

**LAKWOOD TOWNSHIP COMMITTEE
MINUTES
JULY 5, 2007**

The Lakewood Township Committee held a Meeting on Thursday, July 5, 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.....	Absent.....	Raymond Coles
Deputy Mayor.....		Meir Lichtenstein
Committee Members.....		Senator Robert Singer
	Menashe Miller	
	Charles Cunliffe	
Municipal Manager.....		Frank Edwards
Municipal Attorney.....		Steven Secare
Municipal Clerk.....		Bernadette Standowski

CLOSED SESSION

**Motion by Senator Singer, second by Mr. Cunliffe.
Resolution No. 2007-223 – 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 Mr. Cunliffe, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: None

MOTION TO APPROVE CLOSED SESSION MINUTES: 06/28/07

**Motion by Senator Singer, second by Mr. Miller, to approve the above Minutes.
On Roll Call – Affirmative: Senator Singer, Mr. Miller, and Deputy Mayor Lichtenstein.
Abstain: Mr. Cunliffe
Closed Session Minutes approved.**

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.

Deputy Mayor Lichtenstein advised that he sees many people from A Country Place in the audience and thanked them for coming back. Many of the issues that were discussed at the last meeting have been reviewed.

Deputy Mayor Lichtenstein continued that the first issue they looked into was whether the address was actually tax exempt; it is not tax exempt and the property taxes are up to date. They also had offered for the Board Attorney to reach out to Mr. Secare's office, and as of this time he has not heard from the Attorney, so they have not been able to open a dialogue. He also made the offer for someone from the Association to contact him, and he has not received any phone calls, so they were not able to step forward on that. That is where the Committee stands at this point.

Deputy Mayor Lichtenstein opened the meeting to the public.

Victor Trumper, 119 Shady Lane – Asked if the Lake will be accessible for swimming this year.

Deputy Mayor Lichtenstein answered no; in the past they had had an issue with bacteria levels and it was deemed by the Board of Health to be unsafe. It is constantly checked and monitored by the County Board of Health and is still deemed to be unsafe for people to swim.

Milt Itell, A Country Place – Commented on the situation in A Country Place. Asked for an explanation of the term "exempt".

Mr. Cunliffe advised this matter was discussed in closed session because they anticipate litigation. He explained they were assured that the taxes were current and up to date on the property in question.

Mr. Edwards advised that the property is not exempt. He spoke with the Assessor and received a written memo from the Assistant Assessor stating that the property has never been exempt; it changed hands in March and apparently does indicate that the previous property owner had a tenant, and there was a tenant rebate, which is a state issue, and not a Township issue. So the property is not exempt now, has not been exempt, and the taxes are current.

Gene Moyer, 8 Poppy Court, A Country Place – Commented on the issues at A Country Place. Asked what has been done from a police standpoint to alleviate the trespassing situation.

Mr. Miller answered that Senator Singer had requested the Police Department to create a patrol to go out to the area on Saturday and look into it. He received a copy of an e-mail which went to the patrol the following morning from the Chief of Police. The results of the patrol can be obtained from the Police Department.

Mr. Moyer further commented as to the zoning and code enforcement problems, regarding the large amount people that are gathering at 127-D Azalea Court. There were thirty-seven people counted going through the front door, and many others who went through the rear doors. In order to gain entry to the rear of the house people must walk through common ground, and it is people from outside their community. They are asking the Committee for their help.

Mr. Secare suggested that their Board Attorney contact him to discuss the issues, and he would be more than happy to engage in a dialogue.

Mr. Moyer advised that they did follow up with the ADR process and had a meeting this past Monday with the Attorneys and with Mr. Bateman.

Mr. Edwards advised that if the people from A Country Place want to provide the name of their Attorney, Mr. Secare will contact him.

Diana Perks, 59 Hedge Drive, A Country Place – Commented on the water problem on her property.

Mr. Edwards advised that the Township Engineer has offered several different engineering alternatives, and he will make that determination as to what needs to be done.

Larry Simons, Schoolhouse Court - Asked about the discussion of quality of life items.

Deputy Mayor Lichtenstein advised that is the Mayor's decision when to have quality of life sessions.

Charles Ferraro, 4 Wisteria Court, A Country Place – Commented on the CO having been issued at the Azalea Court address.

Chris Abrams, Coral Avenue – Asked why the Agenda was not on line as of 7:00 PM.

Mr. Edwards advised that yesterday was a holiday, and the offices were closed.

Ms. Abrams further commented on the Plan Endorsement process.

Diane Reeves, 19 Holly Street – Commented on the further growth of illegal aliens in town.

Bill Hobday, Schoolhouse Lane – Commented with regard to the issues at A Country Place.

Gerry Ballwanz, Governor's Road – Commented on the issues at A Country Place.

