

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES**

OPEN SESSION • MEETING OF: JULY 23, 2014

Adequate Notice of this meeting was provided in accordance with the provisions of the Open Public Meetings Act, P. L. 1975, C. 231.

1 The meeting was called to order at 11:39 AM by chairman Robert Kirschner.

2

3 Roll Call for attendance:

<u>Commissioners</u>	Present	Absent
Brooks, Neil (NB)	x	
Flanbaum, Justin (JF)	x	
Katz, Shlomo (SK)	Arrived at 11:52 AM	
Rabinowitz, Sam (SR)	x	
Schuster, Edwin (ES)	Arrived at 11:54AM	
Stafford-Smith, Gregory (GSS)	Arrived at 11:42 AM	
Kirschner, Robert-Chairman (RK)	x	
Quorum Count:		
<u>LIC Professionals and Staff</u>		
Reinman, Steven- Exec. Dir.	x	
Kean, Sean – Comm Atty	x	
Doyle, Anita–Scty-Designee	x	
Staiger, Jeff – Comm. Engineer	x	

Also in attendance: Fran Kirschner,
Frantasy Enterprises

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6 **APPROVAL OF MINUTES OF THE JUNE 25TH MEETING**

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Upon request the approval of these minutes will take place at the next meeting.

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9 **STATEMENT OF ACCOUNTS:**

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The Statement of Accounts was presented and reviewed. Land Lease payments from AT&T are still being received monthly in the amount of \$529.00.

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JF/SR: Motion to accept the Statement of Accounts are prepared and presented. Carried.

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15 **BILL LIST:**

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The following bills were submitted for payment approval to be paid from the Industrial Commission checking account:

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Name	Memo	Original Amount
Kaitlin Williams	Services provided through June 25, 2014	\$ 83.00
Anita Doyle as Agent of LIC	Replenishment of Petty Cash on Hand	\$ 194.60
Kaitlin Williams	Hours Worked + reimbursement for mileage	\$ 341.64
MODC	Registration 9/23/14 event	\$ 275.00

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Israel Reinman	Executive Director's Car Allowance July 2014	\$	400.00
Frantasy Enterprises, LLC	Inv#LIC060114 Public Relations and Marketing Services - July 2014	\$	2,000.00
Clery Giacobbe Alfieri & Jacobs	Legal Services provided through June 2014 Inv#25461	\$	350.00
Watchung Spring Water Co., Inc.	Inv#5906976 Acct # 127214	\$	71.93
Anita B. Doyle	Services provided through June 30, 2014 Inv#14004	\$	1,365.00
Verizon Wireless	Inv#9728114594 732-232-9700	\$	186.17
	Subtotal:	\$	5,267.34
Yussi's	Meeting expenses 7/23/14	\$	186.97
Bill List total (Final):		\$	5,454.31

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19 JF/NB: Motion to approve payment of bills numbered 2970-2980 from the Lakewood Industrial
20 Commission checking account.

21 On roll call:

Commissioner	Yea	Nay	Abstain
Brooks, Neil	x		
Flancbaum, Justin	x		
Katz, Shlomo			
Rabinowitz, Sam	x		
Schuster, Edwin			
Stafford-Smith, Greg			
Kirschner, Robert	X		Abstained from voting on Bill #2975.

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23 The budget-to-actual report was presented to the Commissioners for their information.

24

25 Mr. Stafford Smith arrived at 11:42 AM

26

27 **EXECUTIVE DIRECTORS REPORT:**

28 Mr. Reinman reported on the following:

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• **LAKWOOD AIRPORT**

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- We are moving along. The FAA changed some rules which have impact on the runway and taxiway. We need to change construction and cut some pavement away and make a new approach because the FAA is now disallowing “aligned” taxiways. What it means is, effectively, we have to shift our priorities to complete that update first.

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- Acquisition of two small pieces on the Runway 6 end – continuing our efforts to acquisition of those. They are currently under reappraisal and appraisal review.

