



## **PRESENTATIONS: John Jennings – Lakewood Transit Proposal**

Mr. Cunliffe commented that the information they received based on the last presentation, and maps received by mail last night, he showed them to the Transportation Board. They have many qualified people on the Transportation Board, and he asked if there was any way they could get the Transportation Board involved in this. Several of the members attend the Ocean County Transportation Board Meeting, and they were asked questions at the County meeting, and they were in the embarrassing position of having no information whatsoever. It is a dedicated Board, and they would like to know if they could be in the loop, and be brought up to speed with what is going on. Their charge is Transportation in Lakewood, and no one has forwarded information to them.

Deputy Mayor Lichtenstein answered he would have no problem with that. He thinks that even when they vote on the Resolution this evening, and hopefully it is approved, certainly the routes and times are not set in stone. It is that they are generally OK with the idea. He asked Mr. Cunliffe to forward him the information regarding the next Transportation Board meeting, he will ask Mr. Jennings to attend, if possible, and speak to the Transportation Board, and if he is available, he will also attend.

Mayor Coles also asked Deputy Mayor Lichtenstein to please ask Mrs. Jacobowitz to report to the Transportation Board on what she found at these meetings.

Mr. Cunliffe advised that the next Transportation Board will be held on the fourth Wednesday of February.

Mr. Jennings advised he was here in December to go over some of the preliminary routes. He did put routes on file with the Municipal Clerk, and they have boards that display those routes. The first route is the Westgate route that goes from Westgate to Forest Avenue, to Route 9, to Clifton, and to the bus terminal. The second route is along Route 9 up to the bus terminal, and to Forest Avenue. The third route is a mid-day route that goes to Westgate and the bus terminal and also provides shopping trips. The fourth route is a mid-day route that goes from Route 9 south to the bus terminal, and also hits the shopping area. The fifth route is an evening route and includes input from Georgian Court University that some students would be receptive to taking a bus from Kennedy Boulevard shopping center down to the campus, so that route goes along Lakewood Avenue. The sixth route serves the northern part of the Township from Twin Oaks, Whispering Pines, over to Kennedy Shopping Center, and to the bus terminal. As stated previously, it is very important that Lakewood move forward on this because in order to get a Federal authorization in place, and to receive the authorization and not be in the potential area of losing Federal dollars, a package has to be submitted to NJ Transit as soon as possible so they can finalize the package for Federal authorization. It then goes through a Federal process at FTA in New York, the regional office in Washington, many people have to review it, it may take several months and they need to get their authorization in place before September 1st.

Mayor Coles confirmed that what they are doing this evening is guaranteeing that the Federal Government will put the funds forward, not setting anything into stone. They are

not committing themselves to any definite number of routes or buses. It is just a matter of taking it to the next step so they can investigate exactly what they need to do, and have that money available.

Mr. Jennings answered that was correct. As the routes have been developed so far, they are only in draft form at this time. They do not have any bus stop locations planned, nor do they have a schedule. They have to have a commitment from the town to work towards coming up with a schedule and bus stops, and at some point in time, the Township will make a decision as to how many buses they actually need. They have identified a potential need for up to nine buses, which includes one bus as a potential spare. If the Township, in further investigating this, finds out that a smaller number can be used in the beginning, the actual bid package that NJ Transit puts together could be put together for that lesser number of buses, with the others on reserve for future purchase.

Mr. Cunliffe asked about the Resolution this evening, if they vote in the affirmative on this, what exactly are they committing themselves to. And he would like to ask two additional questions: how much has the Federal government made available to Lakewood under the SAFETEA-LU for Lakewood Bus Service.

Mr. Jennings answered that the actual earmark is for 2.5 million dollars. That is under SAFETEA-LU. Then there has to be an appropriation each year, and the amount that has been appropriated for the first two years, which is the Federal fiscal year 2006 and 2007 is 1.172 million dollars. There has been a preliminary allocation for fiscal year 2008 but that is not what they are asking for at this time. They are asking for the first two years.

Mr. Cunliffe also asked about the second paragraph of the Resolution, that the Township has received notice from the NJ Transit of its eligibility for the 1.172 million dollars...are they guaranteed that money if they vote in the affirmative.

Mr. Jennings answered that the Township is guaranteed that they will put it in an authorization package so that the Federal Transit Administration would have to approve that. The money has been set aside for Lakewood for local bus services and parking facilities.

Mayor Coles asked if this will be a draw down, not a grant. As they experience expenses, they will be able to draw down on it....that is how it was explained to him.

Mr. Cunliffe asked who buys the nine buses.

Mr. Jennings answered that the nine buses will be put together as a bid package by NJ Transit, at this point.

Deputy Mayor Lichtenstein added that the Township would own the buses.

Mr. Jennings added that NJ Transit would put together the bid package, but they would then become Lakewood's buses.

Mr. Cunliffe asked for an explanation as to what is the financial exposure to Lakewood Township for this.

Mr. Jennings explained that with the Federal authorization, there is not an obligation for Lakewood Township in acquiring the buses. This money could be used for capital acquisition; it can not be used to operate the buses.

Mr. Cunliffe asked who pays for operating the buses.

Mr. Jennings answered that there will be a combination of sources to pay for the operation of buses.

Mr. Cunliffe asked how much will the operation of all of those routes cost.

