

**LAKWOOD TOWNSHIP COMMITTEE  
MINUTES  
APRIL 27, 2006 • 7:30 PM**

The Lakewood Township Committee held a Meeting on Thursday, April 27, 2006 in the Lakewood Municipal Building, at 6:30 P.M. for the Executive Session and 7:30 P.M. for the Public Meeting, with the following present:

Mayor.....	Meir Lichtenstein
Deputy Mayor.....	Raymond Coles
Committee Members.....	Senator Robert Singer Menashe Miller Charles Cunliffe
Municipal Manager.....	Frank Edwards
Municipal Attorney.....	Ed Delanoy
Municipal Clerk.....	Bernadette Standowski

**CLOSED SESSION**

Motion by Mr. Cunliffe, second by Mr. Miller.  
Resolution No. 2006-185 – 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, 2006 and published in the Ocean County Observer on January 17, 2006.

**ROLL CALL**

**OPEN SESSION**

Motion by Mr. Cunliffe, second by Mr. Miller, and carried, to open the meeting.

**MOTION TO APPROVE MINUTES OF: 4/6/06**

Motion by Mr. Cunliffe, second by Mr. Miller, to approve the above Minutes.

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

Minutes approved.

## **MOTION TO APPROVE CLOSED SESSION MINUTES: 4/6/06**

Motion by Mr. Cunliffe, second by Mr. Miller, to approve the above Closed Session Minutes.

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

Closed Session Minutes approved.

Mayor Lichtenstein advised that there may be some people in attendance who have received a letter regarding the Crystal Lake Preserve Zone. He wanted to make everyone aware that it will not be discussed this evening. It will be discussed at the next meeting on May 4th, 2006.

## **2006 MUNICIPAL BUDGET**

Mr. Edwards advised that the first item is to adopt, on first reading, the CAP Ordinance as indicated on the Agenda. He advised they needed a Motion to that effect.

## **ORDINANCE FIRST READING -2nd Reading and Public Hearing 5/11/06**

Calendar Year 2006 Ordinance to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank.

Read by title only for first reading.

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

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

Negative: Senator Singer

Ordinance No. 2006-37 adopted on first reading. Second reading and public hearing to be held on May 11, 2006.

Mr. Edwards explained that by law, they would hold a public hearing. The budget will be heard for adoption on May 25th. In addition to himself, the Finance Director and the Township Auditor will be present. The budget will be advertised and scheduled for a hearing on May 25th. The total appropriations for the 2006 Budget are \$59,967,650.13. The tax rate to support the budget is 41.15, and rounded up to 41.2 cents per \$100 of assessed valuation. The next issue would be for the Clerk to read the budget notice.

### Introduction

The Municipal Clerk read the Resolution for the Introduction of the 2006 Municipal Budget.

Motion by Deputy Mayor Coles, second by Mr. Cunliffe.

Mr. Cunliffe asked that between Mr. Edwards, Mr. Rieker and Mr. Fallon, that they put a budget recap together, a short one-page document, similar to what was done last year....it is still on the website.....

Mr. Edwards answered yes. The Auditor prepares a Budget Summary that will be advertised, and they will also put it on the Website.

Mr. Cunliffe asked if they could get that within the next week.

Mr. Edwards answered yes. They will have it next week.

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

Negative: Senator Singer.

Resolution No. 2006-186 – Adopted.

The Township Clerk read the Notice that the Budget and Tax Resolution was approved by the governing body of the Township of Lakewood on April 27th, 2006. A hearing on the Budget and the Tax Resolution will be held at the Municipal Building on May 25, 2006 at 7:30 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2006 may be presented by taxpayers or other interested persons.

## **PRESENTATIONS:**

### **Ervin Oross – CDBG**

Mr. Oross offered a presentation with regard to the Annual CDBG Budget, which has been prepared and is about to be sent to the County of Ocean for a full acceptance into the consolidated plan, and then forwarded to the Department of Housing and Urban Development. He offered a short Budget Summary, consistent with the five year action plan in terms of priority of Township funds.

Senator Singer asked if this will be a presentation about which applications are being recommended for approval.

Mr. Oross answered yes.

Senator Singer advised that because he sits on some non-profit boards, specifically the FQHC, the federally funded health clinic that is in this application, he stepped off the podium because he is in direct conflict to be part of this hearing, since they are one of the applicants.

Mr. Oross continued with a brief overview of applications that are being considered by the CDBG Committee: the housing rehab program; affordable housing officer at the Lakewood Resource and Referral Center; public facility improvements to the downtown area, which includes curb and sidewalk improvements, park improvements, as well as the health clinic; public service activities; youth programs; food pantries; homeless assistance programs; lease acquisition for LRRC space; and program administration and legal services.

Mr. Oross advised they have taken an \$89,000.00 reduction in overall funds this year. According to literature and documentation from the Department of Housing and Urban Development, that is due to the war in Iraq and Hurricane Katrina. He will be coming

before the Township Committee next month with a Resolution of support, hopefully that these cuts be turned back. There is also another drastic cut coming through Congress and the Office of the President this coming Summer. He hopes to have the support of the Committee in fighting those planned cuts.

Mr. Cunliffe asked for an explanation of Resolution 7, the Community Development Action Plan.

Mr. Oross explained that the Action Plan is basically a HUD format which is a narrative that accompanies all the individual funding line items. They need to dovetail with the overall consolidated plan which mentions the priorities that Lakewood Township would like to use CDBG funds for.

Mayor Lichtenstein thanked Mr. Oross and complimented him on a wonderful job.

Senator Singer returned to the podium.

**ORDINANCES FOR DISCUSSION:** None

**Mayor Lichtenstein reviewed quality of life items from the previous meeting.**

Mayor Lichtenstein asked Mr. Mignella if he received a response from the DOT.

Mr. Mignella advised he did write to the DOT and they have not received a response. They also wrote a letter to the University, and copied them on the letter that went to DOT.

Mayor Lichtenstein suggested they put this back on the Agenda for sometime in June, unless they have a response before that time.

As to the issues on South Oakland Street, Mr. Mack advised that over the past six months they have written twenty-two notices of violation out there. As of May 2nd or 3rd, the latest violations will be due. They will send the contractors in at that point.

As to the issue on Airport Road in the area of Church & Dwight, Mr. Mignella advised that Public Works will be installing the chevron signs, as requested.

