

**LAKWOOD TOWNSHIP COMMITTEE
MINUTES
AUGUST 16, 2007**

The Lakewood Township Committee held a Meeting on Thursday, August 16, 2007 in the Lakewood Municipal Building, at 6:30 PM for the Executive Session and 7:30 PM for the Public Meeting, with the following present:

Mayor.....	Raymond Coles
Deputy Mayor.....	Absent..... Meir Lichtenstein
Committee Members.....	Senator Robert Singer
	Arrived at 7:40 PM.....
	Menashe Miller
	Charles Cunliffe
Municipal Manager.....	Frank Edwards
Municipal Attorney.....	Steven Secare
Municipal Clerk.....	Bernadette Standowski

CLOSED SESSION

**Motion by Mr. Cunliffe, second by Senator Singer
Resolution No. 2007-257 – Adopted.**

SALUTE TO THE FLAG AND PRAYER

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

ROLL CALL

OPEN SESSION

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

MOTION TO APPROVE MINUTES OF: 08/02/07

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

MOTION TO APPROVE CLOSED SESSION MINUTES: 08/02/07

Motion by Mr. Cunliffe, second by Senator Singer, and carried, to approve the above Closed Session Minutes.

LAND SALE - BLOCK 804, LOT 2

Mr. Secare asked if anyone was interested in bidding on Block 804, Lot 2, and if so, to please come forward to the microphone and provide their name and address.

Chaim Finkel, 10 Belvedere Lane, Lakewood, came forward.

Mr. Secare asked Mr. Finkel if he read the Ordinance and if he understood it.

Mr. Finkel answered yes.

Mr. Secare asked if he realized there were certain requirements about closing, etc., and that as he was the only bidder, the minimum bid was \$60,000.00, and that either \$6,000.00 in cash or a certified check would be required as a deposit.

Mr. Finkel offered the only bid in the amount of \$60,000.00.

Mr. Secare advised that Mr. Finkel was the successful bidder. He was directed to submit his information and deposit to the Township Clerk.

Mr. Miller arrived at the meeting.

PRESENTATIONS: RENTAL ADVISORY COMMITTEE

Diane Reeves offered a brief presentation with regard to the Rental Advisory Committee. She announced the names of the members of the Committee: Patricia DeFillipes, John DeFillipes, Gerry Ballwanz, Larry Simons, Noreen Gill, George Abrams, Lynn Celli, Norman Eisen, David Drukaroff, Esther Green, Janice Urbsaitis, Barbara Eisenberg. She advised that this Committee was formed to examine issues relating to the Township's rental properties. Issues examined included: exploitation of tenants, overcrowding, neglecting to maintain interior and/or exterior of rental properties, and otherwise compromising the health, safety and welfare of the entire community. Rent Control, a concept studied by the Committee, was found to be an effective tool with which to combat the problem of overcrowding. A list of the Committee's recommendations was provided to the Township Committee members. Other recommendations were provided by Carlos Cedeno, via e-mail, and were also given to Mr. Mack.

Mayor Coles advised that the Township Committee would review the recommendations, together with the professionals.

ORDINANCES FOR DISCUSSION: None

Mayor Coles reviewed quality of life items from the previous meeting.

As to the inspection at 127-D Azalea Court, (witnesses observed clothes being carried in prior to the inspection), Mr. Mack advised there was no statute....usually when you go into a house, there are no clothes, and sometimes there is no furniture...you are looking at the condition of the house; it would not be relevant in any kind of inspection.

Mayor Coles confirmed that whether or not there is clothing is irrelevant; most times when an inspection is done, it is before people move in, because any furniture or clothing could block potential problems that may not be noticed.

As to the complaint by Mr. Richmond of a lot of parking along South Lake Drive, Chief Lawson advised the Police Department did not have anything in their records in terms of a complaint, or any calls made to the Police Department, with regard to this issue.

Mayor Coles asked Mr. Richmond that if he notices anything like that again, the appropriate thing to do would be to call the Police Department and report it. No one knows what went on out there; there was no permit issued.

Mr. Richmond stated it was his understanding that someone from A Country Place did call the Police Department to complain.

Comments from Committee Members:

Senator Singer advised he has received a number of complaints with regard to County Line Road and Route 9, and Kennedy Boulevard. Unfortunately, if you heading on County Line Road, either North or South, and on Kennedy Boulevard, North, the turning lane has no arrow. Therefore, during busy traffic times, it is impossible to make the turn onto Route 9. He requested that the State take a look at these intersections.

