

**LAKWOOD TOWNSHIP COMMITTEE  
MINUTES  
MEETING: MAY 17, 2007**

The Lakewood Township Committee held a Meeting on Thursday, May 17, 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
Absent.....	Charles Cunliffe
Municipal Manager.....	Frank Edwards
Municipal Attorney.....	Steven Secare
Municipal Clerk.....	Bernadette Standowski

**CLOSED SESSION**

Motion by Deputy Mayor Lichtenstein, second by Senator Singer.  
Resolution No. 2007-155 – 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. Miller, second by Senator Singer, and carried, to open the meeting.

**MOTION TO APPROVE MINUTES OF: 4/26/07 & 5/3/07**

Motion by Mr. Miller, second by Senator Singer, and carried, to approve the above Minutes.  
Senator Singer abstained from voting on the Minutes of 5/3/07.  
Minutes approved.

**MOTION TO APPROVE CLOSED SESSION MINUTES: 5/3/07**

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

**PRESENTATIONS:** None

**ORDINANCES FOR DISCUSSION:** None

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

With regard to Mrs. Jume's complaint about the home on Avis Avenue and the lights shining into her bedroom, Mayor Coles advised that Mr. Mack met with the homeowner and the builder. The construction is almost finished, and as soon as the homeowner takes possession, the lights will not be left on overnight anymore.

As to the issues at Hearthstone, they will be reviewed at the next meeting.

As to the issue of the traffic arrows on Cedarbridge Avenue near the Singin Gas Station, Mr. Mignella advised that the traffic analyst from Ocean County sent an inspector out to the site who felt it was conforming to current standards. They will send out a traffic expert to see if they can get some additional markings.

Mayor Coles requested Mr. Mignella to follow up with the County representative to explain what some of the concerns are, and push them in that direction.

Comments from Committeemen

Mr. Miller explained that the matter concerning noise from a home on Carey Street has been resolved.

As to the matter concerning the Hearthstone Development, as he has many people calling him on this issue, Mr. Miller asked for a written report so he can provide it to the residents of the area.

Mr. Miller also offered a public thank you to Mr. Franklin for retrieving a residents' PDA from a drain.

Mr. Miller further commented on the park on John Street. Two sides of the park are fenced, but no fence was ever installed in the back of the park. He provided correspondence to Mr. Franklin requesting that a fence be installed.

**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.

Alice Kelsey, 295B Malvern Court East – Asked Mayor Coles when the next public forum will be held.

Mayor Coles advised he received the list of available dates from the Committee members. He will review that list during the next week or so, and they will be sending out requests for different entities to host the meetings. He hopes to have a meeting no later than July.

Victor Trumper, 119 Shady Lane - Commented with regard to water problems he is continually experiencing on his property from the property next door. Also he has taken the same property owner to Court for not having a dumpster in the front yard. Presently there is a twenty foot pile of garbage in the front yard. He also complained last night, and called the police, because they were working outside until midnight. The same resident installed a light which does nothing but intrude onto his property, and shines into his bedroom window. It does nothing to light their property except harass his residence and quality of life.

Mr. Nelson advised he spoke with the resident this morning, and after the meeting, he will go out to the site and conduct an inspection.

Mayor Coles advised he will also speak with Chief Lawson with regard to this matter.

Esther Green, 20 Holly Street – Asked when she will be able to get information on her taxes for the second half of the year. And how soon can she have access to the new Master Plan.

Mayor Coles advised that once they do the Budget on June 7th, they will strike the tax rate, and then the tax information will be available.

Mr. Edwards added that is all governed by State law, and the County authorizes the tax bills.

Mayor Coles further advised that the Master Plan is available on the website.

Chris Abrams, Coral Avenue – Requested a stop sign be installed at the end of Marlin Avenue and Salem Street. Also requested that a radar board be put up on Oak Street in her neighborhood.

Mr. Miller will request the Police Department to place the radar board on Oak Street.

Bill Hobday, 30 Schoolhouse Lane – Commented on a newspaper article regarding an age restricted community.

Rita Jume – Thanked the Township Committee for their assistance with the home next door. Also complained about the driveway having been built at a higher elevation than her property; further complained about numerous construction items.

Mr. Mignella advised he spoke with Mrs. Jume several times. A site recommendation for a CO has not been issued. When they applied for building permits, there was no plot plan Ordinance in place, so there was nothing for them to review. The driveway is elevated but the builder has installed an underdrain, wrapped in fabric. He sent an inspector to check the site after the rain, and her property was dry, so they are assuming that the underdrain is working. They will check the property again tomorrow after the rain storm. But the property is pretty much ready for a CO at this time.

Mayor Coles requested Mr. Mignella to put a lot of effort into inspecting the site over the next week or two. He also requested Mr. Nelson to look into the resident moving into the residence before the CO is issued.

