

**LAKWOOD TOWNSHIP COMMITTEE
MINUTES
MEETING OF: MARCH 15, 2007**

The Lakewood Township Committee held a Meeting on Thursday, March 15, 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.....	Senator Robert Singer
Absent.....	Menashe Miller
	Charles Cunliffe
Municipal Manager.....	Frank Edwards
Municipal Attorney.....	Steven Secare
Municipal Clerk.....	Bernadette Standowski

CLOSED SESSION

**Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein.
Resolution No. 2007-109 – 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 Deputy Mayor Lichtenstein, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 3/8/07

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

Senator Singer abstained.

Minutes approved.

MOTION TO APPROVE CLOSED SESSION MINUTES: 3/8/07

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

Senator Singer abstained.

Closed Session Minutes approved.

Mayor Coles advised that the Lakewood High School Army JROTC has received an invitation to attend the National Drill Competition in Daytona, Florida, to be held in May. They need to raise \$5,000 in the next few weeks. He will begin tomorrow by calling various businesses to help them raise the funds; and other members of the Committee have also volunteered to help. He asked the Press to put the news out that this is a very prestigious event, and if anyone is willing to help, he will provide the information needed to make a donation or assist in raising the funds.

PRESENTATIONS: Mr. Mack – Laurel Ave.

(During this presentation, various pictures were shown of properties in the area of Ocean Avenue and Laurel Avenue.)

Ed Mack, Director of Code Enforcement and Zoning, advised they have received a lot of attention this past year with quality of life issues and code enforcement. They have had a long and not very friendly legal battle, have spent a lot of time in Court, had three hundred fifty over-crowded homes they dealt with....they would like to try something a little different from now on. They are going to get more proactive in the way they approach certain issues. In the past, they would go out when complaints were made, and issue a warning. If that didn't work, they would issue a summons; then if necessary they would have to send a contractor out to do the work, and bill the homeowner. If they didn't pay the bill, they would put a lien on the property. This took a lot of effort, and was very cumbersome on the Court system. They thought they would try something else. (As the pictures were shown, Mr. Mack explained their plans for the properties, in taking a proactive approach). They intend to prepare a list of the homes, send the owners photographs and detailed letters as to what is necessary to bring the properties up to code, and give them a reasonable amount of time to do the work. They intend to target the Ocean Avenue area because it is a gateway into town, and they are going to begin to tell people they have a minimum standard for the properties, and they need to maintain the properties.

Mayor Coles advised Mr. Mack that when dealing with the property owners, if it is found to be owner occupied, and finances are an issue as far as getting the repairs done, he would like to get them involved with the rehabilitation program. The funding has been set aside through the CDBG Program to rehabilitate existing homes.

Mayor Coles reviewed quality of life items from the meeting of February 15, 2007.

As to the issue on Pine Street and Martin Luther King Drive, Chief Lawson advised he has a recommendation from Traffic & Safety to restrict parking on the south side so that cars making left turns will have access to do so. Additionally, he has a recommendation to install a one hundred fifty watt street light on Martin Luther King Drive, approximately one hundred feet before the intersection, on the west side of the roadway, and to also upgrade an existing street light to one hundred fifty watts, located on Pine Street at the far side of the intersection of Martin Luther King Drive.

As to the issue at Spruce Street and Marc Drive, Mr. Franklin advised that the sign has been installed.

As to the request for a sign on East Fourth Street, Mr. Franklin advised that the one-way signs have been installed.

As to the issue of the trees being cut back on Chestnut Street and Cross Street, Mr. Mack advised he met with the County. The County logs the trees; they take them and cut them into planks. They have to coordinate between someone there to cut the trees down and getting the County there to haul the trees away.

As to the street light at Buttell and Rose, Mr. Edwards advised there are a couple of different options, to be discussed with Deputy Mayor Lichtenstein.

Chief Lawson advised he has a recommendation from Traffic & Safety to install a street light on the south side of that intersection.

As to the signs for Shonny and Irene Court, Mr. Franklin advised they have been installed.

Mayor Coles advised that Mr. Lindsey from the Sage Foundation submitted his request, and it was approved by the Committee in advance, so he has time to prepare for the block party.

COMMENTS FROM COMMITTEE MEMBERS:

Mr. Cunliffe asked Chief Lawson to have one of the officers take a look at the sign across from the Post Office, advertising a diner or restaurant. At the bottom of the sign it has a huge arrow pointing to the back of the parking lot. However, that is not the direction of traffic. He has seen at least two or three near accidents, by people moving with the traffic and other cars coming out of the parking lot. He believes it is one-way out of the parking lot. The sign indicates the arrow into the parking lot, so it needs to be addressed.

