

**LAKWOOD TOWNSHIP COMMITTEE
MINUTES
MEETING JUNE 26, 2008**

The Lakewood Township Committee held a Meeting on Thursday, June 26, 2008, 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.....
Municipal Manager.....	Charles Cunliffe
Municipal Attorney.....	Frank Edwards
Municipal Clerk.....	Steven Secare
	Bernadette Standowski

CLOSED SESSION

Motion by Deputy Mayor Lichtenstein, second by Senator Singer.
Resolution No. 2008-199 – 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, 2008 and published in the Asbury Park Press on January 8, 2008.

ROLL CALL

OPEN SESSION

Motion by Deputy Mayor Lichtenstein, second by Senator Singer, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 06/05/08

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 06/05/08

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

2008 MUNICIPAL BUDGET HEARING

Mr. Edwards advised that the Auditor and Finance Director were also present this evening. The Township's introduced Budget has been on the website for many weeks. The purpose this evening is to have a Public Hearing. Anyone with questions or comments specific to the Budget itself can come forward. There may be further reductions this evening from the introduced Budget.

The Budget Hearing was opened to the public.

David Drukaroff, 1433 Laurelwood Avenue – Asked what are the reductions and are there going to be any layoffs.

Mr. Edwards stated there are no layoffs anticipated. There are some positions that are going to be eliminated, but these positions have not been filled for a year or more in certain budget line items. So, therefore, rather than keep them vacant, they are going to eliminate the positions and the money.

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

Mr. Edwards advised that procedurally, the Budget Hearing has been closed. Now, if the Township Committee wants to introduce any amendments, there needs to be a Motion and a second to the amendment, and then, if there is a consensus, the Clerk will need to read the amendment into the record, then the Township Committee will vote on the amendment, and then vote on the Budget, as amended.

Motion by Deputy Mayor Lichtenstein, to support the Budget, with a little over a quarter of a million dollars in cuts. He asked Mr. Edwards to read that into the record.

Mr. Edwards advised that the Committee is considering a list of reductions that he referred to with Mr. Drukaroff's question, that further reduces the Budget by \$258,451.00. Because they have already introduced the Budget, the Clerk needs to read the amendment into the record after the Committee votes that they want to move forward with the amendment.

A second to the Motion was offered by Senator Singer, for discussion.

Senator Singer asked where the additional money they got from the State revenue was going.

Mr. Edwards answered that they have not been officially notified of that. What they have done in the past is that if it is relatively quick, they just make the adjustment at the County Board, Division of Taxation, and they reduce the tax rate accordingly. Once or twice, if the money was delayed, the Township had to reserve the money, which could only be used for tax reduction, and it would be put into next year's Budget.

The Township Clerk read the Budget Amendment Resolution into the record.

Mr. Edwards further advised that the Budget was reviewed by the State DCA and given its technical support and approval to move forward. So it met all the procedural requirements as well. So the next step would be to vote on the Motion, and then vote on the Budget, as amended.

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

Mr. Edwards advised that they now need a Motion on the Budget, as amended.

FINAL ADOPTION OF 2008 MUNICIPAL BUDGET, AS AMENDED:

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

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

Resolution No. 2008-200 – Adopted.

PRESENTATIONS - None

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.

Michael Billig, 36 Monterey Circle – Commented with regard to tax appeals, and School Board Budget. Also commented on the many sewer line installations in town.

Bill Hobday, 30 Schoolhouse Lane – Commented with regard to the T & M Associates proposal to provide a redevelopment plan for the Cedarbridge area.

Alice Kelsey, 295B Malvern Court – Commented with regard to the homeless issue.

Gerry Ballwanz, Governors Road – Commented with regard to the flooding conditions in her neighborhood. Also commented on the recent visioning workshop.

Robert Lubin, Lakewood Courtyard – Requested consideration for a movie complex to be built in Lakewood.