Mr. Jennings answered that he does have the cost for each route; the Lakewood share would be approximately \$500,000 each year. The total cost of operation would be approximately 1.2 million dollars for operation. That is if you are using all eight buses, all six routes, and they are on the road for four hundred hours per year.

Mr. Cunliffe asked what are the other sources the Township is relying upon, and what if they do not come to be...is the Township then liable for the entire amount of the operation.

Mr. Jennings answered yes, Lakewood is liable for that operation. In his calculations, in December, he included deductions for advertising, for fares....he has not included that in this scenario, fares or advertising revenues. They also would be applying for Congestion Mitigation Air Quality Funds, which there is no guarantee they would get, but that could be \$200,000 each year. They have also worked with the LDC because several of these routes go through a lot of their territory, and go by a lot of their businesses, and they have advised they would try and step up to the plate and help out with some of the expense, which would be through the UEZ.

Mr. Cunliffe asked Mr. Edwards if when they strike their budget, as a municipality, they can not rely on "maybe"; they would have to put that money in the budget, and hope they get it from the government, and then adopt a Chapter 159 Resolution to place it in the budget?

Mr. Edwards answered that was correct; you can not spend it if you have not budgeted for it.

Mr. Cunliffe confirmed that if they do not have it, and it is not guaranteed, they can not count on that money.

Mr. Edwards answered correct; they would have to scale it back or modify the routes.

Mr. Cunliffe added they would have to initially put the entire amount in the budget for this operation.

Mr. Edwards stated they would have to be able to fund it entirely, or show on paper that it is funded.

Mr. Jennings added they would have to define what that operation is, and what they are asking for tonight is to move ahead with the authorization so that Lakewood would have the chance to acquire the buses. If you do not put that in now, you would lose the chance of being able to acquire the buses. They can work on coming up the routes, and the actual cost.

Mr. Cunliffe asked Senator Singer what is the latest in Trenton with fixed capital. If the Township was to put that amount of money, what does that do to them in terms of other expenditures that they have to make as a municipality. Does this count towards that cap.

Senator Singer answered that he does not know if this is outside the cap. Mass Transit may be. The Treasurer and Manager have to find that out. There are a couple of things they need to keep in mind. That is based on operation today. They are not going to have a full year of operation. They are in 2008 already, and they do not even have a bus yet.

Mr. Jennings added that when you get an authorization, you have two or three years to draw down on it.

Senator Singer stated it is not happening tomorrow. The second thing is that they can also purchase bus shelters with the money, and other things. The last thing is that can also look at the buses being used by students at the High School.

Mayor Coles stated that it also calls into effect the discussion as to whether or not they need to have public transit in town. He hears nothing but complaints about traffic on Route 9, County Line Road, on New Hampshire Avenue, but they do not do anything about it except complain that the State has not widened Route 9. He is not happy about the fact they have to move forward this quickly. He understands that the Federal government says if you do not have this Resolution in place they will send the money someplace else. But he thinks by voting in the affirmative tonight, it gives them the time to have the discussion to decide where the routes should go, and should they even have them, and know that money from the Federal government to buy the first million or two million dollars of equipment is there.

Mr. Cunliffe asked if this was the point of no return. If they vote on it this evening, are they liable for all of these expenses.

Mayor Coles answered that Mr. Jennings said no.

Mr. Jennings stated that would only be if the authorization goes in place and NJ Transit buys the buses. But they are going to be working with NJ Transit between now and the actual time that they bid the buses, so that the Township would be able to tell them whether or not you need all nine buses, and do not want to move ahead with that, but you want to move ahead with the parking facility. This earmark is for local bus service, and parking facilities. They have come up with the plan to try to relieve some of the traffic congestion in town, and provide service for some of the people who do not have cars.

Mr. Secare advised that he reviewed this Resolution with the Mayor. The only thing he saw was that there was a commitment to buy nine buses. The rest of it was not a commitment.

The Mayor then suggested to Mr. Jennings that the Resolution be changed to “up to nine buses”, which has been done. So even that commitment is lessened. A fair reading of the Resolution does not commit the Township to anything except to buy some buses, maybe.

Mr. Cunliffe asked if minimal operation cost will be \$500,000 per year.

Mr. Jennings answered that it depends on which routes you pick, and what level of service you have on each route.

Mr. Cunliffe stated he is worried about...financially..., with what is happening with the State budget, and the State deficit. He thinks it is a great idea, but he is concerned financially exactly what they are getting into.

Mr. Secare advised that the Mayor and Deputy Mayor were on board with that. That is why they were careful to get the Resolution, read it very closely, then call Mr. Jennings to say that the Township does not want to make any kind of commitment. So the Resolution is changed now to reflect that.

Mr. Cunliffe asked if they were to vote in the affirmative, if there is any way that their vote is handcuffing them to any specific amount of money for this year's budget.

Mr. Secare answered that he agrees with Mr. Jennings. There is no commitment to run any certain amount of buses or any certain amount of routes. That is all in a flexible stage.

Mr. Edwards added he understands there is no expense for 2008. It will conceivably be towards the end of 2009 that there might be some expense.

Mr. Cunliffe asked if there was financial risk to the Township.

Mr. Edwards answered that his understanding is that this is an application to be made to obtain the funds, and that if the Township decides to do it, they will buy the buses with it.

