

**LAKWOOD TOWNSHIP COMMITTEE
MINUTES
JUNE 28, 2007**

The Lakewood Township Committee held a Meeting on Thursday, June 28, 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 Senator Singer, second by Mr. Miller.
Resolution No. 2007-191 – 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 Senator Singer, second by Deputy Mayor Lichtenstein, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 6/7/07

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

MOTION TO APPROVE CLOSED SESSION MINUTES: None

LAND SALES

Mr. Secare advised that the first sale is for the following properties:

BLOCK 1130, LOT 1
BLOCK 1131, LOT 1

Mr. Secare asked if anyone was interested in bidding on these properties, and requested they please come forward to the microphone.

Rabbi Stein, Yeshiva _____, 915 New Hampshire Avenue, and his home address is 960 West Kennedy Boulevard, Lakewood,

Rabbi Stein offered a bid in the amount of \$198,000.00 for Block 1130, Lot 1; and also offered a bid in the amount of \$148,000.00 for Block 1131, Lot 1.

Mr. Secare advised that Rabbi Stein was the successful bidder on both properties, and requested he leave the required ten percent with the Township Clerk, and follow up with his office.

Mr. Secare advised that the next sale would be for the following properties:

BLOCK 1252, LOT 1
BLOCK 1262, LOT 3
BLOCK 1263, LOT 1
BLOCK 1265, LOT 1

Mr. Secare advised that the minimum is \$890,000.00 and asked if anyone was interested in bidding on these properties.

Mr. Aithal, Esq., representing JSM of Brick, LLC, on behalf of JSM offered a bid in the amount of \$890,000.00.

Mr. Secare advised that they are the successful bidder and requested he leave the required ten percent with the Township Clerk and follow up with his office.

PRESENTATIONS

Mayor's Scholarship Award will be presented to Shea O'Neill, a Lakewood High School Senior who won the Ocean County Mayor's Scholarship this year.

ORDINANCES FOR DISCUSSION: None

Mayor Coles reviewed quality of life items from the May 17th meeting.

As to the issues in the Hearthstone development, Chief Lawson advised they have done a lot of enforcement in the area, including bike patrols, and made quite a few arrests. The residents have been very happy with the enforcement action being taken by the Police Department.

Mr. Mack added they also sent out a number of notices, and have cleaned up properties in the area.

As to the problems at 119 Shady Lane, Mr. Mignella advised that the adjacent property owner developed a drainage plan which will be implemented in two phases. Phase 1 was approved, it is staked out, but has not been constructed. If that fails to perform to the satisfaction of the property owner they have another system that they will have the owner install. As to 119 Shady Lane, they are continuing to monitor the property, and they do not see any evidence of water that is inundating his property.

Mayor Coles asked about the issue of late night working and lighting shining into his home.

Mr. Mignella advised he visited the property at night, as well as with one of the inspectors, and there was no evidence of lights shining into his home. The home construction is completed, so there should be no further construction noise.

As to issues brought up by Mrs. Jume, Mr. Mack advised he received a letter from the homeowner and they have agreed that now that the home is occupied, they will no longer leave the lights on at night.

Mayor Coles added he received a letter this week from Mrs. Jume stating that the problem is still there.

Mr. Mack stated that it seems to be occasionally when they forget to turn it out, but it is not on the electric eye anymore, so it is not on automatically every night.

As to the issue on Coral Avenue, and the request from Mrs. Abrams for a Stop Sign and radar, Chief Lawson advised that the Stop Sign was installed and was knocked down, and installed again. The radar board was installed within a week of the initial complaint.

As to the fence on John Street, Mr. Franklin advised that the fence has been installed.

Comments from Committee Members:

Mr. Miller advised he received a letter from a resident on Park Avenue, and forwarded the letters to the Police Department, and Ed Mack, to follow up.

Deputy Mayor Lichtenstein advised that Senator Singer set up a meeting for him with representatives from JCPL to discuss the continuous issue of them not switching the street lights. He asked Chief Lawson to have the night duty officers provide him with pole numbers with regard to street light outages.

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.

Milton Itell, Wisteria Court, speaking for members of A Country Place – Advised of a non-conforming use of property in A Country Place, regarding an illegal synagogue in violation of the ACP bylaws.

Mr. Secare advised he will research the matter.

Mr. Trumper, 119 Shady Lane – Asked when the next public forum will be held.

Mayor Coles advised he sent out letters and so far the only response he has received is from Harrogate, which he will set up for November.

Mr. Trumper further commented regarding the water problems on adjoining properties.

Mr. Mignella advised that they have recommended a C.O.; there is nothing to stop the applicant from moving in. There are no safety hazards, so he has to recommend a C.O. If they are doing some work, they are entitled to do so; they own the house. He sees no evidence of water on his property. As for the property behind the home, they will remedy that situation. He asked for Mr. Trumper to call when he has water, because he sees no evidence of water on this property.