Francis Moyer, 8 Poppy Court, A Country Place – Commented on the issues at A Country Place.

Tony Laurel, 53 Geranium Place – Asked what recourse he has against people trespassing on his property at A Country Place.

Mr. Secare again asked for the Board Attorney to contact him to discuss the various trespass rules and regulations, which are very complex. Or if the Attorney's name is provided to him, he will contact him.

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

CONSENT AGENDA

The below listed items are considered to be routine by the Township of Lakewood and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

1. Resolution to release Performance Bond posted by Walter Ostrowicki in connection with Block 1609 Lot 6
Resolution No. 2007-224
2. Resolution authorizing the insertion of a special item of revenue into the 2007 Municipal Budget for Municipal Alliance
Resolution No. 2007-225
3. Resolution authorizing the insertion of a special item of Revenue into the 2007 Budget for Emergency Management
Resolution No. 2007-226
4. Resolution authorizing the appointment of H. Steven Berkowitz, ESQ., as Public Defender pursuant to and in accordance with N.J.S.A. 19:44A-20.4 et seq.
Resolution No. 2007-227
5. Resolution supporting Assembly Bill A-4172 establishing the registration of off-road vehicles and increase penalties for improper use
Resolution No. 2007-228
6. Resolution accepting bids on the following parcel as a result of the public land sale on Block 1130 Lot 1 and Block 1131 Lot 1 in the Township of Lakewood, County of Ocean, State of New Jersey, Pursuant to N.J.S.A. 40A:12-1 et seq
Resolution No. 2007-229

7. Resolution accepting bids on the following parcel as a result of the public land sale on Block 1252 Lot 1, Block 1262 Lot 3, Block 1263 Lot 1, and Block 1265 Lot 1 in the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:12-1 et seq.
Resolution No. 2007-230
8. Resolution refunding taxes as to Block 48 Lot 10 in the Township of Lakewood
Mr. Cunliffe removed the above Resolution from the Consent Agenda.

Motion by Senator Singer, second by Mr. Miller, to approve Resolution Nos. 1 through 7 on the Consent Agenda.

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

Resolution Nos. 2007-224 through 2007-230 – Adopted.

Resolution No. 8 that was removed from the Consent Agenda was discussed and acted upon as follows:

8. Resolution refunding taxes as to Block 48 Lot 10 in the Township of Lakewood.

Motion by Mr. Cunliffe, second by Senator Singer.

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

Resolution No. 2007-231 – Adopted.

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

- Ordinance authorizing the sale of Lot 2 in Block 804 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.
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. Miller, Mr. Cunliffe and
Deputy Mayor Lichtenstein.

Ordinance No. 2007-36 adopted on first reading. Second reading and public hearing to be held on July 19, 2007.

- Ordinance authorizing the sale of Block 175.01, Lot 26, in the Township of Lakewood, at a private sale pursuant to N.J.S.A. 40A:12-1 et. seq.
Read by title only for first reading.

The above Ordinance was offered by Mr. Cunliffe, second by Mr. Miller.

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

Ordinance No. 2007-37 adopted on first reading. Second reading and public hearing to be held on July 19, 2007.

- Ordinance authorizing the sale of Block 176, Lots 1, 2, & 4, in the Township of Lakewood, at a private sale pursuant to N.J.S.A. 40A:12-1 et. seq.
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. Miller, Mr. Cunliffe and
Deputy Mayor Lichtenstein.

Ordinance No. 2007-38 adopted on first reading. Second reading and public hearing to be held on July 19, 2007.

CORRESPONDENCE

Correspondence from Intercessory Tabernacle Ministries, Inc. Outreach Ministry, requesting permission to have street services at Town Square, Tuesday, July 17, 24 and 31, 2007 from 6:00 PM to 8:00 PM.

Motion by Mr. Cunliffe, second by Mr. Miller, and carried, to accept and approve the dates as listed.

MOTION TO APPROVE BILL LIST OF: 07/03/07

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

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

Senator Singer asked that a letter be forwarded to A Country Place, by the Manager, informing them as to exactly what has happened with the police department issue, in following up with Mr. Miller's comments; to provide them with a copy of the letter from the Assistant Tax Assessor explaining the exemption issue on this property; the offer that the Township Attorney is willing and able to meet with the Board Attorney to discuss the issues; and that Deputy Mayor Lichtenstein is also willing to get involved.

Mr. Cunliffe agreed, and also requested that a current copy of the tax map be provided.

Senator Singer further requested that a copy be sent to Mr. Itell.

Mr. Cunliffe also commented on the Fourth of July festivities. He would like a memo sent to all departments who participated thanking them for their hard work.

ADJOURNMENT

Motion by Mr. Cunliffe, second by Senator Singer, and carried, to adjourn the meeting. Meeting adjourned at 8:15 P.M.