Mr. Jennings answered that was correct. There is no possibility of getting a bus for 2008. So there is no potential obligation to fund buses for 2008.

Mr. Cunliffe confirmed that their first exposure could be in 2009.

Mr. Jennings answered that the earliest NJ Transit has said a bus could be available would be in the summer of 2009, with a fall kick-off date. So one quarter of a year is the maximum possible obligation for 2009.

Mr. Cunliffe asked if the acquisition of up to nine buses would be funded by a guaranteed 1.1 million dollars?

Mr. Jennings answered that they would ask for funding of \$900,000 for nine buses.

Mr. Cunliffe asked if they say no, does the Township back out of the whole thing.

Mr. Jennings answered that the Township would then have to apply for a Federal authorization on another element.

Senator Singer asked Mr. Corby what does the LDC spend on the Job Link Bus now.

Mr. Corby answered that the Job Link contract is a private contract of approximately \$180,000.00 per year.

Senator Singer added that there would also be the possibility of going in with Job Link. There are two possible funding sources, one being Job Link and the other the public schools.

Mayor Coles asked Mr. Jennings to remain during the public session to answer any questions from the public.

**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 Cohen, 415 Arlington Avenue – A reporter for the Lakewood Shopper. Asked what organization does Mr. Jennings represent.

Mayor Coles answered, T & M Associates. They are a Planning firm for the Township.

Mr. Cohen commented that he rides a bicycle, and not everyone likes to ride a bike, but this is a town that could use more bike riders to alleviate the traffic. The one thing that the Township can do to help those who rides bikes, and make it easier, would be to mandate more bike racks.

Mayor Coles advised that he has already discussed this with Mr. Franklin, about putting money in next year's budget for that purpose.

Bill Hobday, 30 Schoolhouse Lane – Asked if anyone has a number on how many current school buses are used for High School children, both public and private.

Mayor Coles answered no, but they could probably get that information from the School Board, if needed.

Mr. Hobday further commented favorably on the idea of the buses being used to transport High School students, as well as the public. He also commented that he did not hear about any of the routes going to the southern end of Lakewood where there are many senior citizens who would appreciate the opportunity to take a bus into town, and to shopping centers.

Mr. Cunliffe suggested that since there has been discussion about the students utilizing the bus services, that a letter be sent to the Superintendent and Board Attorney with regard to this matter, to ask them if they would be interested in participating.

Mayor Coles agreed. He asked Mr. Edwards to send a letter to Mr. Luick asking him if he would entertain discussing this matter with the Township.

Larry Simons – At the October 18th, 2007 Township Committee meeting, Deputy Mayor Lichtenstein made comments regarding Community Watch Groups. Following are excerpts which I quote from the published minutes from that meeting. “He requested Mayor Coles to allow him to entertain talking to the various groups and to the Chief of Police, putting together a package and coming back to the Committee at the next meeting and presenting what he feels would work well for this town. Mr. Secare stated this is so fraught with legal implications, liability, etc. Mayor Coles agreed, and requested that they get together and discuss it to see if it is something that is feasible. It is a very dangerous thing to get involved in. He thinks you have to be very careful with it.” I am now finished quoting from the Minutes from the October 18th, 2007 Township Committee Meeting. Mayor Coles, through you, I would like to ask Deputy Mayor Lichtenstein two questions, and hopefully receive an answer from him. The answer only being a yes or no to each question, since any additional commentary from him will use up part of my allotted four minutes. Question No. 1, have you already met with any groups regarding Community or Civilian Watch Groups since the October 18, 2007 Township Committee Meeting, since, to the best of my knowledge, Deputy Mayor Lichtenstein, has not come back to the Township Committee in public session with any further discussion of the Community or Civilian Watch Groups. My second question to him is, are you aware of any Community or Civilian Safety Watch Group being formed?

Deputy Mayor Lichtenstein – I will answer your second question yes. And your first question, I don't remember the dates, but yes.

Larry Simons – Following are excerpts from the November 16th, 2007 issue of the Voice of Lakewood, pages 43 and 44. “It is official. The Lakewood Civilian Safety Watch has begun its nightly community patrols. With the enthusiastic backing and support of Lakewood's \_\_\_\_\_ and officials, the Lakewood Civilian Safety Watch seeks to effectively boost the safety and security levels in our town. We have the backing and support of many prominent figures including Deputy Mayor Lichtenstein and Committeeman Menashe Miller.” I am now finished quoting from the November 16th, 2007 Voice of Lakewood issue. At this moment, I stand before this Township Committee wondering what is going on in Lakewood with respect to these watch groups. Under what authority have Deputy Mayor Lichtenstein and Councilman Menashe Miller given backing and support to the Lakewood Civilian Safety Watch. Mayor Coles, Councilman Cunliffe, and Senator Singer, have you given your approval to this group? If so, when, since I do not recall any further discussion of this subject at any publicly attended Committee Meeting, subsequent to the October 18th, 2007 Lakewood Committee Meeting. In my opinion, this backing and support of the Lakewood Civilian Safety Watch reeks of impropriety. Thank you.