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

CONSENT AGENDA

The items listed below 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 Liquor License Renewal for Zach Corporation, T/A Plaza Liquors, for the year 2008-2009, License No. 1514-44-017-009
Resolution No. 2008-201
2. Resolution authorizing the Liquor License Renewal for Jay Prabhu, Inc., T/A Rite Liquors, for the year 2008-2009, License No. 1514-44-013-004
Resolution No. 2008-202
3. Resolution authorizing the Liquor License Renewal for S & G Associates, for the year 2008-2009, License No. 1514-44-011-011
Resolution No. 2008-203
4. Resolution authorizing the Liquor License Renewal for Joseph E. Stephens, Inc., T/A Gerard's Buy Rite Liquors West, for the year 2008-2009, License No. 514-44-003-007
Resolution No. 2008-204
5. Resolution authorizing the Liquor License Renewal for Laketon Associates, Inc., T/A Laketon Inn, for the year 2008-2009, License No. 1514-33-034-004
Resolution No. 2008-205
6. Resolution authorizing the Liquor License Renewal for Charlie Brown's of Lakewood, Inc., for the year 2008-2009, License No. 1514-33-018-004
Resolution No. 2008-206
7. Resolution authorizing the Liquor License Renewal for Country Club Caterers, Inc., T/A Lakewood Country Club, for the year 2008-2009, License No. 1514-33-009-004
Resolution No. 2008-207
8. Resolution authorizing the Liquor License Renewal for Rare Hospitality International, Inc., T/A Longhorn Steakhouse, for the year 2008-2009, License No. 1514-33-007-009
Resolution No. 2008-208
9. Resolution authorizing the Liquor License Renewal for American Legion Post No. 166, for the year 2008-2009, License No. 1514-31-036-001
Resolution No. 2008-209
10. Resolution authorizing the Liquor License Renewal for Matrix/Woodlake LLC, T/A Woodlake Golf and Country Club, for the year 2008-2009, License No. 1514-33-029-005
Resolution No. 2008-210

11. Resolution authorizing the Liquor License Renewal for A Better Liquor Corp. T/A Parkway Liquors, and Brandy's Tavern for the year 2008-2009, License No. 1514-32-022-009
Resolution No. 2008-211
12. Resolution authorizing the Liquor License Renewal for ADI Spirits, Inc., T/A Pine Cone Liquor, for the year 2008-2009, License No. 1514-44-023-005
Resolution No. 2008-212
13. Resolution authorizing the Liquor License Renewal for Square Liquors, Inc., T/A Spirits Unlimited, for the year 2008-2009, License No. 1514-44-021-004
Resolution No. 2008-213
14. Resolution authorizing the Liquor License Renewal for VADI Wines Inc., T/A Spirits Unlimited, for the year 2008-2009, License No. 1514-44-006-008
Resolution No. 2008-214
15. Resolution authorizing the Liquor License Renewal for Ruby Tuesday, Inc., for the year 2008-2009, License No. 1514-33-012-005
Resolution No. 2008-215
16. Resolution authorizing the Liquor License Renewal for Wines and Liquor R Us, for the year 2008-2009, License No. 1514-44-005-010
Resolution No. 2008-216
17. Resolution authorizing the Liquor License Renewal for Ocean Lanes, Inc., T/A Ocean Lanes, for the year 2008-2009, License No. 1514-33-014-008
Resolution No. 2008-217
18. Resolution authorizing the Liquor License Renewal for Student Government Club Association, T/A Student Government Club, for the year 2008-2009, License No. 1514-31-044-001
Resolution No. 2008-218
19. Resolution authorizing the Liquor License Renewal for Kokes Fairways LLC, T/A Eagle Ridge Golf Club, for the year 2008-2009, License No. 1514-33-025-009
Resolution No. 2008-219
20. Resolution authorizing the Liquor License Renewal for Parsuns Liquors, Inc., T/A Best Liquors, for the year 2008-2009, License No. 1514-44-004-008
Resolution No. 2008-220
21. Resolution authorizing the Liquor License Renewal for Shoreline 70 Investments, Inc., T/A Vanity Fare Caterers, for the year 2008-2009, License No. 1514-36-045-004
Resolution No. 2008-221
22. Resolution authorizing the Liquor License Renewal for KCB Liquors, Inc. T/A Buckingham Liquors, for the year 2008-2009, License No. 1514-44-019-009
Resolution No. 2008-222

