

LAKEWOOD INDUSTRIAL COMMISSION

MINUTES

OPEN SESSION

Meeting of: May 28, 2008

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

The meeting was called to order Wednesday, May 28, 2008 at 12:31 PM by Chairman Jeff Golub.

ROLL CALL:

Presiding: Chairman Jeff Golub
Present: Bertram Albert, Mr. Flancbaum, Mr. Silberberg
Absent: Mr. Kokes, Mr. Katz and Mr. Doyle
Also in attendance: Mr. Corby; Mr. Delaney; Anita Doyle; and
Gidalty G. Esparza.

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#### **APPROVAL OF MINUTES OF: April 30, 2008**

**MOTION TO APPROVE THE MINUTES by Mr. Albert, and seconded by Mr. Golub [Carried]**  
*Minutes were approved by a voice vote.*

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STATEMENT OF ACCOUNTS: Dated May 28, 2008

Mr. Flancbaum / Mr. Silberberg – Motion to accept the Statement of Accounts as presented:
[Carried] Statement of Accounts was accepted by a voice vote.

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#### **BILL LIST: Dated May 28, 2008**

The following bills were presented for payment approval to be paid by Industrial Commission budgeted funds:

| Num  | Name                                 | Memo                                                      | Paid Amount   |
|------|--------------------------------------|-----------------------------------------------------------|---------------|
| 2290 | Acculmage Typesetting & Design, Inc. | Services Provided Month of May, 2008                      | \$ (2,500.00) |
| 2291 | Anita B. Doyle                       | As Administrator of Accounts for month of May, 2008       | \$ (400.00)   |
| 2292 | Lakewood Chamber of Commerce         | Registration for Industrial Committee Meeting 6/4/08 (2)  | \$ (70.00)    |
| 2293 | MODC                                 | Association Membership Dues-7/1/08-6/30/09, Mtg reg (RKC) | \$ (260.00)   |
| 2294 | MONOC FCU Acct# 2009183-6            | Car Allowance - RKC - Month of May 2008                   | \$ (400.00)   |
| 2295 | Princeton Public Affairs Group, Inc. | Legislative Consulting Services - May, 2008               | \$ (2,500.00) |
| 2296 | Secare, Delaney, Martino & Ryan      | Legal Services Provided Month of April 2008               | \$ (1,258.00) |
| 2297 | 21 Plus Foundation, Inc.             | June 3, 2008 - Registration                               | \$ (550.00)   |
| 2298 | Watchung Spring Water Co., Inc.      | Invoice # 1471672 Acct # 127214                           | \$ (56.82)    |
|      |                                      |                                                           | \$ (7,994.82) |

**Mr. Silberberg / Mr. Flancbaum – Motion to accept the Bill List as presented.**

On Roll Call:

| <u>Commissioner</u> | <u>Aye</u> | <u>Nay</u> | <u>Abstain</u> |
|---------------------|------------|------------|----------------|
| Mr. Albert          | X          |            |                |
| Mr. Doyle           | -          |            |                |
| Mr. Flancbaum       | X          |            |                |
| Mr. Katz            | -          |            |                |
| Mr. Kokes           | -          |            |                |
| Mr. Silberberg      | X          |            |                |
| Mr. Golub           | X          |            |                |

*The above motion hereby being duly adopted by the Lakewood Industrial Commission.*

**EXECUTIVE DIRECTOR'S REPORT:**

**Mr. Corby:** The properties that are in the New Hampshire Avenue area that are to be transferred to the Industrial Commission- we are still waiting for the Township Engineer to advise us on the location of the utilities so that we can actually market the property.

**Mr. Flancbaum:** How are we doing on the condemnation?

**Mr. Delanoy:** The complaint has been filed. We are just waiting now to get it served. It would take about 2 months.

**Mr. Golub:** you don't anticipate some resistance?

**Mr. Delanoy:** I don't, but this is an entity that is from NY State and if they see a potential 'gold mine', they can try to make an issue out of it. But we are not talking about a large piece of land.

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ATTORNEY'S REPORT:

Mr. Delanoy: On the Stamos & Sommers matter, I can report that we are coordinating- both myself and the attorney for Stamo & Sommers- with the DEP as to the appropriate language they are going to require in the deed as a restriction and we are hoping that it is finalizing shortly- as soon as we can get some cooperation from DEP. The remaining two items should be addressed in Closed Session since they do involve contract negotiations.