Deputy Mayor Lichtenstein – First of all, I wanted to thank the Voice. I didn't realize how prominent I was but you just read it to me. So I guess I am prominent. I did not bring it back publicly, and I probably should, and I will. I think that, as I quoted then, I think that the Civilian Watch Group is a fantastic idea, and I still believe that. When they met with me, I had spoken to Steve a couple of times. I did not give them any official Township.... and say the Township of Lakewood thinks you are a good idea. I personally said I think it is a good idea, I do. I put them in touch with the Chief. The Chief has a right to work with community watch groups, civilian watch groups, neighborhood groups. I believe that the Chief has assigned an Officer to them, to work with them, to make sure that everything is done properly. There have actually been one or two incidents that have been brought to my attention, unfortunately, where the Police Department reacted very swiftly. Thank God nothing went wrong, but to make sure that nothing does go wrong. I will hopefully bring it back, at the next meeting, which is in about three or four weeks...I will bring something back to the Committee.

Mr. Simons further commented with regard to the presentation, and asked what is the monthly benefit to T & M; what do they get besides what we get.

Mayor Coles answered that he does know the dollar amount of the contract, and asked Mr. Edwards to provide that information. But T & M is hired for a number of things in town.

Deputy Mayor Lichtenstein added that it is a project; it is not by month.

Mr. Simons confirmed that the Township has a contract with T & M, and the Township is going to pay them.

Mr. Edwards answered no, what Mr. Simons is talking about is that earlier in the year, the Township hired them to do this particular study and work on this project, and the Township funded it out of the 2008 Budget. He does not know what their role is beyond the application, if any.

Deputy Mayor Lichtenstein asked if what he meant was, are they going to be involved in running it?

Mr. Simons answered no, he wanted to know what the long term relationship between Lakewood and T & M Associates is.

Deputy Mayor Lichtenstein answered that they are the Township Planners.

Mayor Coles added that once this gets settled, and the Township decides whether or not to move forward with it, their involvement ends with this project.

Mr. Simons continued that Mr. Jennings mentioned that in order to get these funds, the Township should act sooner than later. He asked what is the time frame for applying for these Federal funds, that the Township needs to act tonight rather than tomorrow.

Mayor Coles asked what is the time frame that the Township has to submit this application.

Mr. Jennings answered that the Committee has to submit a Resolution with the application package and a letter from the Mayor. Once NJ Transit receives that, it takes a few weeks to process it. They were told to have it in by February 1st.

Mr. Cunliffe – I'd like to answer Mr. Simon's question, because he did direct one....I think you mentioned my name. Larry, I would like to repeat the comments that I think I have made previously about that concept. I think police work, in today's world, is very, very dangerous. And I think it requires trained, sworn officers. And it is such a complex task that those officers have to go constantly for retraining to keep up with the changes in the world today. Civilian patrols, just as one Committeeman, I think is not a good idea. I believe I referenced in the past...look at the situation in New York City. Those two gentlemen who were killed were wearing New York City Police uniforms but they were unarmed, and before the regular Police could respond, both of those individuals were killed. I think a civilian patrol, in my mind, as one Committee person... there is too much risk for the people involved in that patrol. And I would wonder what the liability is. I mean, we are talking about people, at least what I have seen in some of the shoppers, and some of the blogs, they actually have a quasi-uniform, and they actually have a shield, which is somewhat similar to the Lakewood Police Department. I think bad things could happen, unintentionally, to those people. I mean, the best thing we have today with cell phones is you could have a neighborhood watch and you could have meetings with your neighborhood and you can tell them what to look out for, what some gang signs mean, what to do if you notice your neighborhood is being marked with gang signs. But the best thing to do today is if you see somebody breaking and entering a house, or someone attacking a woman, or people that are milling about and they are drinking alcohol or smoking marijuana, or whatever what it is, pick up your cell phone and dial 911. That is what we have the 911 switchboard for, and that is the best way for civilians to be involved. I think the potential for harm or danger to the actual people who are patrolling is something that is a big negative in my mind.

Mr. Simons stated that he agreed with Mr. Cunliffe.

Noreen Gill, 192 Coventry Drive – Commented on her fears on the concept of neighborhood watch groups. Also commented on the matter of school busing. Stated that she also feels that the proposed transit bus service is necessary, and it is a good idea.

Avi Solomon, 116 Williamsburg Lane – A writer for the Lakewood Shopper, and he is writing an article this week in the Shopper on the subject of busing, and has looked at the numbers extensively. In his opinion, it appears to be a good idea. Suggested other bus routes, and to perhaps reduce the number of buses to three or four, rather than six or nine, because it is a big financial risk. Also, that the Jewish holidays be taken into consideration when planning the bus routes, in order to reduce the number of routes. Also, regarding the civilian watch groups, he agreed with Mr. Cunliffe's comments that it is a very big risk, that if they are wearing uniforms or they all had the idea that they are going to enforce the law, he definitely would not be in favor of civilian watch at all. But to his knowledge, their role is just to drive around and observe, and call the Police Department.

Mayor Coles answered that is what their role is. They are supposed to be driving, looking, and phoning, and nothing else.

Mr. Solomon stated that in that sense, he does not think it would be dangerous.

Mayor Coles added that the danger is the temptation to go beyond that. That is why you have to keep reinforcing to them that their role is to observe, and not to get involved.