Mr. Miller advised that at the meeting of July 19th, he gave a copy of a letter from the LRRRC to Chief Lawson, regarding Martin Luther King Drive and Pine Street pedestrian traffic, requesting the areas to be looked at for additional pedestrian safety lines and signs. He asked Chief Lawson if anything has been done.

Chief Lawson advised that Traffic & Safety previously prepared a mapping of that intersection at the request of Senator Singer. They are in the process of putting their recommendations together with regard to the safety lines and signage, and upgrading the lights in that area. He hopes to receive their report by next week.

Mr. Miller asked that this item be placed on the next quality of life checklist.

Mr. Cunliffe asked for an update regarding the Route 70 Hilton Hotel project.

Mayor Coles advised he spoke with Mr. Tajfel; the pad site that is being constructed at this time is for the Longhorn Restaurant, which they hope will be open some time before the end of the year. As to the second restaurant, Ruby Tuesday's, they are looking at June of next year; and they are hoping that the Hotel will be open a few months after that. Hopefully, by the end of next summer, all the businesses at that site will be functioning.

Mr. Cunliffe asked that this item be specifically mentioned in the Minutes so that when the Minutes are posted on the website, the public can be advised.

Mr. Cunliffe asked Mr. Mack or Mr. Kielt about the Locust Street project, next to D'Zio Park, that has been cleared of trees for quite some time. Residents are upset about it because when they purchased their homes in that subdivision, they had a conservation easement. They claim there has been some over-clearing of the land there, and they are wondering why it is sitting there for so long and nothing is happening on the site.

Mr. Kielt advised this is a proposed condominium project that was approved by the Zoning Board. He has not heard about any over-clearing; they cleared the whole site. He believes they are waiting for additional approvals before they start, or it may be because the way the market is, they may not be in any hurry to start.

Mr. Cunliffe asked if the Township has anything in the Code that would prevent someone from prematurely clearing many acres if in fact they do not have all of their approvals.

Mr. Kielt stated that from his prospective, there is a certain checklist that has to be satisfied prior to the issuance of "clearing". He further advised that Mr. Mack's department is involved more with that than the Engineering Department.

Mr. Mack stated he has not heard of any problems with the plan review or the buildings, so he honestly does not know why there is a delay there. He would have to check his department records.

Senator Singer added that when a site has been cleared for some time, and they do not build right away, that goes to Ocean County Soils. If they are not going to build right away, they have to stabilize the site. They can ask Ocean County Soils to come in and take a look at the site.

Mr. Cunliffe requested that they follow up on this issue for the next meeting.

Mayor Coles asked that County Soils be contacted, and that Mr. Kielt check to see if any conservation easements have been violated. And if it is found that they were, to put the Developer on notice.

Mr. Cunliffe further asked Mr. Kielt about the WAWA project at the corner of Route 70 and Vermont Avenue.

Mr. Kielt advised they have not made a formal application; they came before the Planning Board about five or six months ago with a conceptual plan, to show graphically what their plan is. Their next step is to do the actual design plan and come back with a formal application. The proposed location of the project is west of the jughandle.

Mr. Cunliffe asked Mr. Kielt that as soon as he has more information, to please update the Township Committee.

Mr. Cunliffe asked Chief Lawson where they were with the progress with the ICE program for the Police Department.

Chief Lawson answered that any time an indictable crime is committed, they do call ICE; also for crimes such as prostitution, anything involving narcotics, they also call ICE, and that person is deported. They also tentatively have an officer scheduled to go to training which would more or less deputize him as a Federal Marshall. It is extensive training, and he will be away for approximately six weeks, and that is scheduled for the Fall.

Mr. Cunliffe further asked Chief Lawson and Mr. Kielt about Route 70 and New Hampshire, both North and South at that intersection, there still remains the problem of people making illegal left turns in both directions. He asked if they could make a request of the County or State that in the actual lane, as you approach the intersection, some type of paint be applied to the road that says "No Turns". And also the posts going across the road, that hold the lights, have very small signs that say "No Left Turn". He asked if there is a way that the County can put up a sign that is twice, or three times larger. He asked that they request the County to look at this.

Mr. Miller advised he received a call today from a senior who lives at 1434 Madison Avenue. There is a dead tree in front of his house with a limb leaning right across Madison Avenue. They had called a private tree service to come and cut down the tree, and they said that because it runs across Route 9 they can not do it, and that possibly the State would have to do it. He asked if someone could look at the limb leaning across Route 9.

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.