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 submission of application to New Jersey Urban Enterprise Zone Authority for Zone Assistance Funds for the Fiscal Year 2007-2008.  
Resolution No. 2007-156
2. Resolution authorizing the release of performance guarantee for Block #189.03, Lot 174, ZB# 3551, Joe Parker Road, Congregation Mayan Hatorah.  
Resolution No. 2007-157
3. Resolution authorizing leave of absence without pay to Victor Maximiliano.  
Resolution No. 2007-158
4. Resolution supporting the promotion of research for a disease known as Fibrodysplasia Ossificans Progressiva.  
Resolution No. 2007-159
5. Resolution authorizing the execution of a Change Order in connection with a project known as improvements to Second Street and reconstruction of Maple Avenue.  
Resolution No. 2007-160
6. Resolution requesting and endorsing the application for expansion of the Township of Lakewood, New Jersey Foreign Trade Zone.  
Resolution No. 2007-161
7. Resolution appointing Bob Cartwright to fill an unexpired term on the Lakewood Township Transportation Board, said term to expire on December 31, 2008.  
Resolution No. 2007-162
8. Resolution authorizing a person to person transfer of a liquor license from Chateau Grand to Shalalini Reddy Duvvuru.  
Resolution No. 2007-163

**Motion by Senator Singer, second by Mr. Miller, to approve Resolution Nos. 1 through 8 on the Consent Agenda.**

**On Roll Call –**

Affirmative: Senator Singer, Mr. Miller, Deputy Mayor Lichtenstein and Mayor Coles.

**Resolution No. 2007-156 through 2007-163 – Adopted.**

**ORDINANCES SECOND READING**

• **An Ordinance to Exceed the Municipal Budget Appropriation limits and to establish a Cap Bank.**

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. Miller, second by Deputy Mayor Lichtenstein.**

**On Roll Call –**

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

Negative: Senator Singer

**Ordinance No. 2007-21 adopted on second reading.**

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

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, Deputy Mayor Lichtenstein.

Abstain: Mayor Coles

**Ordinance No. 2007-16 adopted on second reading.**

• **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, granting continuance of tax abatement to Lakewood Industrial Holdings, LLC, for projects located at Block 1603, Lot 2.01 and Block 1603, Lot 2.03.**

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.

Not Voting: Deputy Mayor Lichtenstein

Abstain: Mayor Coles

**Ordinance No. 2007-22 adopted on second reading.**

• **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, establishing the Annual Salaries for the AFSCME Local 3790, Council 71, Township Employees.**

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, Deputy Mayor Lichtenstein and Mayor Coles.  
**Ordinance No. 2007-23 adopted on second reading.**

• **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, establishing a Fee Schedule for certain applications in the Foreign Trade Zone in the Township of Lakewood.**

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, Deputy Mayor Lichtenstein and Mayor Coles.  
**Ordinance No. 2007-24 adopted on second reading.**

• **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of Lot 1 in Block 1130 and Lot 1 in Block 1131 in the Township of Lakewood, County of Ocean, State of New Jersey, at open public sale pursuant to N.J.S.A. 40A:12-1, et seq. (Vine Avenue)**

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Gerry Ballwanz – Stated it is hard to see where this property is located, but it seems to be in an area called the “Wellhead Protection Areas” of Lakewood Township. Because it is in that area, in the Master Plan, the suggestion was that the Township adopt a Wellhead Protection Ordinance. This has not been done yet. The importance is to protect the drinking water supply. If that is not done, there will be problems for the residents in the future. She further spoke in opposition to the sale of this land.

Chris Abrams, Coral Avenue – Stated this property is located behind her neighborhood. She has a well for her drinking water, and is concerned about anything that may affect the land behind her neighborhood, west of Albert Avenue. She feels it is important to preserve this land, and to put a moratorium on the sale of the land in this area.

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

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

**On Roll Call –**

Affirmative: Senator Singer, Mr. Miller, Deputy Mayor Lichtenstein and Mayor Coles.  
**Ordinance No. 2007-25 adopted on second reading.**

• **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 (Pine Street)**

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

**On Roll Call –**

Affirmative: Senator Singer, Mr. Miller, Deputy Mayor Lichtenstein and Mayor Coles.

**Ordinance No. 2007-26 adopted on second reading.**

• **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 (Clifton Avenue)**

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. Miller, second by Senator Singer.**

**On Roll Call –**

Affirmative: Senator Singer, Mr. Miller, Deputy Mayor Lichtenstein and Mayor Coles.

**Ordinance No. 2007-27 adopted on second reading.**

• **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending “An Ordinance defining the “ Southeast Preservation Area,” pursuant to N.J.S.A. 40:6-1, et seq. and revised General Ordinances of the Township of Lakewood, Section 1604, Entitled “Parks and Playgrounds: Recreational Facilities Designated”**

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

**On Roll Call –**

Affirmative: Senator Singer, Mr. Miller, Deputy Mayor Lichtenstein and Mayor Coles.