Senator Singer stated that the Neighborhood Watch situation, which the Chief is involved in, will be coupled with additional cameras. There is a whole plan for how this is being done. They have to do something to make Lakewood safer. As long as it is done with the auspices of the Police Department, he is comfortable with it.

As to the buses, Senator Singer stated that the people who are going to be running the buses for the Township, are professional people. NJ Transit, like all other bus systems, has holiday schedules and weekend schedules, based on rider-ship. That is how bus services work. They have to wait and see the plan that lays out the necessities for the town. Tonight they are doing an important thing. They are going forward saying yes, they would like to have public transportation.

Chris Abrams, Coral Avenue – Wished everyone a Happy New Year. Stated she agrees with Mr. Cunliffe's comments, except for one thing, if she was that woman being attacked, she would hope that some man would be chivalrous enough to help first, and call 911 second. Thanked Mr. Franklin for sending a crew to pick up all the weeds in her neighborhood. Asked Mr. Mack if he would have the occupants remove the broken basketball net that has been sitting out for a year at 756 Coral Avenue. Also stated that she sees a lot of appointments on the Consent Agenda this evening, but she does not see any kind of appointment for a member of the public for the Regional Center Working Group. She asked for an update on the project, specifically whether or not Lakewood has received a DEP response on open space preservation in the Township, and was it received by December 7th in order to respond to OSG by December 21st as per the November 26th letter from T & M to OSG.

Deputy Mayor Lichtenstein answered no, they did not receive any official response. He thinks they may have received a phone call about where they are heading, but they still do not have anything in hand, as far as he knows.

Deputy Mayor Lichtenstein further commented they want to do the public meetings in connection with the Regional Center Working Group, and have public members helping them, but they are not doing anything until they have something to work on. He is meeting with the Mayor and Mr. Slachetka next week to get updated on the project.

Ms. Abrams suggested that public members could assist in getting information from DEP.

Mayor Coles asked Deputy Mayor Lichtenstein to provide a list of people that need to be contacted at DEP to Ms. Abrams.

Ms. Abrams added it only takes ten people to send letters to OSG and request a public hearing.

Deputy Mayor Lichtenstein stated that he believes that it is the DEP portion of OSG that is the hold-up. So if they have an OSG meeting, he does not believe they could do it without a response from DEP.

Ms. Abrams suggested that maybe by having public members on the Regional Center Work Group, which is required now by OSG, the Township would be able to bring the differences together quicker.

Deputy Mayor Lichtenstein stated that as soon as they get a response from the DEP, that would be the next step to see how much more “head-butting” they need to do. And at that point, that is when he believes they should get the public involved.

Ms. Abrams asked if the transportation and busing is tied in with PE.

Deputy Mayor Lichtenstein answered that they are meeting with the Office of Smart Growth on the parking study and the transportation, and will be updating them on the project in a few weeks.

Jeff Golub, 153 Saw Mill Road – Commented on the concept of civilian watch groups.

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 releasing a Maintenance Bond posted by Augusta Boulevard Associates, LLC in connection with block 515, lot 1, in the amount of \$67,639.80  
Resolution No. 2008-34
2. Resolution releasing a Performance Bond posted by Commerce Bank in connection with block 103, lots 3 and 5, in the amount of \$56,625.00  
Resolution No. 2008-35
3. Resolution reducing a Performance Guarantee posted by Chestnut LLC (Somerset Development, LLC), in association with block 1051, lots 45 and 46, in the amount of \$1,291,661.00  
Resolution No. 2008-36
4. Resolution accepting bids on a Ground Lease for block 778.01, lot 18.01 in The Township of Lakewood, County of Ocean, State of New Jersey, pursuant to and in accordance with N.J.S.A. 40A:12-1 ET SEQ.  
Resolution No. 2008-37

5. Resolution authorizing the Mayor to execute a relocation assistance agreement with the Ocean County Board of Social Services  
Resolution No. 2008-38
6. Resolution authorizing the Award of a Professional Services Contract to Birdsall Engineering, in the amount of \$55,000.00 (Tax, Zoning & Street Map Maintenance)  
Resolution No. 2008-39
7. Resolution authorizing submission of Project Amendment #1 to the New Jersey Enterprise Zone Authority for Zone Assistance Funds to be added to UEZ Project #07-114 (Marketing and Public Relations V) in the amount of \$100,500.00 for calendar year 2008 (UEZ)  
Resolution No. 2008-40
8. Resolution Authorizing appropriation reserve transfers in the 2007 Municipal Budget  
Resolution No. 2008-41
9. Resolution Authorizing the Execution a Schedule "C" Agreement with the County of Ocean  
Resolution No. 2008-42
10. Resolution authorizing the Execution of an Agreement between The Township of Lakewood and The Lakewood Township PBA Local No. 71 Superior Officers Association  
Mr. Cunliffe removed this Resolution from the Consent Agenda.
11. Resolution authorizing the Award of a Professional Services Contract to Birdsall Engineering, in the amount of \$37,400.00 (Phase IV - Raintree Project)  
Resolution No. 2008-43
12. Resolution authorizing the Award of a Professional Services Contract to Birdsall Engineering, in the amount of \$44,300.00 (2008 Storm water Permit Requirements)  
Resolution No. 2008-44
13. Resolution appointing a member to The Lakewood Township Transportation Board  
Resolution No. 2008-45
14. Resolution appointing a member to The Lakewood Township Parks and Recreation Advisory Board/Special Events Committee  
Resolution No. 2008-46
15. Resolution Amending the 2008 Temporary Appropriations Budget  
Resolution No. 2008-47
16. Resolution authorizing the Award of a Professional Services Contract to Birdsall Engineering, in the amount of \$45,300.00 (Cross Street Landfill post-closure)  
Resolution No. 2008-48