As to the issue at the intersection of Chestnut Street and Route 9, Mr. Mignella advised he met Mr. Simons out at the site today, and the signal head is for left turn only; it is signed and striped that way. However, it can be deceiving because the length of the mast arm places that signal head in the right turn lane. They are going to request DOT to either extend the mast arm, and/or replace the signal head. It is still to be determined.

Mayor Lichtenstein asked that this matter be brought back in six weeks.

As to the issues on Drake Road, Mr. Mack advised he visited the site and spoke with several people in the school. They reviewed the site plan, and there are still a few things that need to be done. Apparently, they are trying to acquire more land to go out directly to James Street with a new entrance. He told them they needed to provide a specific time table as to when that would be done. If that was going to be done soon, they would be permitted to do that. If it was going to take any length of time, they would have to complete the site as required by the site plan.

As to the traffic light at Cedarbridge Avenue and Martin Luther King Drive, Mr. Mignella advised he visited the site the next morning after the last meeting, and the signal heads were rotated in the wrong direction, possibly due to the wind. The Ocean County Maintenance Department went out that day and corrected the problem.

### **Comments from the Committee:**

Mr. Cunliffe thanked Mr. Kielt and the representatives from Todd Plaza for the restriping and relining. He wanted to ask one more favor. They did do the arrows close to Route 9 on that one way road, but what happens, the people who are perpendicular to that, on the inside, the very last arrow at the mouth of the driveway, inside, they did not do that arrow over again. So people go perpendicular, they make the left into the one way, and then they realize they are stuck. Some people are then trying to back up, and then others try to get out before someone gets in. So, right at the very top of the driveway, internally, they need one more arrow there.

The other issue, Mr. Cunliffe directed to Mr. Franklin. At the top of Chestnut Street, right by the light, now that it connects to Cross Street does that make Chestnut Street a county road.

Mr. Franklin answered that it has always been a County road.

Mr. Cunliffe confirmed that the whole road is a County road. And could they have someone call the County, as he has received calls from residents who have gotten flat tires or dented rims. Right underneath the light, there are deep potholes that need to be patched.

Mr. Miller advised that at the end of Spruce Street, which is a dead end, and at the dead end, there are a couple of street lights that are out. There is also a deficiency of street lights at that dead end. He has received numerous complaints from residents who live on that dead end. He asked if someone could go out there to see what street lights are out, and do a light survey to see if it warrants additional street lights.

Mayor Lichtenstein asked Director Peters to do a light survey, and also request Officer Smith to check the 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 Lichtenstein opened the meeting to the public.

Alice Kelsey, 295B Malvern Court East – Thanked the Committee for the chevrons on Airport Road. Also commented with regard to the execution of Developer's Agreements for the affordable housing projects.

Sam Christopher, Central Avenue – Asked about the left turn signal on Central Avenue and Route 9.

Mr. Mignella advised that it is in the hands of the DOT. The request was made by letter to the DOT, together with the issue of the signal on County Line Road and Route 9. They are awaiting the response from the DOT.

David Drukaroff, 1433 Laurelwood Avenue – Commented on an article in the New York Times.

Bert Albert, Lions Head Woods – Commented on the Lakewood Airport, and the use of the Airport in the case of a natural disaster. Also commented with regard to the federal crackdown on the hiring of illegal immigrants by employers.

Gerry Ballwanz, Governors Road – Commented on the first Ordinance for first reading, there is the statement that townhouses with a basement shall be considered as two units. She asked if that means that if fifty townhouses are allowed on a track of land, and if there is a basement, does that mean that only twenty-five townhouses are allowed to be built.

Mayor Lichtenstein answered yes.

Mrs. Ballwanz further stated that the other day, the Planning Board approved sixty-six townhouses with basements at the Chateau Grand. Was that correct, and are they supposed to only build thirty-three.

Mayor Lichtenstein stated that he did not think that was in this zone.

Mr. Miller advised he was at the meeting, and the Planning Board approved sixty-six single unit townhouses. There are no apartments there; there are no separate units there.

Mrs. Ballwanz stated that as indicated in Section 3, it is a townhouse, and if it has a basement it should be considered two units. In reality, if sixty-six townhouses with basements were approved, should it only be thirty-three.

Mayor Lichtenstein advised they are not in the ROP zone.

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

At this time, the professionals left the meeting.

## CONSENT AGENDA

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

1. Resolution authorizing Bingo and Raffle: Brick Rotary Club, Ducks Unlimited, St. Barnabas Church, Open Arms, Georgian Court University Alumni.  
Resolution No. 2006-187
2. Resolution authorizing the Mayor to execute Developer's Agreement with "Lakewood Affordable Housing Corporation" Affordable Housing Project.  
Resolution No. 2006-188
3. Resolution authorizing the Mayor to execute a Developer's Agreement with "NJ Hand" Affordable Housing Project.  
Resolution No. 2006-189
4. Resolution authorizing the encumbrance of "Second Generation" Urban Enterprise Zone Funds for Marketing & Public Relations IV Project (UEZA 05-136). Senator Singer removed the above Resolution from the Consent Agenda.
5. Resolution authorizing submission of an application to the New Jersey Enterprise Zone Authority for the Fiscal Year 2005-2006.  
Resolution No. 2006-190
6. Resolution proclaiming April 23 through April 30 as Days of Remembrance.  
Resolution No. 2006-191
7. Resolution authorizing Adoption of the 2006 Community Development Block Grant Program Annual Action Plan and Budget.  
Resolution No. 2006-192
8. Resolution supporting Assembly Bill A-1425 for relief from the Municipal Cap Law.  
Resolution No. 2006-193
9. Resolution authorizing the execution of a Change Order No. 1 in connection with a project known as Squankum Road Project.  
Resolution No. 2006-194
10. Resolution authorizing the execution of Change Orders No. 12-17 in connection with a project known as Public Works Complex.  
Resolution No. 2006-195
11. Resolution authorizing the execution of a traffic signal agreement with the County of Ocean for the intersection of Hope Chapel Road and North Lake Drive.  
Resolution No. 2006-196

12. Resolution authorizing the execution of a traffic signal agreement with the County of Ocean for the intersection of Lanes Mills Road and Joe Parker Road.