**Ordinance No. 2007-28 adopted on second reading.**

Mr. Miller left the meeting at 8:00 PM.

- **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the conveyance of fee simple at open public sale with respect to Block 1252, Lot 1; Block 1262, Lot 3; Block 1263, Lot 1 and Block 1265, Lot 1 pursuant to N.J.S.A. 40A:12-13(a).**

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 Deputy Mayor Lichtenstein.**

**On Roll Call –**

Affirmative: Senator Singer, Deputy Mayor Lichtenstein and Mayor Coles.

Not present for the vote: Mr. Miller

**Ordinance No. 2007-29 adopted on 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 Old Toms River Road, Whitehead Avenue, Wicks Street, and Phelps Avenue in the Township of Lakewood, pursuant to and in accordance with N.J.S.A. 40:67-1 et seq.**

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 Deputy Mayor Lichtenstein, second by Senator Singer.**

**On Roll Call –**

Affirmative: Senator Singer, Deputy Mayor Lichtenstein and Mayor Coles.

Not present for the vote: Mr. Miller

**Ordinance No. 2007-30 adopted on second reading.**

#### **ORDINANCE FIRST READING (Second reading and public hearing on 6/7/07)**

- **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:21-1 et seq. granting of abatement to local property taxes to SES Holdings, LLC, for facilities located at Block 103, Lots 3 & 5, and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a Tax Abatement Agreement. (1601 Madison Avenue)**

Read by title only for first reading.

Mayor Coles advised this is for the Commerce Bank that just opened up on Route 9 and County Line Road.

**The above Ordinance was offered by Deputy Mayor Lichtenstein, second by Senator Singer.**

**On Roll Call –**

Affirmative: Deputy Mayor Lichtenstein and Mayor Coles.

Negative: Senator Singer

For the record, Senator Singer advised he was voting against the tax abatement for the commercial establishment on Route 9 because it is his belief, as it has been in the past, that those establishments would build anyway, with or without a tax abatement. The attorney stated that the applicant has advised that all of the money they save in property



taxes, based on the abatement, would be donated back to local Lakewood charities. That changes his vote concept. If he is being told that local Lakewood charities will benefit from that abatement, that is a different issue. He will hold his vote to the second reading. That has never been offered before...from anyone who applied for a tax abatement.  
**Ordinance No. 2007-31 adopted on first reading. Second reading and public hearing to be held on June 7, 2007.**

## **CORRESPONDENCE**

Letter requesting permission to stage the 39th annual Sanford Kalb 9-mile walking race on Sunday, May 27, 2007 from 9:00 AM to 11:00 AM at Lake Carasaljo.

Letter from Ocean County Board of Social Services requesting permission for use of the Township bus and operator, Carmen Alvarez, on Thursday, September 20, 2007, for their 20th Annual Boarding Home Festival.

Letter from Jose Berrios resigning from the Zoning Board, effective immediately.

Letter from Mike Sernotti resigning from the Zoning Board, effective immediately.

Motion by Deputy Mayor Lichtenstein, second by Senator Singer, and carried, to approve and receive and file the above four items of correspondence, the last two letters being received with regret.

## **PARKS AND EVENTS CORRESPONDENCE**

Per schedule of six (6) items attached hereto and made a part hereof.

Motion by Deputy Mayor Lichtenstein, second by Senator Singer, and carried, to approve the above requests.

## **MOTION TO APPROVE BILL LIST OF: 5/17/07**

**Motion by Senator Singer, second by Mayor Coles.**

**On Roll Call –**

Affirmative: Senator Singer, Deputy Mayor Lichtenstein and Mayor Coles.

Not present for the vote: Mr. Miller

Bill List approved.

## **COMMENTS FROM COMMITTEE MEMBERS**

Senator Singer advised the Committee that Mr. Albert informed him that the Township has received a large grant, \$343,719.00, from the Federal Government to fence the Airport. Mr. Albert and the Committee have worked very hard to get to this point for the Lakewood Airport. Ninety five percent is the grant; five percent will be paid by the Township, which is

\$18,090.00. As this is a utility in town, which at the present time has no dollars, he would request that the Committee authorize the Manager to find the \$18,090.00 for a match in order to receive the grant. Motion by Senator Singer, second by Mayor Coles, and carried. Deputy Mayor Lichtenstein abstained.

Senator Singer thanked Mr. Albert and the Airport members, for doing a good job.

Senator Singer further advised that the Committee attended the services this evening for Officer William Preslar. He advised that Howell, Jackson, Dover and Brick, have offered assistance. They will be patrolling Lakewood tomorrow and helping out. He asked that the Manager compile a list of the Police Departments that have assisted and participated, including the fire companies and first aid squads, and that letters of thanks be sent from the Township for their assistance and participation in our time of need.

## **ADJOURNMENT**

**Motion by Deputy Mayor Lichtenstein, second by Senator Singer, and carried, to adjourn the meeting.** Meeting adjourned at 8:20 PM.