17. Resolution appointing members to The Lakewood Township ADA Compliance Committee and Disabilities Commission  
Resolution No. 2008-49
18. Resolution appointing members to The Lakewood Township Community Development Block Grant Committee  
Resolution No. 2008-50
19. Resolution appointing a member to The Lakewood Township Civil Rights Commission  
Resolution No. 2008-51
20. Resolution appointing members to The Lakewood Township Community Center Advisory Board  
Resolution No. 2008-52
21. Resolution appointing members to The Lakewood Township Emergency Planning Council  
Resolution No. 2008-53
22. Resolution appointing members to The Lakewood Township Environmental Commission  
Resolution No. 2008-54
23. Resolution appointing members to The Lakewood Township Heritage Commission  
Resolution No. 2008-55
24. Resolution appointing a member to The Lakewood Township Housing Authority  
Resolution No. 2008-56
25. Resolution appointing members to The Lakewood Township Industrial Commission  
Resolution No. 2008-57
26. Resolution appointing members to The Lakewood Development Corporation  
Resolution No. 2008-58
27. Resolution appointing members to The Lakewood Township Municipal Alliance Committee  
Resolution No. 2008-59
28. Resolution appointing members to The Lakewood Township Parks and Recreation Advisory Board/Special Events Committee  
Resolution No. 2008-60
29. Resolution appointing members to The Lakewood Township Planning Board  
Resolution No. 2008-61
30. Resolution appointing a Public Agency Compliance Officer  
Resolution No. 2008-62

31. Resolution appointing members to The Lakewood Township Rent Control Board  
Resolution No. 2008-63
32. Resolution appointing a member to The Lakewood Township Shade Tree Commission  
Resolution No. 2008-64
33. Resolution appointing members to The Lakewood Township Transportation Board  
Resolution No. 2008-65
34. Resolution appointing members to The Lakewood Township Zoning Board of  
Adjustment  
Resolution No. 2008-66
35. Resolution awarding a Contract to Earle Asphalt Company for the Milling and  
Resurfacing of 4th. Street from Route 9 to Monmouth Avenue pursuant to and in  
accordance with N.J.S.A. 40A:11-1 ET SEQ.  
Resolution No. 2008-67
36. Resolution authorizing the execution of an Agreement between The Township of  
Lakewood and emsCHARTS, INC.  
Mr. Cunliffe removed this Resolution from the Consent Agenda.
37. Resolution appointing a member to The Lakewood Township Municipal Utilities  
Authority  
Mayor Coles advised this Resolution will be carried to the meeting of February 14th.
38. Resolution releasing a Performance Bond Posted by Sam Rabinowitz in connection  
with block 12.04, lots 46 and 77  
Resolution No. 2008-68
39. Resolution in support of participation in a Demonstration Project pertaining to elective  
Angioplasty without back-up surgery on-site at Community Medical Center  
Mayor Coles removed this Resolution from the Consent Agenda.
40. Resolution authorizing the Mayor to execute application with NJ Transit to receive nine  
buses with administrative and planning funds related to the Lakewood Bus Service and  
Parking Facilities project  
Mr. Cunliffe removed this Resolution from the Consent Agenda.

**Motion by Senator Singer, second by Mr. Miller, to approve Resolutions 1 through 9, 11 through 35, and 38, on the Consent Agenda.**

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

**Resolution Nos. 2008-34 through 2008-68 – Adopted.**

Resolution No. 10 that that was removed from the Consent Agenda was discussed and acted upon as follows:

10. Resolution authorizing the Execution of an Agreement between The Township of Lakewood and The Lakewood Township PBA Local No. 71 Superior Officers Association

**Motion by Senator Singer, second by Mr. Miller.**

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

Abstain: Mr. Cunliffe

**Resolution No. 2008-69 – Adopted.**

Resolution No. 36 that was removed from the Consent Agenda was discussed and acted upon as follows:

36. Resolution authorizing the execution of an Agreement between The Township of Lakewood and emsCHARTS, INC.

**Motion by Senator Singer, second by Mr. Miller.**

Mr. Cunliffe asked for an explanation on emsCHARTS, INC.

Deputy Mayor Lichtenstein answered that he believes that emsCHARTS, INC. is to help with insurance billing and to help people in the field chart the calls. He was not fully updated as to what it is.

Mr. Edwards added that it is the company that the Township deals with who does the billing. They are providing free laptops to the EMT's, and there is a sub-contractor, so that all the information is taken electronically and stored.

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

**Resolution No. 2008-70 – Adopted.**

Resolution No. 37 that was removed from the Consent Agenda was discussed and acted upon as follows:

37. Resolution appointing a member to The Lakewood Township Municipal Utilities Authority.

**Motion by Senator Singer, second by Deputy Mayor Lichtenstein, that this Resolution is carried to the meeting of February 14, 2008.**

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

**Resolution carried to the meeting of February 14, 2008.**



Resolution No. 39 that was removed from the Consent Agenda was discussed and acted upon as follows:

39. Resolution in support of participation in a Demonstration Project pertaining to elective Angioplasty without back-up surgery on-site at Community Medical Center

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

Mr. Cunliffe asked for an explanation.