Resolution No. 2006-197

13. Resolution amending a resolution releasing an escrow posted by On-the-Level Steel Erectors in connection with Block 1607 Lot 3.

Resolution No. 2006-198

14. Resolution amending a resolution posted by Chevras Torah Utefilah in connection with block 104 Lot 15.

Resolution No. 2006-199

Motion by Deputy Mayor Coles, second by Mr. Cunliffe, to approve Resolution Nos. 1 through 3 and 5 through 14 on the Consent Agenda.

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

Senator Singer abstained on Resolution 1 as to Georgian Court University Alumni.

Resolution Nos. 2006-187 through 2006-199 – Adopted.

Resolution No. 4 was discussed and acted upon as follows:

4. Resolution authorizing the encumbrance of “Second Generation” Urban Enterprise Zone Funds for Marketing & Public Relation IV Project (UEZA 05-136).

Motion by Mr. Cunliffe, second by Deputy Mayor Coles.

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

Negative: Senator Singer

Resolution No. 2006-200 – Adopted.

## **ORDINANCES SECOND READING**

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter III of the Code of the Township of Lakewood entitled “Police Regulations”. (Consumption of Alcoholic Beverages on Public or Private Property)

Read by title only for second reading.

Mayor Lichtenstein opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.

Mr. Edward advised this is the Ordinance that the Committee will replace on first reading with a similar Ordinance.



The above Ordinance was offered by Deputy Mayor Coles.

As no second was offered, Ordinance No. 2006-26 died on second reading.

- An Ordinance of the Township of Lakewood, in the County of Ocean, New Jersey, providing for the construction of various water and sewer capital improvements along Ocean Avenue and the elimination of the Woodlake Pump Station and appropriating \$2,245,539.55 therefor from the Township's Capital Improvement Fund and directing the special assessment of the cost thereof.

Read by title only for second reading.

Mayor Lichtenstein opened the meeting to the public.

John Doyle, Esq., - His firm is representing John Patel, an affected property owner on Route 88. They were retained to review this matter only two days ago, so it is difficult to say that in any context that the installation of public sewer or public water to replace private water supply and septic tanks is a bad thing, and certainly he would not say that. It is with great foresight that any municipality extends sewer and water. And obviously the Committee has been on this for two to three years. So the information he could gain in two days is not compared to the knowledge and information that the Committee has. But there are some things that he thinks raise some questions that he needs to share with the Committee so that hopefully the Committee can review them and make an appropriate determination. He appreciates the time and effort that those who he has spoken to in the public sector both within the Township and the MUA have been kind enough to give him facts that he would not otherwise have had. He understands that the Woodlake lift station several years ago was determined to be in need of replacement, and it was a good thing to replace. And there was the suggestion that came about that might it not be better at the same time to replace it by not merely replacing it, but by directing sewer along Route 88 for a new pipeline directly into the OCUA. It would not only replace it and remove the need for the lift station, but at the same time, would provide sewerage along Route 88 to those owners. And to their credit, a meeting was held, consensus was gained, and there was discussion at that meeting that it would cost money. And that the local property owners affected and benefited would pay, at least a portion of that money. And that public input in trying to gather a consensus was most wise and appropriate. And then subsequently, it was determined that if they were going to do sewer, maybe water would be a good thing. And again... public context...a meeting was held...consensus gotten...cost a little more money....they would do water. And then as the project went along, he believes a third meeting was held. All of these things, on their face, to him suggests from years in public service, that it was done the right way. Solve a problem... fill the need...extend sewer and water...get a consensus....let the benefited people share the cost and have them appreciate that is what is happening. Having said that though, he thinks there are still some problems and concerns at least speaking for Mr. Patel, and as he understands it, some other people sitting in the audience, are more than just Mr. Patel and his dad, and are similarly affected property owners, and perhaps they will express independently their concerns. To outline his concerns, one is there is a long line of facts that have held that municipalities cannot use the local improvement project as a way of saddling the cost of utility extensions, when that municipality already has a utilities authority, upon just the affected property owners. The thought was that the utilities authority was the sole and exclusive franchise, when created, for sewer and water within

their franchise area. That would have prevented what is being done this evening were this Ordinance to be adopted. However, the carve-out by the legislature was a limited one and he thinks that to the degree that the Dara case, that he cited for Mr. Delanoy earlier, was supervened by the legislation. The legislation was very narrow, and he does not think it covers the situation here where the project that is being done is for a greater impact and benefit than merely the thirty something property owners, including the lift station. One lawyer's opinion, but he thinks that it is worth review of more than just a few minutes of discussion on the Ordinance. Secondly, while the consensus was formed, as he has indicated, he thinks that perhaps it was done based upon facts that were present and true then, but may not be what they are today. He was handed, by one of the property owners, not his client, sheets that were circulated at these earlier meetings, and if you look at the total cost on the sewer sheet, and on the water sheet, admittedly a while ago, but it was on those numbers that consensus was built, they show \$818,600.00. Now the cost of that project, with time, effort and perhaps other involvement, is 2.2 million dollars. That is a big difference when you have a consensus on \$800,000 and now it is 2.2 million dollars. When that consensus was built on telling people you will pay your share, and as they understood their share was going to be \$50,000 to \$100,000, and now their share could conceivably be \$200,000 to \$300,000, that is a different basis than what that consensus was built upon. When the people who discussed this with him, and not merely his client, indicate to him that at those meetings where that consensus was built, people were told....if you don't want to hook up, then you don't pay your share until somebody, your purchaser hooks up....that is not the law. As he understands the law, what is being done here is to say this is a local improvement program, and therefore, each affected property owner will pay the increase in their value of the property. So if their property was worth a million dollars, without sewer and water, and it is going to be worth a million two with sewer and water, they are going to pay \$200,000.00. Whether they want the sewer and water or not, and they are not going to pay for it when they hook up, if they don't hook up for twenty years, they will still pay for it starting twenty days after the cost is certified when they will have to pay their first installment and their annual installments for the next nine years, for a total of ten years thereafter. What he is saying is, building the consensus was appropriate, but the consensus was built upon facts then understood, or misunderstood, and he thinks that should be re-examined with the property owners who are most directly affected. It is one thing to say you are going to get sewer and water and you are going to pay \$50,000.00, but you don't have to pay it if you don't hook up and you don't have to pay it until you hook up, versus you are going to pay \$200,000, you are going to pay it over ten years with eight percent interest whether you want it or not. He is not suggesting for a moment that anyone was misled or that there was anything inappropriate. He is just suggesting that times have changed and the \_\_\_\_\_ of the adoption of this Ordinance on a consensus that was built with less than the current modern accurate facts is not to be a consensus at all. And you are going through a reassessment which is a most difficult process, but when on top of that you take a major program, to extend sewer and water that will benefit the MUA overall, that will add sewer and water benefits to this town generally, will benefit all of the Woodlake citizens, when he knows of a client of his that coincidentally who was asked to pay money for an approval gotten on the other side of New Hampshire because of this project. You take all of that and say, you are only going to put it upon thirty some property owners who may pay a couple hundred thousand dollars, he thinks it needs a step back and a re-examination. There is one other technical problem that came to him. He knows that the law required under NJSA 40:49-6, that when you