Mr. Cunliffe further advised he is the liaison to the ADA Committee, and they are getting more people from the public contacting them, either by e-mail or by coming to the meetings. He asked that the professionals attend one of the meetings at the Lehman Center, on the second Wednesday of the month, at 5:30 PM. There are many issues brought up with regard to handicap parking, the proper signage, the proper amount of parking spaces, and if they are correctly located.

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.

Bert Albert, Lions Head Woods – Commented with regard to the horrific fire in New York. Also commented regarding over-crowding conditions in Lakewood.

Alice Kelsey, 295B Malvern Court East – Commented with regard to speeding issues through St. Mary’s parking lot. She is there between 1:00 PM and 2:00 PM once or twice during the week, and has observed the parking lot being used as a thoroughfare between Route 88 and Cedarbridge Avenue.

Mayor Coles agreed it has also been a problem in the past, and he would ask the Chief of Police to step up enforcement in the area, and also request Traffic & Safety to look into it.

Larry Simons, Schoolhouse Court – Commented with regard to the Ordinance recently adopted that cancelled taxes on property for the year 2006 on Block 48, Lot 10, and the current Ordinance on the Agenda this evening which would cancel the taxes for 2005.

Mr. Secare explained that the Ordinance on the Agenda this evening is an amendment to the original Ordinance. It is not an exemption; it is a cancellation of taxes, which is permitted pursuant to the statute quoted in the Ordinance.

Gerry Ballwanz, Governors Road – Commented with regard to the recent fire in New York. Also commented on the adoption of the Master Plan.

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 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 spraying for Gypsy Moth.
Deputy Mayor Lichtenstein removed this Resolution from the Consent Agenda.
2. Resolution authorizing the issuance of one Class C Plenary Retail Consumption Liquor License at a Public Sale.
Senator Singer removed this Resolution from the Consent Agenda.
3. Resolution authorizing the execution of a traffic signal agreement with the County of Ocean and the State of New Jersey for the intersection of Route 9 and Locust Street.
Resolution No. 2007-110
4. Resolution establishing traffic regulations in connection with the Commencement Ceremonies to be conducted at Georgian Court University.
Resolution No. 2007-111

Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein, to approve Resolution Nos. 3 and 4 on the Consent Agenda.

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

Senator Singer abstained on Resolution No. 4.

Resolution Nos. 2007-110 and 2007-111 - Adopted.

Resolution Nos. 1 and 2 were discussed and acted upon as follows:

1. Resolution authorizing spraying for Gypsy Moth.

Motion by Deputy Mayor Lichtenstein, second by Senator Singer, for purpose of discussion.

Deputy Mayor Lichtenstein advised he is looking at the map for the first time, and he does not have his notes with him. He does remember last year that there were specific neighborhoods that were horribly attacked by the gypsy moths, but were not sprayed. If they vote on this Resolution now, and he finds his notes about a neighborhood that was not covered, with they be able to increase or add that area.

Mr. Edwards answered that he does not believe so. The process is that the State DEP representatives come down and do a survey, and decide what acreage will be done, and that is how they arrived at the map designations. He did not hear anyone say there were areas that were not addressed last year.

Deputy Mayor Lichtenstein asked if he votes against it now, they would have to wait six weeks, and then miss the season.

Mr. Edwards answered yes.

Deputy Mayor Lichtenstein asked if in the future he could see the map in advance.

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

Resolution No. 2007-112 – Adopted.

2. Resolution authorizing the issuance of one Class C Plenary Retail Consumption Liquor License at a Public Sale.

Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein, for purpose of discussion.

Senator Singer advised he has concerns with this Resolution because the town can not tell them were this license can be placed. He has concerns about another license being

placed in the downtown area, or on Route 88. Those areas are problem areas from the police prospective, and since they can not mandate where the license will go, and it can go in one of those areas, he has a problem with this.

Mayor Coles asked if they have any restrictions as to how far or close it can be to an existing license.

The Township Clerk answered schools, and another license.

Mr. Secare added that is by state statute.

Mayor Coles stated that the likelihood that it will find a home downtown is small. He asked if it was 2,000 feet from an existing license.

The Township Clerk answered yes, and from schools.

Mr. Cunliffe asked if there was any way for them to geographically restrict the location of the new license.

Mr. Secare asked for time to research the issue. The general rule on all liquor licenses is that the issuing authority has an enormous amount of power in regulation because the license is a privilege, and not a right. He knows that you can restrict it to a number of seats in a restaurant, or other issues like that. He will research if they can have the ability to geographically restrict the license.

Mayor Coles suggested that the Motion be amended to carry this Resolution to the first meeting in April.