23. Resolution authorizing the Liquor License Renewal for Leiserv Inc., T/A Brunswick Lakewood Lanes, for the year 2008-2009, License No. 1514-33- 031-006
Resolution No. 2008-223
24. Resolution authorizing the Liquor License Renewal for Kimball Diner and Restaurant Inc., T/A Chianti Ristorante, for the year 2008-2009, License No. 1514-33-010-003
Resolution No. 2008-224
25. Resolution authorizing the Liquor License Renewal for Lakewood Elks Lodge #1432 BPO, for the year 2008-2009, License No. 1514-31-037-001
Resolution No. 2008-225
26. Resolution authorizing the Liquor License Renewal for Lakewood Liquor LLC, T/A The Wine Cellar, for the year 2008-2009, License No. 1514-33-032-014
Resolution No. 2008-226
27. Resolution authorizing the Liquor License Renewal for Strand Ventures Inc., T/A Strand Ventures Inc., for the year 2008-2009, License No. 1514-37-046-001
Resolution No. 2008-227
28. Resolution authorizing the Liquor License Renewal for Bacoli Inc., for the year 2008-2009, License No. 1514-33-033-003
Resolution No. 2008-228
29. Resolution authorizing the Liquor License Renewal for SLLHC Corporation, T/A Pagoda Tea House, for the year 2008-2009, License No. 1514-33-027-005
Resolution No. 2008-229
30. Resolution authorizing the Liquor License Renewal for Brothers Cantina LLC, T/A Brothers Cantina LLC, for the year 2008-2009, License No. 1514-33-001-010
Resolution No. 2008-230
31. Resolution authorizing the Liquor License Renewal for Duvvuru Shalaini Reddy, for the year 2008-2009, License No. 1514-33-035-007
Resolution No. 2008-231
32. Resolution granting a new liquor license to, Parkway Hotel, LLC, T/A Hilton Garden Inn, Liquor License No. 1514-36-047-001
Resolution No. 2008-232
33. Resolution Releasing Performance Bond Posted by S & H Builders Inc., in connection with Block 417, Lots 6 & 8, in the amount of \$19,700.00
Resolution No. 2008-233
34. Resolution Releasing a Maintenance Bond posted by O.C.E.A.N., Inc, in connection with Block 768, Lot 19, in the amount of \$14,790.00
Resolution No. 2008-234