pass an Ordinance such as this, notice must be sent out by mail to every affected property owner, and that is understandable. If you are going to tax people a significant amount just for their property, they ought to know directly about it. Sort of like sending out notices for a zoning board hearing. But you have to be clear that that list is right. Through the evolution of this process and consensus building, he thinks there has been some concern about what is the right list of property owners. And he knows that on April 24th, Paul Morrill sent a letter on the MUA's letterhead to the Township that the list that they had needed some revisions, which would have meant that some of the people who may be assessed these significant amounts did not have the kind of direct legal notice they are required to have to be at this hearing to voice their concerns. So when you add up whether the consensus is built on modern facts, whether there is legal authority to do this, whether all of the notice was appropriate, he does not mean to be the fly in the ointment at the end of two and a half years of hard governmental work, but he does mean to raise a legitimate concern for a Lakewood businessman and property owner who might have visited upon him along with his colleague, an amount that is greater than what should be his obligation, that is inconsistent with the law, that is one that may be some of his colleagues did not even get notice of, accidentally be it, but still inappropriate. So if this project took two and half years to get to this point, is it not too much to ask that a delay of two to four weeks be thought about so that perhaps this could be addressed in different ways. And amongst the ways it can be addressed that is consistent with the law, is to acknowledge that certain of these benefits, benefit other property owners, benefit larger capital issues, like the replacement of the lift station, and that a significant portion of the 2.2 million dollars not be taxed upon the local property owners. Secondly, to make sure that you have got the right owners, and that those numbers can be reviewed, and that the notice is appropriate. And thirdly, to look at what will be the impact, while numbers have been shared in the past, those are not today's numbers. If you look at today's numbers and say that the average car dealer along Route 88 is going to be hit for \$200,000, and he knew that, or a couple knew that, would they be here tonight. Or are they going on the old information. He knows how directly the Committee deals with their constituents, you could find that out in the next couple of weeks. He does not come here to oppose or to negate the Committee's very serious efforts for a good cause. What he says though is that the way the program has developed, it has grown in such a way that it raises questions of law, questions of consensus building, questions of fact, questions of notice, questions that could be resolved in a couple of weeks, and the Committee would have the clarity of conscience and mind to know that it was concluded properly and his clients and the other property owners would think that they got the fairest possible treatment. He is not suggesting that to pass it tonight is unfair, but he thinks it would be inconsistent with the way in which the Committee makes sure their judgments are totally valid. He thinks at this point, there are legitimate concerns. If he has raised any questions, that you would say.....but Mr. Doyle....what about this, or what about that, with whatever limited information, he would try to share his answers, but he knows there are other people that want to be heard. You have been most patient in listening to him. He hopes the Committee will give some thought to the bottom line which is to re-examine the issues he has raised, take the time, limited as it may be. He, along with his clients and the property owners, will work with the Committee and Bond Counsel he has not yet had the chance to talk to, to raise these concerns, because the worst thing in the world would be, if any of what he has said is correct, and he would like to think it is all correct, if the effort to do this right were done too quickly so it was not

done correctly, and it raised an issue about the whole reimbursement plan, then he thinks that would be a mistake. If a little bit of time can solve that, why not take the time and let's get it right together.

Mayor Lichtenstein asked that if anyone else in the public has something to say, that they say it now, and then the Committee will start answering the questions.

Frank Petronaro, 25 Tilton Road, Brick – He owns two pieces of property that are affected by this project; one of them is Enterprise Rent-A-Car, and the other is American Transmission, Block 189.03, Lots 210 and 211. He has some paperwork that he received three years ago from the MUA. This project is totally different than three years ago. He has been in town doing business for twenty years. All his customers always ask him why there is no sewer and water along Route 88. He always says that the MUA has not put it in. That is the only answer he can give them. Two or three years ago they had a problem with the lift station, now all of a sudden there is sewer and water coming down Route 88. Originally, they were going to put a line down the golf course to go to the County line there. An idea has come up that maybe the businesses on Route 88 could benefit from this project, and they can also get the lift station repaired. Some numbers were put out, which were a lot less than the numbers now. He even has the paperwork, where he was going to get approximately a \$14,000.00 check once the sewer line was in, because he was giving them an easement. The way it looks now he is probably going to have to come up with between \$100,000 and \$200,000. So there is a big difference. He has all the paperwork and the maps, where it was going to be run, and where it is going to be run now....there have been a lot of changes. Back then the discussion was that the MUA was going to pay forty percent, the property owners sixty percent.....twenty property owners.....some had easements in the front. He had an easement on the side, so naturally they were going to get paid for the easement. He was going to come out on the plus side for the sewer and the water. He was all for the project at the time. Now that there is a big difference in the numbers, from what he understands, maybe he is wrong, the property owners are going to be coming up with all the money now. And it is over two million dollars...that is a couple hundred thousand dollars, over a ten year amortized note, that is over three hundred thousand dollars. It is a good project. He is sure that everyone has good intentions. He suggested they sit back and rehash all the numbers, get all the property owners together with the MUA and Committee, and work this out where it is fair for everyone. Woodlake Manor apartments are benefiting from having the lift station. The MUA is benefiting by not having the lift station, because those pumps when they go bad are not cheap; they cost thousands of dollars. They are benefiting from it. He thinks they should pay their fair share, and he should pay his fair share. The project is great. Everyone, for the most part, wants the sewer and water. But he feels they should sit back and rethink everything because things have definitely changed in the last three years.