Senator Singer explained that Community Medical Center is applying to be able to perform angioplasty on a regular basis. Right now they can only do it on an emergency basis. They do more emergency angioplasty than any other facility in the entire state. What this allows is when someone goes into the hospital with a heart problem, that if needed, the angioplasty can be done. This is a forerunner to eventually bring cardiac surgery to Ocean County. They are one of the few counties in the state that has no facility that has open heart surgery. Compared to other counties that have two, three and four facilities. Keep in mind that Community Medical Center has the busiest emergency room in the state of New Jersey. And they also deal with the largest senior population. Community Medical Center has asked municipalities to support them in their request for application.

**On Roll Call** – Affirmative: Mr. Miller, Mr. Cunliffe, Deputy Mayor Lichtenstein and Mayor Coles.

Not Voting: Senator Singer

**Resolution No. 2008-71 – Adopted.**

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

40. Resolution authorizing the Mayor to execute application with NJ Transit to receive nine buses with administrative and planning funds related to the Lakewood Bus Service and Parking Facilities project

**Motion by Deputy Mayor Lichtenstein, second by Senator Singer.**

Mr. Cunliffe confirmed that this was just enabling the Mayor to execute an application to go forward, and there is no financial exposure.

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

**Resolution No. 2008-72 – Adopted.**

**ORDINANCE SECOND READING - None**

**ORDINANCE FIRST READING** (Second reading and Public Hearing 02/14/08)

- **Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of Lot 1 in Block 1105 and Lot 1 in Block 1109 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 Deputy Mayor Lichtenstein, second by Senator Singer.**

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

**Ordinance No. 2008-1 adopted on first reading. Second reading and public hearing to be held on February 14, 2008.**

- **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, establishing the salaries and positions of persons employed by the Township of Lakewood in the County of Ocean and State of New Jersey for certain employees of the Lakewood Township Superior Officers Association**

Read by title only for first reading.

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

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

**Abstain:** Mr. Cunliffe.

**Ordinance No. 2008-2 adopted on first reading. Second reading and public hearing to be held on February 14, 2008.**

- **An Ordinance amending and supplementing an Ordinance entitled “An Ordinance establishing the annual minimum and maximum salary ranges for the offices and positions of persons employed by the Township of Lakewood in the County of Ocean and State of New Jersey” and providing for an effective date 20 days after publication after final adoption**

Read by title only for first reading.

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

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

**Ordinance No. 2008-3 adopted on first reading. Second reading and public hearing to be held on February 14, 2008.**

• **An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the exchange of certain lands within the Township of Lakewood, in particular, the Township of Lakewood to acquire Block 566, Lot 7 and to convey Block 266, Lot 4 as part of an exchange of lands pursuant to N.J.S.A. 40A:12-16**  
Read by title only for first reading.

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

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

**Ordinance No. 2008-4 adopted on first reading. Second reading and public hearing to be held on February 14, 2008.**

• **An Ordinance of The Township of Lakewood, County of Ocean, State of New Jersey, establishing the position of Chaplain**  
Read by title only for first reading.

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

Mr. Cunliffe – On the Motion, I was unaware that this was coming up this evening and I was wondering if someone could explain exactly why we are doing this Ordinance. For the twelve years that I have been on the Committee, we have always had Chaplains in our Police Department, and I believe some of them have been given badges and radios. Why is it necessary to take this extra step. It has always been honorary or ceremonial before. The statute 40A:14-141 is a pretty strong statute. It says that the governing body, by Ordinance, may provide for the appointment of one or more Chaplains to the Police Department or force. Any person appointed as Chaplain shall be an ordained clergyman in a religious body from which he is selected. Said Chaplain shall become an active member of the Police Department or force, and may or may not have rank or salary. So you are actually, physically, if I understand the statute, making them an actual member, with rank. Is that what we truly want to do?

Mr. Secare – Let me give you the background if I may. The Prosecutor herself called me up and questioned the rank of one of the Chaplains. And shame on me, you have always done this by Resolution. Shame on them, they did not realize there was a statute that permitted it, even though the County itself has Chaplains with rank. So I did the research, realized that we should have done it by Ordinance, historically, instead of by Resolution. That is the reason for the Ordinance. As far as putting them in the Police Department, and I have talked to the Deputy Mayor and the Chief about this, it is an honorary title. They certainly do not have any law enforcement power. They are not sworn Police Officers in that sense. They are not police academy trained. The Police Training Commission would not allow them to have any law enforcement powers. It just subjects them to the jurisdiction of the Chief, so theoretically, I can not imagine it happening, but if there was an incident where a Chaplain was needed, the Chief would have the authority to say Captain Cunliffe, or Captain Secare, I need you down here to counsel the men. That is the purpose of it. But it does not give them any law enforcement authority at all.

Mr. Cunliffe – But they do actually become a member of the force.

Mr. Secare – That is what the statute says, Charlie, you read it correctly.