Tony Lauro, 53 Geranium Drive, ACP – Asked during what times are the police patrolling Azalea Court.

Mr. Secare stated he does not want the Chief of Police to reveal when they are patrolling; that is confidential information.

Chief Lawson stated they do not have preset times; it is random. But there is regular patrol and enforcement, especially on Friday evenings and Saturday mid to late mornings.

Mr. Lauro further asked about the Dam on Miller Road. He was told a survey was going to be done and he has not heard anything since that time.

Mr. Secare advised they had a Court conference on Monday; discovery has been extended until December 14th, so he really can not comment on the issue as it is still in litigation.

David Drukaroff, 1433 Laurelwood Avenue – Commented on the recommendations of the Rental Advisory Committee, and the subject of immigration.

Diane Reeves, 19 Holly Street – Commented about the one officer being trained for ICE. Stated that she feels that one officer will not be enough. Also commented on the subject of illegal aliens.

Carol Fiero, 1188A South Lake Drive, ACP – Commented on the “Unsafe Building” sticker that was placed at 127-D Azalea Court. She observed it on a Wednesday; by the following Saturday, when people were observed going into the building, she called the Police. A Police Officer was sent over. She called later that afternoon to find out the result of her complaint and she was told that the Officer reported that they had a CO in their possession. Her question is...who performed the inspection to make an unsafe building, safe, within two days.....was major construction done on the inside of that building...who is responsible for the inspection....did anyone actually inspect the building?

Mr. Mack responded that there were two different inspections that were done; one for electrical and one for building. He would have to look at the records to see which inspector went out there; they have several building inspectors and two electrical inspectors. He can provide that information.

Mrs. Fiero further stated that in their community, they have bylaws that are enforceable. The units are residences, and are owner occupied. They are not allowed to rent them out. She asked if there were any zoning laws that would prevent any of the units to be used for anything other than residential purposes. Is that true, or not true, in this town?

Mr. Secare answered that the by-laws supersede the zoning laws of the Township. The Attorney for A Country Place met with one of his partners, and he was told that A Country Place was going to bring a lawsuit, more targeted to these issues, and he does not know as of yet if it has been filed. He has not received a copy of it. The Attorney said they were going to sue the homeowner at this address, and the Township. Mr. Secare had suggested that the best route for them to take was to bring a lawsuit against that homeowner for a violation of the bylaws.

Bill Hobday, 30 Schoolhouse Lane – Commented on the former site of Peterson’s Sunset Cabin. He stated it has been sitting vacant for well over a year; he thought he saw the beginning of construction a year ago; there are about eight trailers parked on the site; now the grass and weeds have grown three or four feet high. He asked what is the issue with the property. He had heard the rumor that there was a Stop Work Order because the property is contaminated.

Mr. Mack advised that the DEP stopped the construction. He does not know anything else; the information was not provided to the Township. He thought there was some type of violation of certain regulations concerning wetlands; it has been a long fight with the DEP, not involving the Township.

Mr. Hobday asked how long would Lakewood Township allow the property to be such an eyesore?

Mayor Coles stated he thought they did not have any recourse other than asking County Soils to make sure the site is stabilized.

Mr. Mack stated he believes that is the issue brought up by DEP, and that is why there is nothing happening there. They are not allowing anyone to do any work at all; they are not allowing anyone on the site.

Mayor Coles asked Mr. Mack to obtain an update from the DEP on the status of site.

Mr. Hobday further commented that it is now time for “Plan B” for the job assembly site.

Alice Kelsey, 295B Malvern Court East – Asked when the officer comes back from his many weeks of training, what will he be empowered to do that no officer can currently do.

Chief Lawson answered that he would be empowered to enforce the federal immigration laws.

Mrs. Kelsey stated that she strongly objects to paying taxes at the local level to have the Police become agents of the Federal Government.

Chief Lawson stated that would not be his primary assignment. He is a Detective in the Detective Bureau. He would not go around rounding up illegal aliens; but if someone is arrested for a criminal violation, he could process that person himself.

Mrs. Kelsey stated that she still objects, even if it is a secondary responsibility, that they become agents of the Federal Government.

Mrs. Kelsey further asked when the special meetings at other parts of town will be held.

Mayor Coles advised he received three responses; they are trying to work out the dates. He is hoping to have two or three meetings. Hopefully by October the meetings will be scheduled, and will be posted on the website.