Charles Coliani, owns Auto Accents, and Auto Accents Car Wash – Several years ago, when this first started, he went to the meetings and explained that they have a car wash there, and what are they going to be doing. At that time, he was told that he would probably still be allowed to use well water for the car wash for the majority of the water. With this Ordinance, he does not see anything in the works that that will happen. He was under the assumption that the MUA was going to pay a good portion for the pumping

station, and all they would have to do was pay according to their frontage. Although they were not given any special numbers, that is the way they were going to determine it. Until today, he has not had any indication as to how much this was going to cost. And he would like to know that. And he would like to know how it is going to affect his business at the car wash. The car wash is behind the building, it is not a popular car wash. He assumes if there is a big cost there, it will wipe that business right out. He would have to close that up, because they just can not afford to pay for the water they would have to use. He wants to get these answers before any decision is made. He does not know how they can do that other than not making the decision tonight; postpone it and try to get this information to the owners, if not only for his use, but for everyone, so they know exactly what they will have to pay. He thanked the Committee for their consideration.

Gerry Ballwanz, Governors Road – Asked if this 2.2 million dollars is coming from the general taxes.

Senator Singer explained it was not coming from any Bond, or any tax money. The 2.2 million dollars was transferred from a check from the MUA directly to the Township. There is no Township money involved in this entire project. And there is no interest on the Bond either.

Richard Feldman, 1320 Route 88, The Auto Exchange - Spoke on behalf of his partner, Michael Feldman, and himself. He is all for the water and the sewer. He does not have a problem with that. What he does have a problem with is that what was presented to them a couple of years back seems to have changed significantly. He always feels that he does not mind getting involved in a game but he wants to know what the rules and regulations are. What he was told a couple of years ago does not seem to be happening now. He thinks they need to be furnished with more information exactly as businessmen what the cost will be to them. He is asking the Committee to realize that and try to come up with a fair and equitable position for all.

Malcolm Smith, 1300 Route 88 – He is also a strong advocate for this project. He has been since the very beginning and long before that. He actually asked the town for it in many instances. He asked the town, and presented it to the town. As he looks around the room, no one in this room other than Bernadette was really here when he asked those questions. It just shows how long it has been since he has been trying to do something. He has really been looking for this for a long time. He thinks it is a good project, and he thinks it is a good idea. The problem is that he has been paying the lion's share of some of the taxes in the town. They do not have tax abatement as the industrial park has. He has been involved in buildings in the industrial park so he knows how that works out. This situation is going to be a severe burden on him and some of the other property owners along Route 88. Look at the reason why this all came about. First of all, you have a pumping station that failed. So the problem is how are you going to fix the pumping station....instead, run a sewer line down Route 88 and bill everyone who is on Route 88. That sounds like a pretty good idea, except for the fact that everyone on Route 88 has to pay for the whole thing. And this benefits a lot more than just the people on Route 88. Originally, when he was asking for this project to come to the forefront, it was an argument between the Lakewood MUA and NJ American Water Company. No one could decide who would actually have jurisdiction over this project. This went on for

years and it was an argument. That being the case they never really made any progress. His bottom line is, since they are paying a significant share of the taxes, with the way ratables are going in Lakewood, and he just heard what the budget is going to be, and that is not exactly pleasing. But in any event, he thinks that the project is good, but he thinks they should stand back and evaluate how much this is actually going to cost, and perhaps other people ought to chip into this. This is one of the very few areas in Lakewood that does not have water and sewer and look at the amount of activity in that area and the amount of ratables in that area, and the amount of businesses. And these businesses could all benefit from this. But why should they pay for the whole thing. Not everything should be thrown as a burden on just these people. That is his opinion on it. He thanked the Committee for listening.

Eric Mallen, 1286 Route 88, and 1430 Route 88 – Has several parcels. Like most everyone else, he believes this is a good thing to have sewer and water. His situation may be a little different than everyone else. First of all, he has sewer and water; sewer is actually adjacent to his property. Actually water is as well. When he spoke to the MUA, obviously for him to hook up to the sewer would essentially be a minimal amount. He was asked to hold off some time ago in order to put this project together. He was given some specific numbers back then, and he does not know how much of a legality this would become, just for the record, the MUA hired GTS Consultants, who did a fair amount of work for the MUA. A representation was made to him, as well as others, for a specific amount of money, as well as some offsetting costs with easements, as well as some offsetting costs to the MUA that would kick in. There was talk about various abatements. Obviously the MUA would get fees for hook-ups and usage. Obviously there can be further development, more ratables for the town as things are more utilizable with proper water and sewer. In addition to holding off, he thinks it is pretty clear that this should not be just snuck in as a very quick approval this evening, the water is probably very questionable as to its potability. Everyone that is along that area knows that it is at the very least less than one hundred percent. He does not know how that changes with a public need, or whether or not there is a health issue involved. Certainly, a little more time should be spent. It also occurs to him that the original representation was that Woodlake was going to pay a percentage for the obvious initial improvement to them, as well as the MUA having the ability to pass on various abatements and allowing people to hook up free of charge, or some workable situation, as an inducement to have the individual property owners bear the complete expense or at least a substantial amount of the expense, as opposed to having any expansion of the utility, any additional costs, spread amongst the Township, as in many cases they are for the cost of the improvements, and naturally the usage. So there are a lot of questions here that need to be addressed. Specifically, the people who did agree to this, with the work that has been done, and with the exact representations that were made. In his particular case, he has exact numbers with representations that he, at least in principle, agreed to. This is now three hundred percent higher. What would have been \$20,000 will now be \$150,000 or \$200,000. And across the board, this needs to be looked at a little more fairly and reasonably. Again, he is not an Attorney, and he does not know what the legality or what the obligation of the MUA is as far as what they are able to do, whether as a public service, since taxes are obviously going to go up with these improvements, whether or not there would be other considerations, whether or not there are funds available, which he is told that there are, this seems to be a “schluffing-off” on a handful of people to take care of the pump station from Woodlake.

In any case, he would hope that the Committee will give consideration to looking into this and not passing this Resolution this evening.

Mr. Cunliffe asked what are the properties he owns.

Mr. Mallen answered that he owns several properties, for the record: 1286 and 1430 Route 88.

Mr. Cunliffe asked what are the businesses.

Mr. Mallen answered that he owns Woods Auto and the Auto Depot.

