

**LAKWOOD TOWNSHIP COMMITTEE
MINUTES
NOVEMBER 15, 2007**

The Lakewood Township Committee held a Meeting on Thursday, November 15, 2007 at Harrogate, 400 Locust Street, Lakewood, New Jersey, at 6:30 PM for the Executive Session and 7:30 PM for the Public Meeting, with the following present:

Mayor.....	Raymond Coles
Deputy Mayor.....	Meir Lichtenstein
Committee Members.....	Senator Robert Singer Menashe Miller Charles Cunliffe
Municipal Manager.....	Frank Edwards
Municipal Attorney.....	Steven Secare
Deputy Clerk.....	MaryAnn DelMastro

CLOSED SESSION

Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein
Resolution No. 2007-335 – Adopted.

SALUTE TO THE FLAG AND PRAYER

Adequate notice of this meeting has been provided in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6, by Resolution of the Township Committee adopted January 1, 2007 and published in the Ocean County Observer on October 3, 2007.

ROLL CALL

OPEN SESSION

Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: Amended minutes of 10/18/07 and 11/01/07

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

MOTION TO APPROVE CLOSED SESSION MINUTES: None

PRESENTATIONS: None

Mayor Coles thanked Harrogate for sponsoring the meeting this evening, and introduced the members of the Township Committee, and professionals.

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.

James Waters, 1275 Old County Line Road – Commented with regard to the conditions of a house at the corner of County Line and Alvarado. He asked what is going to be done about the structure.

Mayor Coles asked Mr. Mack to look into it.

Mr. Waters further commented with regard to his suggestion that when new Police Officers are hired, that they hire additional resource officers for the High School and a full time person working at the Middle School. He also commented on certain preventative and safety measures that should be taken in the schools.

Mayor Coles commented on the recent incidents in the school district. The school district, the Township, and the Police Department need to work very closely together over the next few weeks to make sure that the circumstances that brought on this incident do not reoccur. He found out, after the fact, that the security cameras in the school are not working, and that is unacceptable. Also, the ID card requirement should be enforced, as well as the suggestion for a gate to enter the parking lot. They also need to look at the underlying circumstances in what has happened. He has been in touch with the Department of Justice, and the US Attorneys Office, who have offered to come into town and work with the district and the Township to address the issues. The town has applied for numerous grants to deal with the gang situation. It is unfortunate what happened this week, they all need to agree as a community that they will not allow this happen again. The only reason that school is there is to educate the children in a safe and wholesome environment.

Mayor Coles further advised that after discussion with the Chief of Police, he was informed there will be an officer at the school five days a week.

As to the issue of the house at the corner of County Line and Alvarado, Mr. Mack advised that they are in the process of soliciting bids for the demolition of the structure.

Miriam Medina, 101 Forest Drive – Spoke as a resident of the town, and a concerned parent of a child in the Lakewood High School. Asked the Township Committee to address the situation which is a major concern of the school parents by assigning additional officers to the High School and the Middle School. She feels that collectively, the Township and the Board of Education need to address the issue of gang activity in the community.

Mr. Cunliffe advised that the Township will work with the school system to get them to improve the security that was supposed to be enforced in the first place. In his opinion, the Lakewood Police Officers, and officers from other communities that responded did the best that they possibly could under horrible conditions and showed amazing restraint even though they were being physically beaten by students who were out of control.

Senator Singer stated he was disappointed that no member of the Board of Education was present this evening. There are forty-five entrances into the High School. You can't lock doors from the inside because they are emergency exits, but you certainly can have restrictions as to how you can enter the school into one main area. Other schools that are having problems have metal detectors, and large security forces. The school budget in this town is one hundred and five million dollars. The Police Department is invited into the schools; they have no jurisdiction unless invited in. He advised that for the cost of one Police Officer, you can hire two or three security people. There is not the necessity to have an army of Police Officers in the school, but there is the necessity to have a large security force. It used to be that you could not drive into the parking lot, there was someone there at the guard house at all times. Also, if you walked into the school, you were challenged immediately, if you did not have your ID, you had to go right to the office. This is not happening. This is something that the staff has to be involved in; they need to come forward and demand this for the safety of the staff through the School Board. This is something that the School Board has to take an active role in, and come forward, and ask for help, which is available. They need to bring in security experts to show them how to secure their own school. The problem is that when the Township tells them something, they say the Township is butting into their business. They are elected officials, a separate body. Yet when there is a problem, they say to go the Township, and they will solve the problem. If they want the Township to run the school, the Township will take the budget and run the schools.

Mayor Coles added that it is not just the Committee's voices that the Board of Education needs to hear, but it is your voices. You have to let them know what you are thinking, and what you want to see. It is your school system. They are the hired employees, the same way the Township Committee are the hired employees on the Township level. Go to their meetings, and let them know and make sure you hold their feet to the fire.

