being acquired, and whether the appraisals are really appropriate. She believes they are not correct. She suggested that the Ordinance be put on hold, for further review.

Mayor Coles stated he believes that this is one of the lots that need to be subdivided, and they are conveying the top portion of the parcel.

Mr. Edwards explained there is a subdivision that has been approved at the Planning Board level, but it has not as yet been recorded. So the property will be subdivided and they will only be conveying a portion of the lot. The intent of the Township is to offer this property for sale to New Jersey Hand because this is an affordable housing property.

Mr. Cunliffe asked if they should carry this Ordinance until the subdivision is done.

Mr. Miller answered it has been done; it just has not been memorialized.

Mr. Edwards stated they have to record a plat. But they have to go back to the Planning Board, which has been scheduled, and they have to get a signed plat recorded. The other option is that if the Ordinance is approved, then you can not do the transfer until the lot is subdivided; or you can hold up the Ordinance.

Mr. Cunliffe asked if they should wait for it to be memorialized so there is no misunderstanding as to what they are doing.

Mr. Secare answered that he does not believe there is any misunderstanding, and they do not have to sign the Deeds if it does not go through as put forth. He has talked to a number of people about this; do you do the subdivision first, or do the transfer first. But ultimately, they just don't sign the Deed if anything goes wrong. And the minutes should reflect what he just said; that whoever the exchanger is they should know that unless everything is done pursuant to the prior negotiations and agreements, the Township will not sign the Deeds.

Mr. Cunliffe asked Mr. Miller to state for the record what was done at the Planning Board.

Mr. Miller answered that the attorney for this application is Abe Penzer. The applicant was present at a recent meeting; they appeared before the Board to discuss this issue. Memorialization has not yet been completed.

Mr. Cunliffe asked if there was a vote of the Planning Board in the affirmative.

Mr. Miller advised he could not recall, and did not want to be quoted without his notes in front of him as to what exactly was done.

Mr. Secare repeated it is clear to everyone that unless the subdivision is finalized, the Township will not sign off on anything.

Mr. Cunliffe asked Mr. Secare if they are definitely protected.

Mr. Secare answered, and he wants the minutes to reflect, and to make it clear, that the Township will not sign any Deeds unless everything is complete.

Noreen Gill, 192 Coventry Drive – Suggested that the Committee should clearly take a second look at this Ordinance.

Mayor Coles advised that the way it is going to work is you have appraisals done on both properties. The owner that is transferring the land is going to pay the Township the difference between the two appraisals. And then New Jersey Hand is going to pay the Township the appraised value for the property.

Mr. Cunliffe asked if the value would be not for the entire Lot 1, but for the much smaller subdivided portion of the land.

Mr. Edwards answered it would be for the portion outside the boundaries of New Jersey Hand.

Mr. Secare advised that Mr. Edwards has suggested they make sure a metes and bounds description is attached to this Ordinance.

As everyone was in agreement, Mr. Edwards advised he would request the Engineer to prepare the description for the next meeting.

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

**Motion by Mr. Cunliffe, second by Mr. Miller, that the above Ordinance be carried to the next meeting, to include the metes and bounds description.**

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

Second reading and public hearing on Ordinance No. 2007-12 carried to the meeting of March 15, 2007.

**• An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the private sale and conveyance of Block 1175, Lot 1; Block 1184, Lot 1; and Block 1187, Lot 1, lying within the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:12-13, et seq., to the Lakewood Township Industrial Commission for nominal consideration. (Ann Ave., Nan St.)**

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 Deputy Mayor Lichtenstein.**

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

Ordinance No. 2007-13 adopted on second reading.

**• An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of Block 815 Lot 7 and Block 816 Lot 3, in the Township of Lakewood, at a private sale pursuant to N.J.S.A. 40A:12-1, et seq. (Towers St.)**

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Gerry Ballwanz, Governors Road – Stated this is confusing. This is part of the affordable housing lot, and the Township is selling off a big block of land for one dollar. She asked why is it now that the Township is offering these smaller lots are being offered for \$50,000 each.

Mayor Coles answered that the arrangement they made with the developer was that the Township owned land, at the time, would be turned over for one dollar. But that any of the out parcels, owned by other people, would have to be paid for. Because it worked out that the Township had to acquire the other parcels, to get the land swapped for sale, the Township is charging them what the out-of-pocket costs are, the appraised value....in addition to that, the two parcels that are being swapped, the Township property was worth \$70,000.00, and the other was worth \$50,000.00. The Township took in \$20,000.00 from the other owner, and now they are going to sell this land for \$50,000.00, so that the Township will recoup the full amount of what that land was appraised for.

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

**The above Ordinance was offered by Mr. Cunliffe, second by Deputy Mayor Lichtenstein.**

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

Ordinance No. 2007-14 adopted on second reading.

• **Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing a lease of Block 126 Lot 14 in the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to and in accordance with N.J.S.A. 40A:12-1, et seq. (Second St.)**

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: Mr. Miller, Mr. Cunliffe, Deputy Mayor Lichtenstein and Mayor Coles.

Ordinance No. 2007-15 adopted on second reading.

## **ORDINANCES FIRST READING - None**

## **CORRESPONDENCE**

1. Letter from William Rieker, CFO, regarding notes sold.
2. Letter from SAGE Foundation requesting to close off MLK Drive between John Street and Center Street on May 26, 2007, July 14, 2007 and September 1, 2007 for a block party. A memo of no objection has been received from Chief Robert Lawson.
3. Letter from Sandra Gonzalez for the use of Town Square on May 3, 2007 from 6:30 PM until 8:00 PM.
4. Letter from Lakewood Community Outreach Church requesting to use Town Square on May 13, 2007 from 1:00 PM until 7:00 PM.
5. Letter from Cornerstone Calvary Chapel requesting to use Town Square on April 14 and April 28, 2007 from 12:00 Noon until 4:00 PM.



**Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein, and carried, to receive and file Letter 1, to approve requests 2, 3, 4 and 5, and to approve the following picnic requests 1 through 10.**

## **PARKS AND EVENTS CORRESPONDENCE**

Per schedule of ten (10) items, attached hereto and made a part hereof.

## **MOTION TO APPROVE BILL LIST OF: 3/6/07**

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

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

Bill List approved.

## **COMMENTS FROM COMMITTEE MEMBERS - None**

## **ADJOURNMENT**

**Motion by Mr. Cunliffe, second by Mr. Miller, and carried, to adjourn the meeting.**

Meeting adjourned at 8:30 P.M.