Mr. Cunliffe added that he heard ATS and Enterprise, and asked what were the other businesses.

From the audience.....Auto Accents, Auto Exchange, American Transmission.....

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

Mayor Lichtenstein asked the Attorney....the one legal notice issue that may not be the MUA answer, was this legal notice proper for the Committee to vote on this Ordinance at this time.

Mr. Delaney answered it was his understanding that the notification was sent to the property owners that are in the area of the projected assessment, and it was sent to the last known property address of those individuals. That is what is required by the statute. And it is his understanding from the Clerk's Office that it was correctly done. So he does not believe there was any notice issue. Mr. Doyle knows and understands that if there is a notice issue, he does have avenues he can take to pursue that however he wants to. And if there is a problem with the notice issue, they would then have the ability to re-notice this and redo it. But at this point, it is his opinion that the notification issue is not a problem, and was done correctly.

Mayor Lichtenstein stated he would venture to say most of the other issues that were raised this evening are issues that are not so much for legal counsel but more for the members of the MUA and the Township Committee. This is actually the first he realized there was opposition. He heard of it this evening. He knows Mr. Hoberman, the Director of the MUA, is here, and two of the Township Committee members are also on the MUA. He would ask that Senator Singer and Mr. Coles answer some of the questions.

Mr. Cunliffe asked about the accuracy of the statements about the pump station; what is its condition, and can it be kept on line, and are there any benefits that would \_\_\_\_\_ to the people in Woodlake.

Mr. Hoberman stated he did not take the option of addressing the Committee and he would prefer to stick with that option. The professionals are not present this evening, so it would not be a good idea to represent that. However, he will answer direct questions.

This is a health issue. The pump station is fatally sick. It could go at any time. If it does go at any time, it would be a major problem. This is a public health issue. This is a public benefit issue, obviously. The entire town should have sewer, and it has been discussed many times, whether it is with the MUA or NJ American Water Co. Sewers are very important, particularly, in this case where there might be a health situation if that would fail. Having said that, and there has been much discussion about whether Woodlake is benefiting. Woodlake has sewer, and the option would be, which is \$30,000 to \$40,000 to replace that pump station, that can be done. That is not the kind of thinking they have at the MUA and he does not think that is the type of thinking that the Township Committee has, and in fact, a number of business holders on Route 88....not the type of thinking they like to get involved in. They like to look at the big picture, they like to look at the public health, and the public interest. And he thinks that this project addresses that.

Mr. Cunliffe further asked if he is being told that the pump station is fatally sick, and they knew what the cost was, why wouldn't they say that only that portion could be shared amongst the people who are going to benefit from it. Is there any reason they could not do that.

Mr. Hoberman stated he does not think that would be a problem.

Mr. Cunliffe stated he would like to see this done this evening for many reasons. It needs to be done. It is part of the Budget. He does not want to upset the Budget process, and if they wait any longer, it could be a huge problem in terms of the prices going up. He knows by bad personal experience, if you take a look at the Public Works Department they are building, and the Lakewood Blueclaws Stadium, in the two and half, three or four years that it took to get those things off the ground, the prices doubled and tripled. He thinks there is a sense why that number went from eight or nine hundred thousand to where it is today.

Mr. Hoberman stated he would address that point directly. This is not the scenario that was painted here this evening. They like to think, and perhaps other towns have a bad public image, where there is a public project and the costs go up and up. That is not the case. These are preliminary documents that were presented here, in fact, all of the property owners on the projected route were invited to numerous meetings, and presented figures... the modern figures, were presented to them on a number of occasions, which is approximately 2.2 million. These are very preliminary.

Mr. Cunliffe confirmed that the 2.2 million was shared with the people who are here this evening.

Mr. Hoberman advised they were invited to public meetings and certainly the information was shared. He does not know who was present at those meetings. But yes, certainly the public was invited. There were three meetings, and the modern figures were presented.

Mr. Edwards advised he was not an expert on this, but to the extent that it is part of the Township Budget, he had to be involved in some of the legal questions and some of the practical questions related to this. Bond Counsel prepared the Ordinance, and they have assured him, and Mr. Secare, that it is perfectly legal and legitimate for the Township to



be a mechanism for this assessment process for the MUA. His other understanding of the process is that, it is spelled out in state law, and you can only assess to the individual property owners what the actual value or benefit to their property is in monetary terms. And the total for everyone affected by the project can not exceed the cost of the actual construction project. Once this gets adopted, then you go through the process, you construct the improvements, then the state law has specific criteria and steps to where you have to do the assessments and the Township is going to be sending out the assessments, but only will be provided that information by the MUA. He thinks there is more than ample time, in his opinion, not being a lawyer, for discussion with the property owners, their representatives, and the MUA, as to what that actual dollar value or benefit is, and what will be sent out is ultimately what is agreed to. The MUA has fully funded the project already, and provided it to the Township to put in the Budget. So there are no tax dollars. It is just a question of how much gets assessed or reimbursed to the MUA for this total project.

Mayor Lichtenstein clarified that what he heard from the business owners is that they are in favor of the project. And to him, it seems that the only point of contention is how much they should pay for it. He asked if they vote on the Ordinance this evening, and this project goes forward, he thinks that is a good idea because of what Mr. Cunliffe just said, the longer they wait, the more these project go up in price, but that when the assessments are made on these individual property owners, it would not necessarily equal the entire cost of the project. It will be evaluated as to what benefit it is to their property. And if they were to wait, that same process is what would happen. So this is not even the forum where the amount is decided, only if the job is done.

Mr. Edwards answered that is correct. The only thing that is known by this Ordinance is that the total amount assessed can not exceed the cost of the construction project and that cost is written into the Ordinance. But he believes that the actual values and dollar amounts can still be discussed, and debated, and there are other legal avenues for individual property owners if they do not agree with what the value is or the benefit to their property as we move along in the process.

Mayor Lichtenstein asked what board would that happen at, at the Township Committee, or the MUA?

Senator Singer answered....the MUA.

Mr. Edwards added that the Township now, by adopting the Ordinance, you have authorized sending out the assessment notices when the appropriate time arrives. That is after the project is fully constructed. There are several procedures that you have to do, but basically, it is not really the Township's project. The Township is just a conduit for the project, so the Township will be sending what dollar amounts over a period of ten years that the MUA says is the appropriate number. It does not mean that the MUA necessarily has to try to recoup the entire dollar cost from these property owners, or any property owners.