Mayor Coles further advised he has a meeting scheduled for tomorrow with some members of the School Board to discuss the issues and come up with a plan for increased security.

James Deter, 801 Lexington Avenue – Commented on the incident at the High School. Requested that metal detectors be placed in the school, and that the Township take over the school.

Mayor Coles reminded everyone that they have the key to this, and that is when the vote comes up for the Board of Education. You need to make sure that your voices are heard regularly, not just this week because you are upset, but next week, and the week after, and the month after that. Let them know, not just to criticize, and offer them you assistance.

Bill Hobday, 30 Schoolhouse Lane – Commented on the incident at the High School. He feels it is a total breakdown in management of the school district. Commended the Lakewood Police Department; they have demonstrated their fine ability to help this Township do all that is necessary to keep them as safe as possible.

Mayor Coles asked Chief Lawson to speak with the PBA to see if they can get the Police Athletic League more involved with the High School and the Middle School to help build relationships with the children in the school, to show a positive influence in the school, and not just a negative.

Howard Suchno, 59 Foxwood Drive – Commented on the incident at the High School.

John Eiser, 331 Coral Avenue – Commented on the lack of security at the High School. Advised there are postings on the Internet about killing teachers, which has been brought to the attention of the Police Department

Mr. Cunliffe stated he wants this officially investigated. And if it continues, he thinks they need to have the State come in and take over the school system.

Glen Brown, 1182 Idalia Avenue – Advised that his child was incarcerated. He has spoken with some of the officers, and the school. Feels that the school system is sad and in bad shape, and is seriously lacking in security. The school, the Police Department and the Township were not prepared for this incident. There were no school officials at the Police Station; no one was prepared.

David Drukaroff, 1433 Laurelwood Avenue – Commented on the incident at the High School.

Ada Gonzalez, 1309 Ridge Avenue, Member of the Lakewood Board of Education – Apologized for being the only board member present this evening. Stated that from day one, she has been saying that the rules at the High School are not being enforced...the dress codes, security measures, etc. She has brought this to the attention of the Board, and it falls on deaf ears. Everything she says is taken lightly. She is embarrassed to be a Board Member, and apologized to everyone...this should have never happened.

Renee Benson, East Fifth Street – Commented on the incident at the High School. Her child was present during the incident, and is frightened to attend school. She was called by the Principal to keep her child home because there was the possibility that he would be attacked.

Noreen Gill, Coventry Drive – Commented on the incident and problems at Lakewood High School.

Obed Gonzalez, 298 Chestnut Street – Voiced his concerns with regard to the incident at the High School.

Felicia Turrell, 208A Huntington Drive – Commented with regard to the parking situation at Charlie Brown's restaurant, and the safety of the senior citizens.

Mr. Mack advised that Charlie Brown's is in compliance with state and federal laws.

Brenda _____, 1486 Towers Street – Spoke as a concerned parent. Commented with regard to the incident at Lakewood High School.

Alice Kelsey, Malvern Court East – Asked that they please do not forget the 97% of the students at Lakewood High School who are going there for an education.

Ramona Rosado, 153 Erica Road – Spoke as a concerned parent with regard to the incident at Lakewood High School, as well as incidents in other schools that her children attend.

Linda Kennedy, 500 Woodbine Lane – Commented with regard to the incident at Lakewood High School, and the issue of illegal immigrants who attend public schools.

Patricia Gonzalez, 198 Woodlake Manor Drive – Commented with regard to the incident at Lakewood High School.

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

Quality of Life Items were reviewed from the previous meeting.

As to the issue of the Crossing Guard at Seventh Street and Forest Avenue, Chief Lawson advised this has been taken care of.

As to the issue of exit traffic at Shop-Rite, Chief Lawson advised that signs have been posted.

Mr. Miller provided a letter to Mr. Mignella with regard to a puddling issue on Fourteenth Street and Cedarview Avenue.

As to the issue of Kennedy Boulevard and County Line Road, Mr. Mignella advised he spoke with the representative and they will be providing recommendations to the County and State.

As to the issue of the intersections at Pine Street and Oak Street, Mr. Mignella advised that the County has a project they will implement in 2008-2009, starting at Oak Street.

As to the issue of the Peterson's Sunset Cabin Site, Mr. Mack provided an update.

At this time, the professionals left the meeting.