Mr. Cunliffe agreed with Senator Singer's comments because there is an establishment on Route 88, where there have been problems. There are also many package goods stores in the downtown area, where there have been numerous complaints. If there is a way to restrict the license, he would like it to be researched. He would like to carry the Resolution to the next public meeting.

Deputy Mayor Lichtenstein also requested that the Engineer prepare a geographical map of the town, to show the areas, that by state statute, the license would not be permitted to locate.

Mr. Secare explained that by limiting the location of the license, you will cut down the value of the license.

Mr. Cunliffe amended the Motion to carry the Resolution to the next public meeting. Senator Singer agreed to the amendment.

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

Resolution carried.

ORDINANCES 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.**

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Gerry Ballwanz – Stated she does not see any difference between this Ordinance and the previous Ordinance regarding the metes and bounds description of the lands to be exchanged.

Mr. Cunliffe advised that the metes and bounds description is attached to the Ordinance.

Mrs. Ballwanz asked if property that is located on an unpaved street is less valuable than property that is located on a paved street. She asked why there was such a minimal difference in the value and appraisals of the Township property located on a paved road, and the other property located on an unpaved road.

Mayor Coles answered that the properties were appraised and the Township will stand by those values.

Mrs. Ballwanz further asked about the appraisal versus the assessed value; it was much higher. She does not understand the difference.

Mr. Edwards advised that it should be made clear that the metes and bounds description is part of the Ordinance and must be attached in the official records.

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: Senator Singer, Mr. Cunliffe, Deputy Mayor Lichtenstein and Mayor Coles.

Ordinance No. 2007-12 adopted on second reading.

ORDINANCES FIRST READING (2nd Reading and Public Hearing 4/12/07)

- **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, canceling taxes as to Block 48, Lot 10.**

Read by title only for first reading.

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

Mr. Cunliffe asked Mr. Secare that as to the first Ordinance that was passed, that Ordinance had an error in it.

Mr. Secare answered yes, he had the wrong year in it.

Mr. Cunliffe asked what year was in it.

Mr. Secare answered 2006.

Mr. Cunliffe stated that the Ordinance before them this evening is talking about canceling taxes for 2005 and 2006.

Mr. Secare advised that the Ordinance was corrected.

Mr. Cunliffe read from Ordinance...the purpose of this Ordinance is to grant....

Mr. Edwards stated there is a revised Ordinance.

Mayor Coles advised that the revised Ordinance was given to the Committee in Closed Session.

Mr. Secare added that it should only say 2005.

Mr. Cunliffe was provided a copy of the amended Ordinance.

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

Ordinance No. 2007-16 adopted on first reading. Second reading and public hearing to be held on April 12, 2007.

• **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI of the Code of the Township of Lakewood entitled “Traffic” (One Way East Harvard St. westerly from East End St. and East End. 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, Deputy Mayor Lichtenstein and Mayor Coles.

Ordinance No. 2007-17 adopted on first reading. Second reading and public hearing to be held on April 12, 2007.

• **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 809 Lot 9, Block 818 Lot 2, Block 819 Lot 3 and Block 831 Lot 5, and to convey Block 1098 Lot 2 and Block 1099 Lot 4, as part of an exchange of lands pursuant to N.J.S.A. 40A:12-16. (Spruce St., Towers St., Read St.) (Gates, Powell, Fulton)**
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, Deputy Mayor Lichtenstein and Mayor Coles.

Ordinance No. 2007-18 adopted on first reading. Second reading and public hearing to be held on April 12, 2007.

• **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. (Claremont St. & Beaver St.)**
Read by title only for first reading.

The above Ordinance was offered by Senator Singer, second by Mayor Coles, for purposes of discussion.

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

Ordinance No. 2007-19 adopted on first reading. Second reading and public hearing to be held on April 12, 2007.

• **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the private sale by deed of Block 268 Lot 1 for nominal consideration to Hatzolah EMS pursuant to and in accordance with N.J.S.A. 40A:12-13.4, et seq. (Royal Ct.)**
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, Deputy Mayor Lichtenstein and Mayor Coles.

Ordinance No. 2007-20 adopted on first reading. Second reading and public hearing to be held on April 12, 2007.

CORRESPONDENCE

Letter from Lakewood Little League requesting to have a parade down Vine Street to the front of the new fields for their Opening Day Ceremonies.

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

MOTION TO APPROVE BILL LIST OF: 3/13/07

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

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Mr. Cunliffe commented on a world political issue.

ADJOURNMENT

Motion by Mr. Cunliffe, second by Senator Singer, and carried, to adjourn the meeting.
Meeting adjourned at 8:30 P.M.