Mr. Trumper commented on quality of life issues in his neighborhood. Many cars are parked along the street; you would not be able to get an emergency vehicle down the street. The curb has not been constructed properly where you can not get a school bus through safely due to the amount of cars parked.

Mayor Coles asked Mr. Mignella to look into the curb issue.

Mr. Mignella advised he has already done that. He checked with the surveyor who staked out the curb to verify the location, and as far as he knows, it was staked out correctly and is in the proper location,

Mayor Coles asked Chief Lawson to have Traffic & Safety look at the site, and maybe offer a recommendation to permit parking on one side only.

Mr. Trumper also complained about the large flood lights.

Mayor Coles also requested Mr. Mignella to look into the light issue to see if they are appropriately sized.

Felicia Torrelli, 208A Huntingdon Drive – Complained about handicapped parking at Charlie Brown's Restaurant.

Mr. Mack explained the plans to remedy the situation.

Gene Moyer, 8 Poppy Court, A Country Place – Complained about the residence in A Country Place that he feels is being illegally utilized as a place of worship. People are trespassing on his property, and through the development. He requested Police Department assistance to stop the trespassing.

Deputy Mayor Lichtenstein offered his help in trying to resolve the situation.

Alice Kelsey, 295B Malvern Court East – Asked about the status of the Robinson/Zimmerman bias/assault case.

Mr. Secare advised she can obtain that information from the Municipal Court Administrator.

Mrs. Kelsey further asked about future public forum meetings.

Chris Abrams, Coral Avenue – Thanked the Committee for the Stop Sign and radar board in her neighborhood. Also provided the address where a pool was constructed without a fence, located at 756 Coral Avenue. Also, asked for an update with regard to the Plan Endorsement process. Also asked how primary residences is a Lakewood resident permitted to declare.

Deputy Mayor Lichtenstein advised that he took a bus tour with the representatives from the Office of Smart Growth through Lakewood. They are making progress in declaring certain sites as environmentally sensitive. They are looking at many different options, and they will have another public meeting. Over the next few weeks, he will have more of an idea of when the next public meeting will be held.

As to the question regarding primary residences, Mr. Secare advised that you can have as many residences as you want, but you can only have only one domicile.

Charles Ferraro, Wisteria Court, A Country Place – Complained about the residence being used as a synagogue.

Bert Albert, Lions Head Woods – Commented on the construction of a new restaurant on Route 70. Also asked about the renewal of liquor licenses.

Mr. Secare commented on the liquor license renewals.

Frances Moyer, 8 Poppy Court, A Country Place – Complained about the synagogue in her development.

Sam Christopher, Central Avenue – Commented on the history of a primary residence.

Senator Singer commented with regard to A Country Place. If someone walks down the street to someone's home, it is not trespassing. If someone walks through someone's back yard, or comes from behind A Country Place, to enter A Country Place, it is trespassing. That is an issue they can deal with. It has nothing to do with religion; it has

to do with privacy and your own quality of life. The second issue is whether or not the house is not being used as a house, but being used as a house of worship. You can have a house of worship in any zone, but you have to come before the proper boards to get the proper parking, etc., for a house of worship. Part of the problem is, and Mr. Secare will research it, is if that particular property is off the tax rolls. If it is, it would have been declared as one of two things: either a parsonage, (where a rabbi, a priest, or someone lives), which is legal; or a house a worship. This is where he believes the Township has to work with A Country Place. This is against the bylaws of A Country Place, to operate your home as anything but a home. But you have to understand that action needs to be taken by the Board of Directors and Attorney for a Country Place. The Township should assist in that, only to the fact that this is infringing on the quality of life of residents of the community. Meetings to negotiate and talk about it are fine, but the end result has to be same end result.

Senator Singer continued that the trespassing matter can be handled by the Police Department. Secondly, a joint meeting between the Deputy Mayor and the community representatives, may help to resolve the matter. If not, he thinks it would be appropriate for the Township Attorney to meet with the Board Director to discuss a viable way to deal with this issue, and come back with an action plan.

Senator Singer requested that the Township Attorney be permitted to speak with the Board Directors, and that the Deputy Mayor contact the congregation to meet with them, and also that the trespassing must stop immediately. He also asked that the Chief of Police provide enforcement, and stop the trespassing from happening.

Deputy Mayor Lichtenstein advised he will reach out to the people from the congregation. He will wait for someone from A Country Place to contact him so he knows who to talk to, and have a contact person to set up a meeting.