35. Resolution appointing members to the Lakewood Township Housing Authority
(Marta Harrison; Ed Bell)
Resolution No. 2008-235
36. Resolution appointing members to the Lakewood Township Airport Authority (Glenn Harrison; Simcha Shain)
Resolution No. 2008-236
37. Resolution appointing members to the Lakewood Township Heritage Commission
(Edith Wolpin; Dr. Claribel Young)
Resolution No. 2008-237
38. Resolution Releasing a Performance Bond by Tar Associates, LLC, in connection with Block 103, lots 1, 6, & 8, in the amount of \$66,246.00
Resolution No. 2008-238
39. Resolution Authorizing the Tax Collector to prepare and mail estimated Tax Bills in accordance with P.L. 1994, C.72
Resolution No. 2008-239
40. Resolution Authorizing emergency temporary appropriations for the period between the beginning of the current fiscal year and the date of the adoption of the 2008 budget
This Resolution was removed from the Consent Agenda. It is not necessary since the Budget has been adopted.
41. Resolution authorizing the Award of a Professional Services Contract to T & M Associates, in the amount of \$23,800.00 (Green Acres)
Resolution No. 2008-240
42. Resolution Authorizing submission of application to the New Jersey Urban Enterprise Zone Authority for Appropriation of Enterprise Zone Assistance Funds for Project: Marketing and Public Relations VI (UEZ)
Resolution No. 2008-241
43. Resolution Authorizing the Submission of a Project Proposal to the New Jersey Urban Enterprise Zone Authority for appropriation of Zone Assistance Funds to facilitate the project known as Business Center Roadway Reconstruction Phase II- Financing for FY 2009 (UEZ)
Resolution No. 2008-242
44. Resolution Authorizing Community Development Director to Execute Lease with 212 Second Street Holdings for Office Space at 212 Second Street (LRRC)
Deputy Mayor Lichtenstein removed the above Resolution from the Consent Agenda.
45. Resolution Endorsing a Symposium/Green Building Initiatives Seminar and Authorizing the Lakewood Industrial Commission to Organize, Coordinate and Promote the Presentation
Resolution No. 2008-243

46. Resolution authorizing a State Contract Purchase of eight Police Vehicles, in the amount of \$198,206.88
Resolution No. 2008-244
47. Resolution authorizing the Township of Lakewood Tax Collector to refund Tax Sale Redemptions
Resolution No. 2008-245
48. Resolution authorizing the Lakewood Township Tax Collector to cancel any and all Taxes, penalties, Interest due on Block 418, Lot 2
Resolution No. 2008-246
49. Resolution authorizing the Lakewood Township Tax Collector to cancel any and all Taxes, Penalties, Interest due on Block 12, Lot 4.09
Resolution No. 2008-247
50. Resolution authorizing the Lakewood Township Tax Collector to cancel any and all Taxes, Penalties, Interest due on Block 104, Lot 50
Resolution No. 2008-248
51. Resolution Authorizing a State Contract purchase of an unmarked Police Vehicle, in the amount of \$23,389.86
Resolution No. 2008-249
52. Resolution authorizing the Liquor License Renewal for Lakewood Resort Inc, for the year 2008-2009, License No. 1514-33-002-006
Resolution No. 2008-250
53. Resolution authorizing the Award of a Professional Services Contract to T & M Associates, in the amount of \$15,000.00
Resolution No. 2008-251

Motion by Deputy Mayor Lichtenstein, second by Mr. Miller, to approve Resolution Nos. 1 through 39, 41 through 43, 45 through 53, on the Consent Agenda.

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

Deputy Mayor Lichtenstein abstained on Resolution Nos. 4, 8, 15, 32 and 52.
Mayor Coles abstained on Resolution No. 27.

Senator Singer abstained on Resolution Nos. 18, 19, 35 and 36.
Resolution Nos. 2008-201 through 2008-251 – Adopted.

Resolution No. 44 that was removed from the Consent Agenda was discussed and acted upon as follows:

44. Resolution Authorizing Community Development Director to Execute Lease with 212 Second Street Holdings for Office Space at 212 Second Street (LRRC)
Deputy Mayor Lichtenstein left the dais and would not be participating in the discussion or vote on this matter.

Motion by Mr. Miller, second by Mayor Coles.

On Roll Call – Affirmative: Senator Singer, Mr. Miller and Mayor Coles.
Resolution No. 2008-252 – Adopted.

Resolution No. 40 that was removed from the Consent Agenda was discussed and acted upon as follows:

40. Resolution Authorizing emergency temporary appropriations for the period between the beginning of the current fiscal year and the date of the adoption of the 2008 budget

No Motion was offered. Resolution died.

Deputy Mayor Lichtenstein returned to the dais.