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

CONSENT AGENDA

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

1. Resolution of The Township of Lakewood, County of Ocean, State of New Jersey Authorizing the cancellation of old Outstanding Checks appearing on the records of The Township of Lakewood
Resolution No. 2007-258
2. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Releasing a Performance Bond Posted by Lakeview Place, LLC, in connection with Block 548, Lots 80, 284, 285, and 286
Resolution No. 2007-259

3. Resolution that the tax sale certificates for Block 795, Lot 6; Block 1145, Lot 2; and Block 565, Lot 6 be foreclosed by the summary proceeding IN REM, as described by New Jersey Statutes, N.J.S.A. 54:5-104.29 to 54:5-104.71 as amended, and pursuant to the Rules of Civil Practice of the Superior court of New Jersey
Resolution No. 2007-260
4. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Renewal of Membership in the Ocean Municipal Joint Insurance Fund
Resolution No. 2007-261
5. Resolution Authorizing the Transfer of HUD-CDBG Funds
Resolution No. 2007-262
6. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Authorizing the Application for a 2008 Recreational Opportunities for Individuals with Disabilities Grant from The Department of Community Affairs
Resolution No. 2007-263
7. Resolution of the Township of Lakewood, County of Ocean, State of New Jersey, Amending a Leave of Absence Without Pay for Jeannette Kaminek
Resolution No. 2007-264
8. Resolution Authorizing the use of UEZ Second Generation Funds for a Supplemental Grant awarded in the amount of \$68,235.00 to the Lakewood Airport Authority for Capital Improvements – Lakewood Airport Perimeter Fencing (Upgrade)
Resolution No. 2007-265
9. Resolution Authorizing the use of UEZ Second Generation Funds for an Acquisition/ Demolition of Land/Buildings within the Franklin Street Redevelopment Area
Resolution No. 2007-266
10. Resolution Authorizing submission of joint participation loan agreement with Photo Express, Inc. to the NJ Urban Enterprise Zone Authority in the amount of \$34,000.00
Resolution No. 2007-267
11. Resolution of the Township of Lakewood Authorizing Administrative Reorganization and Benefit Compensation for Lakewood Development Corporation employees for Fiscal Year 2008 and Authorizing the Amendment to UEZ Project # 08-14 (Administration Budget) to reflect Fiscal Support of the Respective Component Increases due to the Reorganization.
Resolution No. 2007-268

Motion by Mr. Cunliffe, second by Mr. Miller, to approve Resolution Nos. 1 through 11 on the Consent Agenda.

**On Roll Call – Affirmative: Senator Singer, Mr. Miller, Mr. Cunliffe and Mayor Coles.
Resolution Nos. 2007-258 through 2007-268 – Adopted.**

ORDINANCE FIRST READING (Second reading and Public Hearing 09/06/07)

- An Ordinance Amending and Supplementing an Ordinance Entitled “An Ordinance Establishing the Annual Minimum and Maximum Salary Ranges for the Offices and Positions of person 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 Mr. Miller.

On Roll Call – Affirmative: Senator Singer, Mr. Miller, Mr. Cunliffe and Mayor Coles. Ordinance No. 2007-42 adopted on first reading. Second reading and public hearing to be held on September 6, 2007.

CORRESPONDENCE

Correspondence from The Jewish Historical Society of the Jewish Federation of Ocean County, requesting to use the Township Auditorium on Sunday, October 14, or 21, 2006, from 1:30 PM to 4:30 PM for a program covering Jewish involvement in the Lakewood Hotel Industry.

Correspondence from Bonnie A. Brown requesting to close Medina Road from House #1232 to #1258 from 2:00 PM to 8:00 PM for a block party, on August 19, 2007.

Correspondence from Cornerstone Calvary Chapel for permission to use Town Square on September 1, 15 and 29, from 12:00 PM to 4:00 PM to pass out free food and clothing.

Correspondence from Judith Martin of the Church of Grace and Peace for permission to use Town Square on Saturday, September 22, 2007 for a Christian Outreach Program.

Correspondence from Bethel Spanish Pentecostal Church for authorization to use Town Square on September 5, 12, 19 and 26, 2007, from 7:00 PM to 8:30 PM for a social outreach and worship service.

Motion by Mr. Cunliffe, second by Mr. Miller, and carried, to receive and file, and approve the above correspondence.

PARKS AND EVENTS CORRESPONDENCE

Per schedule of two (2) items attached hereto and made a part hereof.

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

MOTION TO APPROVE BILL LIST OF: 8/14/07

Motion by Mr. Cunliffe, second by Mr. Miller.

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

Bill List approved.

COMMENTS FROM COMMITTEE MEMBERS - None

ADJOURNMENT

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