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 of the Township of Lakewood, County of Ocean, State of New Jersey, reducing a Performance Guarantee posted by Maz Builders, LLC in association with Block 11.01, lots 4-6, 7.01, 7.02, 15, 18, and 19
Resolution No. 2007-192
2. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, releasing a Performance Bond posted by Greg Kukal in Connection with Block 537, Lot 15.
Resolution No. 2007-193

3. Resolution authorizing the submission to the New Jersey Urban Enterprise Zone Authority for the use of Second Generation Funds for a Grant in the amount of \$18,090.00 to the Lakewood Airport Authority for Capital Improvements.
Deputy Mayor Lichtenstein removed the above Resolution from the Consent Agenda.
4. Resolution authorizing the submission of application to New Jersey Urban Enterprise Zone Authority for Enterprise Zone Assistance Funds for the fiscal year 2008 in the amount of \$575,925.
Resolution No. 2007-194
5. Resolution that the governing body of the Township of Lakewood has complied with the promulgation of the Local Finance Board of the State of New Jersey in reviewing the Annual Report of Audit for the year 2006.
Resolution No. 2007-195
6. Resolution authorizing the Liquor License Renewal for Square Liquors, Inc., for the year 2007-2008, License No. 1514-44-021-004
Resolution No. 2007-196
7. Resolution authorizing the Liquor License Renewal for Shoreline 70 Investments, for the year 2007-2008, License No. 1514-36-045-004.
Resolution No. 2007-197
8. Resolution authorizing the Liquor License Renewal for Vadi Wines Inc., for the year 2007-2008, License No. 1514-44-006-008.
Resolution No. 2007-198
9. Resolution authorizing the Liquor License Renewal for Adi Spirits, Inc., for the year 2007-2008, License No. 1514-44-023-005.
Resolution No. 2007-199
10. Resolution authorizing the Liquor License Renewal for Forresters of America No. 127, for the year 2007-2008, License No. 1514-31039-001.
Resolution No. 2007-200
11. Resolution authorizing the Liquor License Renewal for Strand Ventures, INC., for the year 2007-2008, License No. 1514-37-046-001.
Resolution No. 2007-201
12. Resolution authorizing the Liquor License Renewal for Bacoli, INC., for the year 2007-2008, License No. 1514-33-033-003.
Resolution No. 2007-202
13. Resolution authorizing the Liquor License Renewal for Kokes Fairways, LLC T/A Eagle Ridge Gold Club, for the year 2007-2008, License No. 1514-33-025-009.
Resolution No. 2007-203

14. Resolution authorizing the Liquor License Renewal for Leiserv INC. T/A Brunswick Lakewood Lanes, for the year 2007-2008, License No. 1514-33-031-006.
Resolution No. 2007-204
15. Resolution authorizing the Liquor License Renewal for Rare Hospitality International, INC., T/A Longhorn Steakhouse, for the year 2007-2008, License No. 1514-33-007-009.
Resolution No. 2007-205
16. Resolution authorizing the Liquor License Renewal for Parsuns Liquors, INC., T/A Best Liquors, for the year 2007-2008, License No. 1514-44-004-006.
Resolution No. 2007-206
17. Resolution authorizing the Liquor License Renewal for Student Government Association T/A Student Government Club as Georgian Court College, for the year 2007-2008, License No. 1514-31-044-001.
Resolution No. 2007-207
18. Resolution authorizing the Liquor License Renewal for Duvvuru, Shalini Reddy, for the year 2007-2008, License No. 1514-33-035-006.
Resolution No. 2007-208
19. Resolution authorizing the Liquor License Renewal for Ebony Maze Productions LLC T/A Ebony Maze Productions LLC, for the year 2007-2008, License No. 1514-33-024-006
Resolution No. 2007-209
20. Resolution authorizing the Liquor License Renewal for Lakewood Resort, INC., for the year 2007-2008, License No. 1514-33-002-006
Resolution No. 2007-210
21. Resolution authorizing the Liquor License Renewal for SLLHC Corporation, T/A Pagoda Tea House, for the year 2007-2008, License No. 1514-33-027-005
Resolution No. 2007-211
22. Resolution authorizing the Liquor License Renewal for Brothers Cantina LLC T/A Brothers Cantina, for the year 2007-2008, License No. 1514-33-001-010
Resolution No. 2007-212
23. Resolution authorizing the cancellation of old outstanding checks appearing on the records of the Municipal Court.
Resolution No. 2007-213
24. Resolution of The Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Insertion of a Special item of Revenue into the 2007 Municipal Budget for the New Jersey Urban Enterprise Zone.
Resolution No. 2007-214
25. Resolution of The Township of Lakewood, County of Ocean, State of New Jersey, authorizing the Insertion of a Special item of Revenue into the 2007 Municipal Budget for the Smart Future Grant
Resolution No. 2007-215