ORDINANCE SECOND READING

• An Ordinance amending the code of the Township of Lakewood, Chapter 18, Unified Development Ordinance, by revising and supplementing the regulations concerning the exemption of off-street parking in the central business zone (B-2) for non-residential uses and provisions regarding off-premises parking in the Township of Lakewood, County of Ocean, State of New Jersey (B-2 Zone)

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Nicholas Graviano, professional planner speaking on behalf of himself regarding the B-2 Ordinance. The B-2 zone measures about 55 acres of the _____ acres in the Township, a very small area. Known as the historic downtown of Lakewood, this area is characterized by older, deteriorating buildings in need of redevelopment and reinvestment. He believes that everyone recognizes that they need to do something to the downtown. However, the proposed Ordinance on the Agenda this evening establishes off-street parking requirements for the district that could potentially hinder the redevelopment of such properties in the downtown. Within the Guide to Rebuilding New Jersey's Communities, authored by the Township's Planner, Stan Slachetka, it indicates that developed properties in areas that are economically viable have improvement to land ratios of 2.1 to greater. Ratios of less than 2.1 may offer evidence of under-utilization. An improvement to land ratio of 1 to 1 or less constitutes strong evidence of under-utilization. The total assessed value of parcels in the B-2 district is approximately \$187,000,000.00, with a land assessment of 108.7 million, and an improvement assessment of 78.4 million, essentially an improvement to land ratio of .72, demonstrating that the downtown area is highly under-utilized. He knows that the Township benefits by maximizing the

development of commercial buildings within the downtown area. The Township Master Plan adopted in March 2007 indicates that non-industrial commercial land uses account for only 4.81 percent of the overall land uses in the Township. This proposed Ordinance essentially limits the buildings in the downtown area to 2 stories on many of the parcels in the district. The Township will use valuable tax ratables that can contribute to the health and well being of the municipality. Furthermore, it hurts the Township in terms of having a downtown that stands apart from the typical suburban style development that dots the Township's major highways and transportation arteries. Additionally, this Ordinance prescribes the same parking requirements and uses in the other commercial district which, one, ignores the unique historical and locational characteristics of the downtown area, and two, ignores the fact that there are under-utilized parking areas within the downtown that could be used to accommodate increased commercial development. For example, today at 5:00, the parking lot on First and Second Street only had sixty-two vehicles of an approximately 215 spaces. Furthermore, buses and other large vehicles were parked in the lot signifying there is an excess of parking spaces in this area. Furthermore, the proposed Ordinance specifies a monetary contribution from the property owners developing in this district who have not provided the required off-street parking. There are no plans set forth today on how to allocate this money. To require such contribution at this time when no concrete plans are in place just is not rational at this time. Page 60 of the Township Master Plan provides recommendations for the downtown area. There is no recommendation to make the parcels within the B-2 zone provide off-street parking. Nor is there a recommendation to limit the height or size of buildings that must or must not provide off-street parking. Furthermore, the Master Plan recommends a goal of increased parking and objective of construction of a multi-level parking garage to meet the parking needs of the downtown. Page 61 goes on to say that it recommends a goal of encouraging and fostering the growth of small businesses in the Township. By limiting the size of the building in the downtown area, the Township is eradicating the possibility for additional business establishments that could feed off foot traffic environ of a denser downtown area. Essentially, it is his opinion that such an Ordinance change should not go into effect without an amendment to the Master Plan. Currently the B-2 district permits non-residential buildings at a height of 65 feet. By limiting the building height to two-stories, the Ordinance would change the permitted densities of the district and such a change should be effectuated by recommendations in the Master Plan. Absent any recommendation, this proposal deviates from the goals and objectives of such Master Plan. Furthermore, they must look at this Ordinance in terms of equal protection. Both the Federal and State constitutions require that similar situated persons be treated equally. The drafter of a zoning Ordinance must take care to avoid any distinctions between property owners that are irrational and discriminatory. He prepared a basic illustration that shows this Ordinance makes distinction between property owners that are irrational.....he wanted the opportunity to pass out the information to the members of the Committee. He asked that the Committee look at the provided illustration as an example. A three story building measuring 9,600 square feet would require eleven off-street parking spaces assuming offices were located on the third floor. A 40,000 square foot two-story building would not be required to provide any off-street parking. This Ordinance favors the owners of larger parcels who can accommodate larger scale projects without the need to provide off-street parking. In conclusion, at the March 4th, 2008 Planning Board Meeting, the Township Planners indicated they were in the process of conducting a parking study for the downtown. An Ordinance prescribing parking requirements for the B-2 district should