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 Performance Bond posted by Route 88 Properties (Marble Arch Homes, Inc.) in connection with Blocks 548 and 548.02, Lots 79 and 86 to 89
Resolution No. 2007-336
2. Resolution Releasing a Performance Bond posted by Ormont Development, LLC in connection with Block 237, Lots 4, 5, 6, and 7
Resolution No. 2007-337
3. Resolution Authorizing a military leave of absence, to Peter LaRosa, from October 23, 2007 thru December 31, 2007
Resolution No. 2007-338
4. Resolution Authorizing the execution of a Change Order in connection with a project known as paddleball Court at Pine Park
Resolution No. 2007-339
5. Resolution Authorizing the Advertisement for and Solicitation of Proposals for Township Attorney, Township Planner, Township Engineer, Township Auditor, Municipal Prosecutor, Foreclosure Attorney, Special Counsel Tax Appeals/Exemptions, Real Estate Appraisal Services and Bond Counsel
Resolution No. 2007-340
6. Resolution Authorizing the Insertion of a Special Item of Revenue into the 2007 Municipal Budget for a Donation of \$500.00, to the Police Department
Resolution No. 2007-341
7. Resolution Authorizing the Lakewood Township Tax Collector to Cancel Taxes as to Block 816, Lot 3 and Block 815, Lot 7
Resolution No. 2007-342

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

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

Resolution Nos. 2007-336 through 2007-342 – Adopted.

ORDINANCE SECOND READING

• Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, pursuant to N.J.S.A. 40A:21-1, et seq., granting abatement to local property taxes to 212 Second Street Holdings, LLC for facilities located at Block 121, Lots 12 and 13, and authorizing the Mayor and Township Clerk to execute any and all documents necessary and proper to enter into a tax abatement agreement .

Read by title only for second reading.

Deputy Mayor Lichtenstein left the dais due to a conflict on this matter.

Mayor Coles opened the meeting to the public.

Abe Penzer, Esq., appearing on behalf of the applicant – Stated it is a credit to this administration that his client has taken a very bold step, and the Planning Board was very kind to give approval for a five-story building, consisting of 46,000 square feet. The first floor will be stores, the other floors will be suites. They anticipate there will be doctors, and other professionals, and they believe they will employ 250-300 people. They are requesting the Committee's consideration for tax abatement while construction is going on. The building will be gorgeous, and will generate employment because of the size and set-up of the building.

Mr. Cunliffe asked for a description of the project.

The building is located approximately 50' feet west of Second Street and Lexington Avenue, next to the municipal parking lot. It is a five-story building, consisting of 46,000 square feet; the first floor is commercial, the other four floors will consist of approximately 21 professional office suites. They have had a strong indication from professionals who are very interested in locating in the downtown area. They have Planning Board approval on the project. As to parking, there is no on-site parking; in the downtown zone there is zero parking. Their studies show that municipal parking is available one block away from the site. This will be a tremendous commercial ratable for the town. They hope to generate 250-300 jobs.

Alice Kelsey, Malvern Court – Commented on the parking situation.

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

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

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

Deputy Mayor Lichtenstein had removed himself from the dais with regard to this matter.

Ordinance No. 2007-52 adopted on second reading.

• **Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XVI of the Code of the Township of Lakewood entitled Property Maintenance.**

Read by title only for second reading.

Mayor Coles opened the meeting to the public.

David Drukaroff, 1433 Laurelwood Avenue – Spoke in favor of this Ordinance.

Alice Kelsey, Malvern Court – Asked if this Ordinance will bring another demonstration in front of Deputy Mayor Lichtenstein’s house.

Seeing no one else 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,
Deputy Mayor Lichtenstein and Mayor Coles

Ordinance No. 2007-53 adopted on second reading.

• **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 Kohl Drive 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 Coles opened the meeting to the public. Seeing no one wishing to be heard, the hearing on this Ordinance was closed to the public.

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

Mr. Cunliffe asked if the Police Department and Fire Department have reviewed this Ordinance.

Mr. Edwards answered that they were asked to review the Ordinance and if they had any negative comments or objections to provide them, and none were received.

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

Ordinance No. 2007-54 adopted on second reading.

- **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 second reading.

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

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

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

Ordinance No. 2007-55 adopted on second reading.

- **Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending Ordinance 2007-47, authorizing a lease of 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. (Spruce St.)**

Read by title only for second reading.

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

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

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

Ordinance No. 2007-56 adopted on second reading.

ORDINANCE FIRST READING (Second reading and Public Hearing 12/13/07)

- **Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, authorizing the sale of Lot 1 in Block 1106 and Lot 1 in Block 1108 in the Township of Lakewood, County of Ocean, State of New Jersey, at Open Public Sale pursuant to N.J.S.A. 40A:12-1, et seq.**

Read by title only for first reading.

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

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

Ordinance No. 2007-57 adopted on first reading. Second reading and public hearing to be held on December 13, 2007.

• Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, establishing requirements for Annual Rental Inspections

Read by title only for first reading.

The above Ordinance was offered by Mr. Cunliffe, second by Deputy Mayor Lichtenstein, for discussion, and with the possible request for amendment.