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**LEGISLATIVE CONSULTING SERVICES REPORT:- NONE provided for this meeting**

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CORRESPONDENCE: NONE

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**CLOSED SESSION:**

**At this time the Commissioners elected to move the meeting into Closed Session.**

The meeting moved into **Closed Session at 12:45 PM on the following resolution offered by Mr. Albert / Mr. Flancbaum** and carried.

**WHEREAS**, Section 8 of the Open Public Meetings Act, P. L. 1975, Chapter 231, permits the exclusion of the public from a meeting under circumstances; and

**WHEREAS**, this Industrial Commission of the Township of Lakewood is of the opinion that such circumstances presently exist.

**NOW, THEREFORE, BE IT RESOLVED** by the Industrial Commission of the Township of Lakewood in the County of Ocean as follows:

1. The public shall be excluded from discussion of private and confidential matters involving any of the nine (9) exclusion as set forth in Section 7(b) of said law and as hereinafter specified.

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

- |                               |                                     |
|-------------------------------|-------------------------------------|
| <b>CONTRACT NEGOTIATIONS</b>  | <input checked="" type="checkbox"/> |
| <b>PERSONNEL</b>              | <input type="checkbox"/>            |
| <b>LITIGATION (impending)</b> | <input type="checkbox"/>            |
| <b>OTHER</b>                  | <input type="checkbox"/>            |

3. It is anticipated at this time that the above stated subject matter will be made public only when the reasons for discussing and acting on them in closed session no longer exists; said determination to be made by further resolution adopted by the Industrial Commission.

4. This resolution shall take effect immediately.

**The meeting moved into Closed Session at 12:45PM**

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The Meeting returned to Open Session upon passage of a motion by Mr. Albert / Mr. Golub and Carried.

The Meeting returned to Open Session at 1:26 PM

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**Mr. Golub:** I'll make a motion to approve the developer's agreement as amended upon final review of the attorney.

**Motion by Mr. Golub / Mr. Albert to approve an updated Developers' Agreement relative to the commencement of an access roadway in accordance with the details included within the**

closed session discussion and upon review and approval by the attorney. This resolution shall also give the Chairman authority to execute the Agreement approved by the LIC attorney.

On Roll Call:

| <u>Commissioner</u> | <u>Aye</u> | <u>Nay</u> | <u>Abstain</u> |
|---------------------|------------|------------|----------------|
| Mr. Albert          | X          |            |                |
| Mr. Doyle           | -          |            |                |
| Mr. Flancbaum       | X          |            |                |
| Mr. Katz            | -          |            |                |
| Mr. Kokes           | -          |            |                |
| Mr. Silberberg      | X          |            |                |
| Mr. Golub           | X          |            |                |

*The above motion hereby being duly adopted by the Lakewood Industrial Commission.*

*At this time Mr. Shea and his associates thanked the Commissioners and left the room. 1:34pm*

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COMMITTEE REPORTS:

Mrs. Doyle: I reviewed and made a checklist of the points of a site plan for Avallone Partners for the new construction of an industrial building for manufacturing and assembly of 130,000 SF and addition of 20,000 SF to their existing 52,000 SF facility. They are not requesting any waiver for parking in the frontyard setback or requiring sideyard or backyard setback variances. The site plan shows that they are going to be utilizing the airport flight path area for land coverage.

Mr. Albert; will review the site plan and get back to Mrs. Doyle May 29, 2008 with a recommendation.

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**OLD BUSINESS: NONE**

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NEW BUSINESS: NONE

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**NON-CONSENT AGENDA RESOLUTIONS: None**

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RESOLUTIONS-None

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**COMMENTS FROM THE PUBLIC: None**



**COMMENTS FROM THE MEMBERS:**

**Mr. Golub:** I have become very enthusiastic about “Green Building” that is going on in the country and the 4 or 5 municipalities in the state. I have attended a lot of seminars and I’m encouraging the Township to look and examine an ordinance recommending that people that are doing any additions, renovation, building... go Green.



**ADJOURNMENT:**

***Mr. Albert / Mr. Silberberg Motion to adjourn. Carried***

***Meeting Adjourned at 1:37PM***

Dated: June 20, 2008

by

Gidaly G. Esparza  
Recording Secretary

[Reviewed] by Anita B. Doyle,