be conducted after the data is compiled and analyzed. Simply by looking at the buildings in the B-2 district or analyzing Township tax data, the buildings in this district are under-utilized and in need of redevelopment and investment. The Township should be looking at ways that help promote, and not hinder, the development of these properties. In an era when municipalities in the State of New Jersey are increasing the densities, and making denser downtown, based on Smart Growth models, the Township should follow suit, take a step back, and truly analyze the ramifications of any proposed Ordinance regarding parking in the downtown. He feels that receiving and analyzing the ongoing T & M parking study is an opportunity to do so and such Ordinance should be crafted and read after the data is analyzed.

David Drukaroff, 1433 Laurelwood Avenue – He believes that the purpose of this Ordinance is that there is presently a lot of traffic downtown, and there is a lot of congestion, and the whole purpose of this is so that if you are going to have more development, there will be enough parking spaces so that people can go to these buildings. He is a fan of public transportation and tele-commuting, but until that comes along, this Ordinance is a good idea. So, he is in favor of it.

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

Senator Singer offered a Motion to table this Ordinance. He would like the Planner to be present to be able to refute what was just discussed. They were unaware that there would be a Planner present this evening to testify. He is not sure if he was representing a developer, or himself, that was not identified. But he thinks it is important for them to be able to make a decision, and that the Township Planner is present to discuss this before they make a decision.

Someone questioned tabling the Ordinance.....

Mayor Coles explained that table means that it will never it done, but they will have the chance to vote on it again. He further explained that Senator Singer wants to make a Motion to table it and bring it back at some future date, and have the Planner refute or agree with what the gentlemen said this evening and then vote on it.

Senator Singer stated there is no discussion on a Motion to table.

Mr. Secare stated you have to record all the dialog in this discussion.

Mr. Miller offered a second to the Motion.

Mr. Secare stated that was a second to Senator Singer's Motion, to table the Ordinance.

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

Mr. Secare stated.....it dies.

Deputy Mayor Lichtenstein asked if they need another Motion on it.

Mayor Coles asked for another Motion.

Deputy Mayor Lichtenstein offered a Motion to approve the Ordinance as presented.

Mayor Coles offered a second to the Motion, and asked for any discussion.

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

Mr. Secare stated....same result.

Ordinance No. 2008-24 died on second reading.

• **Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of Lot 41 in Block 190.04, Lots 1 and 3 in Block 199, Lots 1 and 5 in Block 200, Lot 1 in Block 201, and Lot 1 in Block 202, 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. (Burnside Ave., Creston Ave., Monroe Ave.)**

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

Gerry Ballwanz, Governors Road – She objects to the sale of all of these parcels, because of flooding along the roadway, and the beginning of the Cabinfield stream that goes through this property, and the fact that the visioning workshop indicated a moratorium on building. She objects to the adoption of 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 Deputy Mayor Lichtenstein, second by Senator Singer, for discussion.

Deputy Mayor Lichtenstein stated they are not discriminately selling land. They get many requests for land. Anything that is in the area that the State or the Township thinks might be land that needs to be preserved, they are not selling at this point. They worked very hard this year to cut a lot of money out of the Budget, and the only way to build up the surplus is to do some land sales. That is why they have to choose what land they think may be valuable to make some money, so that the taxes do not go through the roof. That is why he will be supporting this Ordinance.