Deputy Mayor Lichtenstein stated he believes this Ordinance is necessary. This is the Ordinance that Mayor Coles has worked on with Mr. Mack for the annual rental inspections. After reading it, and realizing the time frame they have for next year, he would respectfully ask that the Ordinance be carried. He has many concerns, especially with some of the requests they heard tonight about people being out in the streets. He thinks that is who this Ordinance is meant to target. He is uncomfortable with it.

Mayor Coles stated they are not targeting anyone; that is the Deputy Mayor's choice of language. What this Ordinance is intended to do is rather than have the CO inspection for a rental unit done when a tenant moves out, it is to change it to an annual inspection whereby the Township, once a year, will inspect every rental unit to see if it is safe and habitable, and up to all current building specifications and standards. The additional inspectors needed will be paid for by the inspection fees generated by the annual inspections. It is something done strictly for the buildings that they have on file as rental units, and just to make sure that when folks move out, and they do not get a CO, the unit has a tendency to fall into disrepair. A lot of the stories they heard tonight are because of buildings that are not taken care properly, and not being maintained properly, and that is why this Ordinance is needed.

Deputy Mayor Lichtenstein stated he agrees. However, there are some issues here. First of all, the only CO's this will re-certify are going to be people who come into the system in the first place by applying for a CO. He thinks that many of the units that they have are by people who don't even bother applying for a CO. Even if it is being paid for, they are taking resources and the time of the Inspection Department to follow up on people who are in the system for the CO's. This also excludes hotels, motels, rooming houses, etc. He thinks that people who want to live in the town, and want to gather in an overcrowded apartment, and especially people who want to engage in illegal activity, if they are forced out of apartments, will find another place to go. They have one rooming house left, if not two; and they have some hotels and motels. He does not want the hotels and motels to become a breeding place for drugs because people have been pushed out of other houses. He has many questions. What do you do when someone moves into a one or two bedroom apartment and the family grows. The community he comes from, the orthodox community, have a lot of children. There are many other communities in Lakewood that do the same thing. And as you know, not everyone can afford to move out. He does not see any language in the Ordinance that protects, that when an inspector walks into a house and sees a family with three or four children, who can not afford to move into a larger

home, may only have one or two bedrooms, not that this is considered legally overcrowding....what is the inspector going to do, turn around and walk out.

Mr. Secare answered it is like the reval; the people were not there to gauge the legality of the building, but they were there gauge the value of the building.

Mayor Coles stated they are not going in to count heads; they are going in to make sure that the place where the people put their heads down is safe.

Deputy Mayor Lichtenstein stated if they are not counting heads, there is the issue of overcrowding in many units. He does not think they are accomplishing part of what they need to.

Mayor Coles answered that overcrowding is not addressed with an annual CO inspection; it is addressed when they are made aware of the problem and the Department of Inspections has the ability to investigate it and shut it down. They do not wait to act on an overcrowded apartment until the end of the year. They act on it when it is made apparent to them.

Deputy Mayor Lichtenstein stated he is fully aware of that, but he believes it is also going to be when someone walks in and sees an overcrowded unit.

Mayor Coles answered that the Attorney advised that was incorrect.

Deputy Mayor Lichtenstein asked what happens when someone has an owner occupied rental unit, when someone is in a legal two-family home. Do we need to spend our resources to look at this; he is sure there are many legal two-family homes, and those people take care of their properties, and maybe they do not want the Inspection Department consistently going through their house.

Mayor Coles answered that when someone is renting an apartment or house, they are a business and they have certain responsibilities to the public, as well as to themselves and to their tenants. This Ordinance is to make sure that these units are safe. It is not to count people, it is not to tell them how to live...it to make sure that the people that are coming to the Committee saying that their neighborhoods are falling apart, because tenants are not taking care of the property, and the landlords do not care, that they have a mechanism to address this before the houses become completely uninhabitable.

(At this time, the tape of the meeting became unusable, due to breakage.)

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

Ordinance No. 2007-58 adopted on first reading. Second reading and public hearing to be held on December 13, 2007.

• **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 Pershing Avenue in the Township of Lakewood, pursuant to and in accordance with N.J.S.A. 40:67-1, et seq. (Pershing Avenue)**

Read by title only for first reading

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

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

Ordinance No. 2007-59 adopted on first reading. Second reading and public hearing to be held on December 13, 2007.

CORRESPONDENCE

Correspondence from Patrick Gatton resigning his position as a member of the Lakewood Township Planning Board.

Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein, and carried, to accept the above correspondence, with regrets.

MOTION TO APPROVE BILL LIST OF: 11/14/07

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

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS

(Unable to reiterate comments of the Committee Members due to malfunction of the tape of the meeting.)

ADJOURNMENT

Motion by Mr. Cunliffe, second by Deputy Mayor Lichtenstein, and carried, to adjourn the meeting. Meeting adjourned at 9:35 PM.