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- 36 ○ On RWE 24 – construction still needs to happen there. Design will happen this year and
37 hopefully, construction will happen next year - assuming that the FAA has funds.
- 38 ○ On the Banner Towing issue, things have improved.
- 39 ▪ We actually have the third banner towing business operating out of the bowl
40 now. They cleared low lying brush to provide them with enough room to operate.
41 This was completed in time for the July 4th weekend. There have been no
42 troubles since that shift-over. Not everyone is happy because of the increased
43 activity in general, but the shift seemed to have provided more-manageable
44 operation. We feel that, although we've accommodated this third banner tower,
45 we really can't justify carrying this third banner tower safely.
- 46 ○ Mr. Flancbaum asked about the airport's insurance liabilities and policies. Mr. Reinman
47 advised that the fixed assets are covered under the Township's insurance (JIF). There is
48 also an additional liability policy for Lakewood Airport. Each user has their own
49 insurance policy. Mr. Flancbaum explained that his question arose in consideration of
50 the number of banner towers that are operating and that it shouldn't affect our insurance
51 coverage.
- 52 ○ Lakewood Airport does charge for tie downs and hangar space (when available). Each
53 banner tower provides us revenue with fuel purchases. We have a contract with the FBO.
54 The FBO, based on a formula, pays us rent. It's not a big profit center; it basically pays
55 for itself and is considered an asset to the businesses in the area.
- 56 ○ There is really nothing else we can do with it. Once the Federal Government provided
57 us with funding to purchase the airport, THAT action pretty much determined that it
58 would be an airport forever.
- 59 ○ The construction of the hangars is anticipated to bring more sources of revenue to the
60 Township. Hopefully it will become more of a profit center.
- 61 ○ Mr. Brooks asked about the number of banner-towing planes going out of Lakewood
62 Airport. Mr. Reinman responded that this number is probably close to 30 planes.
- 63 ○ We have about 60-75 planes typically resident to Lakewood Airport. There is a pretty
64 decent flow of rental revenue. The other thing is the fuel. This is the reason for bringing
65 in the jet fuel (which fuels helicopters and small jets).

66
67 ***BLOCKS 549.02 AND 549.02***

68 In terms of the two properties under contract moving forward,

- 69
- 70 • New Hampshire Holdings – their 30 day public hearing period ended last Friday so we're
71 waiting for some notice from CAFRA and we think that they have only 1 or 2 items to deal
72 with for the County and that they should be ready to "roll".
- 73 • Lakewood Equities provided an architectural rendering of what they are planning to build.

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75 **ATTORNEYS REPORT:**

76 Mr. Kean advised that he has no report for this meeting.

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COMMITTEE REPORTS:

- **Site review:** Mr. Flanchbaum reported that there were no site reviews performed this month, although there was a meeting with the developer and the developer’s engineer of the property along Kenyon Drive (H&H LLC) and the Site Review Committee. A plan was presented to the Planning Board identifying Kenyon Drive as a point of access but one that could be closed by the township as a thoroughfare - but it is indicated that the access to Kenyon would remain as emergency access (firefighting equipment, police and ambulances). The developer was to make this change as part of their submission and planning board as part of the approval.

OLD BUSINESS:

- **60-acre tract:** The Feasibility Study Draft has been delivered and was distributed electronically to the Commissioners consisting of 122 Pages. It is a thorough report with traffic counts and impact assignments. Jeff Staiger added to Mr. Reinman’s report that the Study used the figure of 534,000 SF of developed building space (mix of commercial / office / retail). The report goes through and lists the agency approvals needed to develop the land using the proposed layout. The report also identifies the improvements to intersections required to help mitigate the impact that this development would have on the area. What the Garden State Parkway’s traffic will do to impact the area will have different impacts to intersections in the area. Listed were required site improvements, drainage, lighting, etc. Estimated costs to perform the associated (extended) improvements is about \$17.5 million. This is the first step. Now we can go out and market the tract. Mr. Reinman asked the Commissioners to review the Study and send comments to him in order to finalize the Feasibility Study. After this is accepted... the next step is: Do we manage it directly? Do we engage someone to manage the marketing for us? We need to put a plan together to use the Feasibility Study to engage the right people to determine what we can do with the property. We would like to get that rolling.
 - Mr. Staiger added, “if we do ‘piece it out’ ... as you piece it out...the individuals have to go through the list of approval processes individually...”. Many agencies have a flat rate assigned; i.e. stormwater management. Each individual site has to comply with stormwater management on each individual site (if the tract is pieced out). The estimate above identifies the costs of improvements and permits for one single development site. Discussion continued regarding calculations for development. Mr. Reinman asked for comments to be received by August 6th to allow the study to be finalized.
- **13-acre tract** (formerly identified as Northeast Parkway Acquisition Area). We’re still waiting for someone to come to us with a real proposal.

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NEW BUSINESS:

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- “Summer Schedule” – Traditionally, because of reduction of availability of a quorum to hold a meeting, the LIC cancels its August meeting unless there is a matter of importance that needs immediate action. By consensus, the commissioners agreed that the August meeting will be canceled unless needed.
- Mr. Kirschner reported that he attended a recent Planning Board Meeting. The issue of Kenyon Drive came up and was approved. And the Planning Board also approved the Rutgers University Boulevard industrial building to school (girls’ high school) conversion. He also mentioned that while riding around the industrial park that he noticed a clearing on Swarthmore Avenue for improvements to the school (addition to the building)
 - Presented a proposal for comments about taking the ABCD zone area and expanding it. Asked Mr. Reinman to put together a letter to the Township Committee asking them to take the area from New Hampshire Avenue north and south - to the south branch of the Metedeconk River east to the Brick border – south down Brick’s border to Route 70 – and then west to New Hampshire Avenue. Make that part of a SAFE (Safe Aviation Flight environment) Zone. This zone will be restricted where there will be no public gatherings, i.e. convention centers, catering halls, schools, houses of worship, movie theaters, etc. Places where people would gather in large numbers. Existing facilities would be “grandfathered”.
 - Property owners in the industrial park are concerned for the safety of pedestrians in the industrial park. The industrial park did not have sidewalks installed as it was never intended for pedestrian traffic. Businesses are very concerned about tractor trailer traffic and pedestrians. Lakewood faces losing ratables if businesses won’t move in and they move out.
 - Mr. Reinman asked about the definition of “gathering places”. A large retail center will bring in large gatherings of employees and patrons. He suggested that we present this as a zone-within-a-zone concept rather than getting too deeply ‘into the weeds’ with detail. Let the Planner come up with a workable concept. Discussion continued on this subject.
 - Catering halls should be allowed
 - Let’s get the concept “out there”.
 - Mr. Katz commented there is no question of the issue of schools in the industrial park being in the best interest of industry. This is a political issue that the governing body has to deal with. Granted, there will be a ‘tug of war’. Concern is that this concept is being presented as a “safety” issue but provides an exception to movie theaters and catering halls as gathering places. It was clarified as not aviation safety, but more as pedestrian safety. It’s a “hot button” issue and has nothing to do with an airport.
 - Why don’t we remove the “SAFE” acronym and define the map’s parameters.

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- 158 ○ To move forward with this, by general consensus it was agreed to work toward
159 developing the amended zone boundaries.

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161 **COMMENTS FROM THE PUBLIC:**

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163 Frances Kirschner, Frantasy Enterprises:

164 Mrs. Kirschner reported on Sudler’s “tilt-up” event of their new 140,000 SF facility. She took photos
165 of the event. She prepared a press release being issued on behalf of the Industrial Commission.

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167 **CLOSED SESSION:**

168 The following resolution was offered by GSS/JF and carried to move the meeting into Closed Session
169 at 12:24 PM~

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171 **WHEREAS**, Section 8 of the Open Public Meetings Act, P. L. 1975, Chapter 231, permits the

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173 **WHEREAS**, this Industrial Commission of the Township of Lakewood is of the opinion that

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175 **NOW, THEREFORE, BE IT RESOLVED** by the Industrial Commission of the Township of

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177 Lakewood in the County of Ocean as follows:

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179 1. The public shall be excluded from discussion of private and confidential matters

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181 involving any of the nine (9) exclusions as set forth in Section 7(b) of said law and as

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183 hereinafter specified.

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185 2. The general nature of the subject matter to be discussed is as follows:

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187 **CONTRACT NEGOTIATIONS**

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189 **PERSONNEL**

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191 **LITIGATION**

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193 **OTHER**

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195 3. It is anticipated at this time that the above stated subject matter will be made public only

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197 when the reasons for discussing and acting on them in closed session no longer exists;

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199 said determination to be made by further resolution adopted by the Industrial

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201 Commission.

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203 4. This resolution shall take effect immediately.

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205 On a Motion by GSS/JF, the meeting returned to open Session at 12:45PM

206 **CONSENT AGENDA RESOLUTIONS:** None presented

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195 **RESOLUTIONS:**

196

040701

Authorizing Contract for Sale Of Real Estate

197 GSS/JF Motion to approve adoption of Resolution #140701 authorizing the Lakewood
198 Industrial Commission to go into contract for the Sale of Real Estate of Lot 2 in Block 1608 and Lot
199 28.01 in Block 1609 in the amount of \$1,450,000.

200 ON ROLL CALL:

Commissioner	Yea	Nay	Abstain
Brooks, Neil	X		
Flanbaum, Justin	X		
Katz, Shlomo	X		
Rabinowitz, Sam	X		
Schuster, Edwin	X		
Stafford-Smith, Greg	X		
Kirschner, Robert	X		

201 The above resolution hereby being duly adopted by unanimous vote of the Commission.

202

203 Mr. Katz desired to return to the subject of schools in the industrial zone. What needs to be done is to
204 call a meeting and explain the situation. Create an understanding. He sees some settlement of issues.
205 The reason why the purchase of industrial properties and conversion to schools is economic. The space
206 (industrial) is large enough to accommodate the need for space for large numbers of students.

207

- 208
- Everyone in town is aware of the loss of ratables
 - We are dealing with intelligent people. If you make a case, you may get settlement
 - All things being equal, many have their own interests to heart.
 - A list schools and calculation of loss of revenue for the Township should be completed and presented.
 - The unsweep of the economy may fix this problem
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215 On a motion by GSS/JF, and carried, the meeting adjourned at 12:52PM

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219 Dated: September 16, 2014

By
Anita B. Doyle

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