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

Ordinance No. 2008-27 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 (Park Place)**

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. 2008-28 adopted on second reading.

• **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 abatement to local property taxes to Somerset MAM, LLC, for facilities located at Block 761, Lots 1 to 3, and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a Tax Abatement Agreement (Somerset MAM, LLC)**

Read by title only for second reading.

Mayor Coles asked the representative of the Applicant to come forward to give a brief overview as to what the project is, and what the benefits are.

Moses Shvarzblat, 1501 North Lake Drive – The project is 18,500 square feet on the main floor, commercial stores, and offices on the second floor, consisting of 15,500 square feet. There is ample parking on the site. Between forty and sixty jobs will be created.

Deputy Mayor Lichtenstein stated that even though he voted to deny the last tax abatement application for the project across the street, that was because he felt they should not move the businesses out of downtown, but he intends to support this one. He thinks it is a new project that will bring many jobs to Lakewood, and he is always in favor of those types of tax abatement applications.

Mayor Coles complimented him on the project.

Senator Singer stated that he has not voted for any tax abatements for any establishments that do not meet the criteria, that would not be built without it. In a normal course of time, he would not vote for this one. But they received a letter this evening from the Lakewood Housing Authority. They are absolutely at wits end with their project which is just down the road. They have had some major problems there. There is no better way to stabilize the area than to build developments and create traffic. Foot traffic and business traffic deters crime. Based on that letter he received this evening, he will be supporting this application as probably one of the anchors to help stabilize that area, so that when the Housing Authority redevelops that area, which they say they will, there will be shopping in the area for the residents who will be moving in. Prior to this, there has been very limited shopping within walking distance for those residents. And when you are building

affordable housing, for low income, they do not have their own transportation. They rely on public transportation, or by foot. This will avail them of that opportunity, to be able to walk, in some cases maybe to work, and to shop.

Mayor Coles opened the meeting to the public.

Bill Hobday, 30 Schoolhouse Lane – This is not in an industrial zone. The first principal of business and industry is..... is it viable..... can I make a profit. Residents of Lakewood struggle with taxes, and therefore everyone has got to help pull the load. He understands the scenario that Senator Singer just went through, to help redevelop that area. But at the same time, if a business is going to be viable, business owners need to take that risk involved in the start of the planning, getting the permits, etc., without a tax abatement. That is what the industrial zone is for...to bring new business in, and develop that industrial zone. This is outside of that zone. A retail strip with office space should be able to fend for itself and make a profit. There is a need for this. He can not imagine why the Township Committee would even consider a tax abatement on this property because it is a viable business venture. Residents and businesses that exist now are struggling. They welcome any and all businesses that will help the ratables, but they need to pay their fair share.

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 Senator Singer.

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

Ordinance No. 2008-29 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 (12th Street)

Read by title only for second reading.

Mayor Coles opened the meeting to the public. Seeing on 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.
Negative: Mayor Coles.

Ordinance No. 2008-30 adopted on second reading.

- **Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Sale of Lot 1, in Block 853, 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. (Pine 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 Deputy Mayor Lichtenstein, second by Mr. Miller.

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

Ordinance No. 2008-31 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 07/10/08)

- **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 first reading.

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

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

Ordinance No. 2008-32 adopted on first reading. Second reading and public hearing to be held on July 10, 2008.

- **Ordinance for Determining Positions Eligible for the Defined Contributions Retirement Program**

Read by title only for first reading.

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

Senator Singer asked for an explanation of this Ordinance.

Mr. Edwards explained that it came out of the legislature, with pension changes. This is the technical word for the 401K with the Defined Contribution Plan, and they have designated certain positions that are similar to positions appointed by the Governor, which are automatically going to be in this Defined Contribution Plan in the future. If someone were to come in and take those positions, who are already not in the PERS system, they have to go into the 401K, and not into PERS. This also affects all elected officials.

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

Ordinance No. 2008-33 adopted on first reading. Second reading and public hearing to be held on July 10, 2008.