Mayor Lichtenstein stated that is exactly what he was waiting to hear. If there were fifty properties, and this is approximately a two and half million dollar project, you don't take

two and half million and divide it by fifty, and say pay, pay, pay; you actually go ahead and do the assessments at the MUA. That is not the decision of the Township; it is the MUA's decision, and that would be the forum for that to be decided.

Mr. Edwards added that the Township is just a mechanism by which the assessment process can go forward.

Mayor Lichtenstein stated he would have to say that solves the problem.

Senator Singer wanted to clarify some points. First of all, the lift station was not a major factor. The reason why they did not fix it was because they knew this project was coming, so why fix it. They would not spend two and half million, or 2.2 million dollars plus to fix a lift station for forty thousand dollars. That is not the issue. The issue is why spend the forty thousand to fix it if they knew the project was coming. They wouldn't be doing this whole project to not just to have a lift station. That would make no sense. What happened was, the people on Route 88 came to the MUA and said some of them had failing septic systems, and they did not want to spend \$40,000 on a septic system. Some of those septic systems are very old, and where is that septic going.....into the Metedeconk, because they back up to it....pollution.....a little problem there too. Second of all, there is no fire protection on Route 88 for these people, because there are no fire hydrants..... how about a safety factor for the rest of the town. Woodlake does not benefit at all from this...they have sewers. This is for the businesses on Route 88. They also did not tell you that once you put sewer and water in, their property values go up. And they are having problems there. They came to the MUA. There is absolutely no advantage why the MUA would do this project. They had to front 2.2 million dollars of MUA cash. The only reason the MUA asked the Township to get involved is that the MUA can not do mandatory hook-up. Only the Township has the authority to do that; that is why the Township is involved. Otherwise, the MUA would do it. And the figures that Mr. Doyle and everyone else were talking about...everyone is paying \$200,000...if there are thirty property owners, that would be six million dollars....he does not know where that is coming from...it does not work that way. The MUA is not doing this project for the benefit of the MUA, they are doing it because the people on Route 88 wanted the project. The MUA is fronting the money. It is paid off over a ten year period. And the MUA provided the total cash, so there is no interest. The MUA is trying to make it easy for the people to do this, to try to stop polluting the environment which they are doing now through the septic systems, and the Metedeconk is back there. Brick has been concerned about the Metedeconk, and Mr. Doyle knows about that. Because that pollution is going into their reservoir, and they have asked for buffers. There are also fire protection issues. These are car dealerships. There is gasoline there, and repairs going on....where is the fire protection. There is well water there, and most of those wells have not been tested for years. They don't know if people have been drinking good or bad water. They have been after them for years to do this project, and they finally decided to do the project. If tomorrow the Township said...why is the MUA doing the project, and walked away from it...the MUA loses absolutely nothing other than their time and effort. The benefit is to the property owners more than to the MUA, and the MUA is doing the project because it their belief that as a Municipal Utility Authority, they are supposed to benefit the people in their service areas. If NJ American Water Co. wants to come in a do the sewer and water there, they can do it tomorrow. The MUA would have no

problem with it; the MUA would gladly sign off if NJ American wants to bring the sewer and water down Route 88 instead of the MUA. If you are basing on it the economic benefit of thirty businesses coming back to the MUA, to recoup the fact that they put out 2.2 million dollars, interest free for ten years, do the math....they are getting killed. The MUA is doing this to benefit the town. If they think this is being done to benefit the MUA, they have a big problem. If the answer is that Mr. Doyle is representing from the people here tonight, and NJ American wants to come in tomorrow, they will walk away from the project, and let them come in and put in the sewer and water.

Mr. Cunliffe confirmed that it is not simply the total cost of the project, divided by the land owners there...it is some type of pro-rated decision making process, and the size of the property....whatever the benefit to the property is....so it is not just an even division....it is an individual decision made on the benefit to each property owner?

Mr. Edwards answered that Bond Counsel has informed the Township it is the increase in value however that is determined that benefits the property is what is supposed to be assessed, or reimbursed back. But the total, can not exceed for the entire project, and all the assessments, the actual dollar construction cost.

Mayor Lichtenstein asked if the properties did not increase in value to get an assessment to reach that 2.2 million dollars, the MUA would eat that cost?

Mr. Edwards answered yes. That would be his interpretation. And he thinks there is a process by which these assessments have to be derived and the people have the right to react to them.

Mayor Lichtenstein asked Mr. Hoberman....our answer is not...it cost 2.2 million....we need to collect 2.2 million....this is what it costs to do the project.

Mr. Hoberman answered on this type of legislation, these type of projects....State of New Jersey commonly has used a prorata share, certainly in the \_\_\_\_\_ case, etc., and it is considered a public improvement, and properties would be assessed, and it is their responsibility to contribute that. They are here to serve the public, certainly not to be hostile, certainly not to take advantage, and they welcome everyone's input and opinions. They thought they were the hero, certainly not the villain.

Mayor Lichtenstein stated that after hearing from Senator Singer and Mr. Edwards, he thinks this issue, a very legitimate issue that the property owners have...this is not the forum for it to be discussed...that is discussed at the MUA. The MUA will be spending the money regardless of what costs are reimbursed.

Mr. Cunliffe stated he was clear in his mind about the Woodlake situation. Even if it was double the price that you said to replace it, that is less than three percent of the cost of the project.

The above Ordinance was offered by Senator Singer, second by Deputy Mayor Coles. On Roll Call – Affirmative: Senator Singer, Mr. Miller, Mr. Cunliffe, Deputy Mayor Coles and Mayor Lichtenstein.  
Ordinance No. 2006-32 adopted on second reading.

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter VI of the code of the Township of Lakewood entitled Alcoholic Beverage Control. (Hours of Sale)  
Read by title only for second reading.

Mayor Lichtenstein opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.

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

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

Ordinance No. 2006-33 adopted on second reading.

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, vacating all right, title and interest of and to a portion of Royal Court and New Central Avenue in the Township of Lakewood, pursuant to and in accordance with N.J.S.A. 40:67-1, et seq.  
Read by title only for second reading.

Mayor Lichtenstein 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 Coles, second by Mr. Cunliffe.

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

Ordinance No. 2006-34 adopted on second reading.