Mr. Cunliffe – OK

Mr. Secare – And there are many towns in this County and the State that have Chaplains. The County has Chaplain Captains, so it is not unusual. It is just that, like I said, shame on me, we have always done it by Resolution, and shame on the County, they did not even realize the statute existed. So that is the reason for it.

Mr. Cunliffe – Thank you.

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

Abstain: Mr. Cunliffe

**Ordinance No. 2008-5 adopted on first reading. Second reading and public hearing to be held on February 14, 2008.**

**• An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, continuing a Tax Abatement for property known as Block 1608, Lot 1**

Read by title only for first reading.

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

Mayor Coles advised that Deputy Mayor Lichtenstein has excused himself; he has a conflict with this person.

**On Roll Call** – Affirmative: Senator Singer, Mr. Miller, Mr. Cunliffe and Mayor Coles.

**Ordinance No. 2008-6 adopted on first reading. Second reading and public hearing to be held on February 14, 2008.**

## **CORRESPONDENCE**

1. Letter from Avi Pollack resigning from the Transportation Board.
2. Letter from Pastor Dorothy Jackson, Worldwide International Empowerment Ministry, Inc., requesting the use of Town Square every Thursday in January, 2008, from 4:30 PM until 7:00 PM for their Outreach Ministry Program.
3. Letter from Lakewood Clergy Association requesting the use of Pine Park on Easter Sunday, March 23, 2008 from 6:30 AM to 7:30 AM for an Interfaith Sunrise Worship Service.
4. Letter from Catholic War Veterans requesting permission to solicit funds by a poppy drive from April 29 to May 6, 2008.

5. Letter from the SAGE Foundation requesting permission to close off MLK between John and center, from 12:00 PM to 8:00 PM on May 31, 2008 and August 30, 2008 (rain dates: June 1 and August 31) for an outreach program. The SAGE Foundation is also requesting the use of Town Square on July 26, 2008 (rain date: July 27) from 12:00 PM to 8:00 PM for an outreach program.

**Motion by Mr. Cunliffe, second by Senator Singer, and carried, to approve Items 1 through 5, and accept the resignation, which is correspondence No. 1, with regret. And suggested that they send a letter, or present some type of Proclamation for his participation.**

Mr. Miller commented that in connection with Letter No. 5, they have always sent it to the Police for their review, and requested that be done.

Mr. Cunliffe agreed.

Mayor Coles asked Mr. Edwards if that has been done.

Mr. Edwards answered no. This is the gentlemen who came in and had discussion with the Township Committee regarding the month by month approvals. He stated it is impossible to plan ahead. The Committee had said basically they would approve it in advance. SAGE Foundation has done it before. Once the Committee approves it, SAGE has many months to plan for it; then he was going to send it to the Police Department. There has never been any problem with this same type of gathering in the past.

#### **MOTION TO APPROVE BILL LIST OF: 01/15/08**

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

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

**Bill List approved.**

#### **COMMENTS FROM COMMITTEE MEMBERS**

Mr. Oross requested to remind the Township Committee members, as well as the public, that they do have a housing rehab program, that is available to help any low or moderate income person who is without heat, hot water and/or roofing problems. Emergency assistance, as they are entering the winter months, is available, and money has been set aside for these problem cases through the town. He wanted everyone to know that they are here to help.

Mayor Coles asked Mr. Oross to have a release written up, and to also send it to Marlene to place on the website.

Mr. Cunliffe advised that the Transportation Board meeting was yesterday. He asked that Mr. Robert Schneider be considered for appointment to the Board if there is an opening.

Mayor Coles asked that a Resolution be prepared for the next meeting after checking if there is an opening on the Board.

Mr. Cunliffe also advised that the Transportation Board would like to host a blue ribbon panel discussion here in Lakewood regarding the high amount of motor vehicle crashes and both occupant and pedestrian fatalities. They would like to hold it here, and they need to have the Township Committee approve the concept before they can go further, and have participants from the Prosecutors' Office, the County Traffic Office, the Police Department, etc. They have been told that they need approval, or concept approval, by the Township, in allowing them to use a meeting room, when it is available. It would be several months from now. A Motion was offered by Senator Singer, second by Mayor Coles, and carried, to approve this concept.

Mr. Edwards advised they need to schedule the availability with his office.

Mr. Miller mentioned to Mr. Cunliffe, as Liaison to the Transportation Board, that several years ago he was helpful in getting reflector belts for residents of the town. Unfortunately, due to the high level of pedestrian fatalities and motor vehicle accidents, he asked if they could obtain more of the belts for the community.

Mr. Cunliffe answered that what they had done in the past, is that the Transportation Board met with people like the Blueclaws, Pine Belt, etc., and raised money. He can bring it to them to see if they can do that again, to try to purchase more reflector belts, and maybe even get a state grant through the Police Department, if a grant is available.

Deputy Mayor Lichtenstein requested that through either the Mayor or the website, that they start doing some public information sessions, or schedule some dates, where they can start introducing and presenting the CO Ordinance that went down at the end of last year. As he had promised, he wanted to see it come back with some good changes. If the dates were scheduled, it would also put a little pressure on him to make sure that it gets done on time, so that he does not forget as in the case of the Civilian Watch Group matter.

## **ADJOURNMENT**

**Motion by Senator Singer, second by Mr. Miller, and carried, to adjourn the meeting.  
Meeting adjourned at 9:00 PM.**