• An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, vacating all right, title and interest of and to a portion of Lafayette Boulevard, Sight Triangle Easement, Shade Tree and Utility Easement 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 first reading.

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. 2008-34 adopted on first reading. Second reading and public hearing to be held on July 10, 2008.

CORRESPONDENCE

Per list of seven (7) correspondence items, attached hereto and made a part hereof.

PARKS AND EVENTS CORRESPONDENCE

Per schedule of nine (9) items, attached hereto and made a part hereof.

Motion by Deputy Mayor Lichtenstein, second by Mr. Miller, and carried, to accept all correspondence and approve any requests approved by the professionals.

MOTION TO APPROVE BILL LIST OF: 06/24/08

Motion by Mr. Miller, second by Deputy Mayor Lichtenstein, to approve the above Bill List.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Senator Singer commented that he had a request from Vincent LoBello to write a letter to him, stating that he has not agreed, nor did he offer to sell his building to the Township. It seems that some of this tenants read something that was incorrect in the newspaper, and they are questioning if he would be there or not. So he is requesting that the Township write a letter that he did not offer, and the Township did not agree to buy his property. He needs this letter for this tenants, and it would certainly be the fair thing to do.

Senator Singer asked that Mr. Miller contact the people over at Eagle Ridge, who are talking about possibly placing a flag on their property.

Mr. Miller stated that the Veterans Advisory Committee could look at.

Senator Singer also stated that they have had some problems with some of the neighbors where he lives. The area where he lives borders the Jackson Industrial Park. They have vacated all of the streets back there so that the Jackson Industrial Park would not dump into Lakewood. But what is happening is they are taking those fire breaks and coming down with four wheel trucks, which is dangerous because they are shooting onto streets. There was an incident last week, and the police came, and they are claiming it is Bil-Jim's property. It is not Bil-Jim's property, it is in Lakewood, and is privately owned. The problem is that they are coming through the Jackson property into Lakewood. These are four-wheel drive vehicles. He is asking if they can force them to block entrance into Lakewood, or do they take action against Bil-Jim.

Mr. Secare asked if it is a private road.

Senator Singer answered it is a break in the woods. There is no road there.

Mr. Secare asked who owns the land where the break comes into Lakewood.

Senator Singer answered there are twenty homeowners that own a piece of it. The Township vacated it, and they each got a section of it.

Mr. Secare explained that what the twenty homeowners should do, or any of them, should put up no trespassing signs and then dispatch a vehicle out there, if possible through the Police Department, and start ticketing them.

Senator Singer stated they are Jackson residents.

Mr. Secare suggested they make a request of Mayor Seda.

Senator Singer added it comes in from Jackson property, into Lakewood property. And they are coming through Lakewood property to come out into Lakewood.

Mr. Secare asked if there are any Lakewood homeowners.

Senator Singer answered yes; he owns ten feet of it. His other neighbor owns twelve feet.

Mr. Scare stated they have the right to put up a no trespassing sign on their own property, and it can be enforced. Anyone who violates that sign is allegedly guilty of defiant trespass. It is probably a good idea. It is dangerous; there are children out there playing. He would think that would be an appropriate response to that, and it is a good constituent service.

Mr. Miller invited the public to attend the July 4th fireworks display, which will be held on July 3rd, at 8:00 PM at the Amphitheater.

Deputy Mayor Lichtenstein updated the Committee on the matter of the installation of cameras in the downtown. They were installed today, and should be on line within a week or so, so that the Watch Commander can watch what is happening in the downtown area. Those cameras should be able to cover from the Post Office and Route 88, up to Fifth Street and Clifton Avenue, and help them to keep an eye on those areas at all times.

ADJOURNMENT

Motion by Deputy Mayor Lichtenstein, second by Mr. Miller, and carried, to adjourn the meeting. Meeting adjourned at 8:45 PM.