- 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” (No Stopping or Standing\fire zones)  
Read by title only for second reading.

Mayor Lichtenstein opened the meeting to the public.

Alice Kelsey, 295B Malvern Court East – Before she can support the passage of this Ordinance, she needs some additional information. She believes this Ordinance is very closely linked with the proposed muster zone, and it is intended to target the employers that stop to pick up hourly wage earners. She asked if this Ordinance passes this evening, will it be implemented before the muster zone is up and running, and second, has a person or agency been selected to manage the muster zone, and third, what services will the manager or agency provide, and fourth, what credentials does this manager, or agency, have that qualifies him or her to run a successful muster zone, and five, is the muster zone planned for failure. How can it be successful with only a budget of less than \$40,000.00. Her concern is that the rights of workers to employment opportunities and the dignity of undocumented workers who stand on Clifton Avenue would be affronted with the passage of this Ordinance.

Mayor Lichtenstein advised this Ordinance has nothing to do with the Employment Center.

David Drukaroff, 1433 Laurelwood Avenue – He had no plans to speak on this but he can not imagine why anyone would want to park in a fire zone, and the comments that were just heard were totally irrelevant to this issue. He supports the Ordinance.

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

Mayor Lichtenstein stated he would answer Mrs. Kelsey's question. This has absolutely nothing to do with the Employment Center. This is simply a summons that the Police Department is issuing, that does not have a fine associated with it, and the Courts need a fine to associate with the summons. It has been on the books, but every time a summons is issued they have to come to Court and tie up the court system just to find out they need to pay the parking ticket. So they are just correcting that. It never had anything to do with the Employment Center.

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

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

Ordinance No. 2006-35 adopted on second reading.

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the execution of a deed of easement and right of way agreement with respect to block 1606 Lot 9.

Read by title only for second reading.

Mayor Lichtenstein opened the meeting to the public. Seeing no one wishing to be heard the hearing on this Ordinance was closed to the public.

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

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

Ordinance No. 2006-36 adopted on second reading.

## **ORDINANCES FIRST READING** (2nd Reading and Public Hearing 5/25/06)

- An Ordinance amending the code of the Township of Lakewood, Chapter 18, Unified Development Ordinance, to allow uses permitted in the RM Multi-Family Residential Zone in the ROP Residential Office Park Zone District in the Township of Lakewood, County of Ocean, State of New Jersey.

Read by title only for first reading.

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

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

Negative: Senator Singer

Ordinance No. 2006-38 adopted on first reading. Second reading and public hearing to be held on May 25, 2006.

- An Ordinance amending the Code of the Township of Lakewood, Chapter 18, Unified Development Ordinance to clarify subsection 903.M.2.b concerning occupancy of Guards and Watchmen in the M-1 Industrial Zone District in the Township of Lakewood, County of Ocean, State of New Jersey.  
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, Deputy Mayor Coles and Mayor Lichtenstein.

Ordinance No. 2006-39 adopted on first reading. Second reading and public hearing to be held on May 25, 2006.

- 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 Mr. Cunliffe, second by Deputy Mayor Coles.

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

Negative: Senator Singer

Ordinance No. 2006-40 adopted on first reading. Second reading and public hearing to be held on May 25, 2006.

- An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter III of the Code of the Township of Lakewood entitled “Police Regulations”. (Consumption of Alcoholic Beverages on Public or Private Property)  
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, Deputy Mayor Coles and Mayor Lichtenstein.

Ordinance No. 2006-41 adopted on first reading. Second reading and public hearing to be held on May 25, 2006.

## **PARKS AND EVENTS CORRESPONDENCE**

Per schedule of twelve (12) items attached hereto and made a part hereof.  
Motion by Mr. Cunliffe, second by Mr. Miller, to approve the above requests.  
On Roll Call – Affirmative: Senator Singer, Mr. Miller, Mr. Cunliffe, Deputy Mayor Coles and Mayor Lichtenstein.

## **CORRESPONDENCE**

Letter from Rena Amada requesting to use Town Square on May 6 and 20, 2006, for distribution of clothes to the needy.

Letter from Lakewood Pop Warner requesting to hold a fund raiser at Brook Road Park on April 29th and 30th from 8:00 AM to 4:00 PM.

Letter from Bruce Wechsler to use the Amphitheater at Lake Carasaljo for a wedding ceremony on April 30, 2006.

Letter from Cornerstone Calvary Chapel requesting to use Town Square on May 13 and May 27, 2006 from 12 Noon until 4:00 PM to pass out free food and clothing.

Letter from Knights of Pythias requesting to use the Municipal Building Auditorium on May 13, 2006 from 10:00 AM until 12:00 Noon for their annual Poster Contest.

Letter from the Sage Foundation requesting to close off a portion of Martin Luther King Drive for a Block Party.

Request by LASO to utilize Town Square on Sunday, April 30th, from 2:00 PM to 5:00 PM, for a gathering of High School Students.

Motion by Deputy Mayor Coles, second by Mr. Cunliffe, to accept the above correspondence and to approve those requests as granted by the professionals.

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

## **MOTION TO APPROVE BILL LIST OF: 4/25/06**

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

Negative: Senator Singer

Bill List approved.

## **COMMENTS FROM COMMITTEE MEMBERS**

Deputy Mayor Coles asked the Committee to consider proceeding to extend Oak Street from where it ends at Vine to the border of Rockaway, which is the far end of the property that the New Jersey Affordable Housing Corporation is going to need. That money will be reimbursed to the Township through the RCA monies when they come in from the developers, but they currently have a Bond Ordinance on file that will allow the Township to proceed with that construction immediately. The sooner they get that road in, the sooner the rest of these projects can move forward. They already had all the documents done six or eight years ago. He has asked Birdsall to look at them to see what needed to be revised so they will be able to have the rest of the work done quickly. He thinks he will have those documents for the next meeting, so if possible, he would like to advertise that they can put this out to bid. Deputy Mayor Coles offered this in the form of a Motion, second by Mr. Cunliffe.

Mr. Edwards confirmed that this would be to advertise the bid for construction of Oak Street, from Vine to Rockaway.

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

## **ADJOURNMENT**

Motion by Deputy Mayor Coles, second by Mr. Cunliffe, and carried, to adjourn the meeting. Meeting adjourned at 9:25 P.M.