26. Resolution of The Township of Lakewood, County of Ocean, State of New Jersey, authorizing the insertion of a special item of revenue into the 2007 Municipal Budget for the Click It or Ticket Grant
Resolution No. 2007-216
27. Resolution of The Township of Lakewood, County of Ocean, State of New Jersey, releasing a Performance Bond posted by Bais Medrash of Willow Court, INC., in connection with Block 25.12, Lot 8
Resolution No. 2007-217
28. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, in support of a Tax Abatement for Lakewood Courtyard, LLC
Resolution No. 2007-218
29. Resolution of The Township of Lakewood, County of Ocean, State of New Jersey, authorizing a State Contract Purchase of Eight (8) Patrol Vehicles.
Resolution No. 2007-219
30. Resolution authorizing the extension of Military Leave of Absence – Police Officer Eduardo E. Vega, Jr.
Resolution No. 2007-220
31. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Amending the 2007 Capital Budget.
Resolution No. 2007-221
32. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the execution of a Transportation Agreement.
Resolution No. 2007-222

Motion by Mr. Miller, second by Deputy Mayor Lichtenstein, to approve Resolution Nos. 1, 2 and 4 through 32 on the Consent Agenda.

Deputy Mayor Lichtenstein abstained on Resolution No. 15.

Senator Singer abstained on Resolution Nos. 13 and 17.

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

Resolution Nos. 2007-192 through 2007-222 – Adopted.

Resolution No. 3 that was removed from the Consent Agenda was discussed and acted upon as follows.

3. Resolution authorizing the submission to the New Jersey Urban Enterprise Zone Authority for the use of Second Generation Funds for a Grant in the amount of \$18,090.00 to the Lakewood Airport Authority for Capital Improvements.

Motion by Deputy Mayor Lichtenstein, second by Senator Singer, and carried, that the above Resolution be carried to the meeting of July 19th.

ORDINANCES SECOND READING

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, establishing the annual salaries for the Firemen's Mutual Benevolent Association Local 380 classified Service Emergency Medical Technicians.
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 the above 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. 2007-32 adopted on second reading.

ORDINANCE FIRST READING (Second reading and public hearing on 7/19/07)

- 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 a continuance of a tax abatement for local property taxes to Lighthouse Washington Square, LLC, for facilities located at Block 536, Lot 79.

Read by title only for first reading.

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

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

Ordinance No. 2007-33 adopted on first reading. Second reading and public hearing to be held on July 19, 2007.

- 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 590 West Kennedy Blvd., LLC, for facilities located at Block 41, Lot 1.

Read by title only for first reading.

Mr. Secare advised this is a proposed doctors' office building.

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

Mr. Edwards asked that the applicant be present for second reading on July 19th.

Ordinance No. 2007-34 adopted on first reading. Second reading and public hearing to be held on July 19, 2007.

- An Ordinance of the Township of Lakewood, in the County of Ocean, New Jersey, amending Ordinance No. 99-38 of the Township finally adopted August 12, 1999 to provide for an amendment of the purpose set forth in Section 3(E) thereof.
Read by title only for first reading.

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. 2007-35 adopted on first reading. Second reading and public hearing to be held on July 19, 2007.

CORRESPONDENCE

Correspondence from Cornerstone Calvary Chapel requesting permission to use Town Square on July 7, 2007 from 12:00 PM to 4:00 PM to pass out food and clothing.

Correspondence from Church of Grace and Peace, Woman's Group, requesting permission to use Town Square on July 28, 2007 from 4:00 PM to 8:00 PM for a Christian Outreach Program.

Correspondence from Beacon Hill Development to close approximately 200 feet of Hanna Drive, for a block party, July 1, 2007 from 1:00 PM to 6:00 PM and allow the consumption of beer and wine.

Correspondence from Missionary Pentecostal Church of God to close Ridge Fourth Street on July 14, 2007 from 12:00 PM to 4:00 PM for a Street Carnival, which is part of their outreach program. Additionally, the intersections of Ridge 4th Street/East 4th Street will be closed.

Correspondence from Laura Coleman to close Pearl Street between Laurel Avenue and Route 88 from 1:00 PM to 8:00 PM on July 4, 2007 for a block party.

Motion by Deputy Mayor Lichtenstein, second by Mr. Miller, and carried, to accept all correspondence into the record.

PARKS AND EVENTS CORRESPONDENCE

Per schedule of seven (7) items attached hereto and made a part hereof.

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

MOTION TO APPROVE BILL LIST OF: 6/26/07

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

ADJOURNMENT

Motion by Deputy Mayor Lichtenstein, second by Mr. Miller, and carried, to adjourn the meeting. Meeting adjourned at 8:55 PM.