

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES**

OPEN SESSION • MEETING OF: APRIL 30, 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 11:35 AM by Chairman Robert Kirschner. The Open Public
2 Meetings Act compliance statement was read into the record by Anita Doyle.

3 Roll call for attendance:

<u>Commissioners</u>	Present	Absent
Brooks, Neil (NB)	X	
Flanbaum, Justin (JF)	Arrived at 11:45 AM	
Katz, Shlomo (SK)	Arrived at 11:50 AM	
Rabinowitz, Sam (SR)	X	
Schuster, Edwin (ES)	Arrived at 11:54 AM	
Stafford-Smith, Gregory (GSS)	X	
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: Frances Kirschner/Frantasy Enterprises (Marketing & PR)

4 There is a quorum of members present to call a formal meeting.

5
6
7

MINUTES:

9 The minutes of the March 26, 2014 meeting were presented for approval.

10 GSS/NB Motion to approve the minutes as written. Carried.

11

STATEMENT OF ACCOUNTS:

13 The Statement of Accounts was presented for acceptance. Additions to the previous balance was due
14 to interest earned and receipt of cell tower land lease. Deductions from the previous balance was for
15 the payment of bills approved Bill List for March 26th and proposed bill list of April 30th.

16 SR/GSS Motion to accept the Statement of Accounts dated April 30, 2014. Carried.

17

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18 **BILL LIST:**

19 The following bills were presented for payment approval to be paid by Industrial Commission funds.

Num	Name	Memo	Amount
2940	Cleary Giacobbe Alfieri & Jacobs	Inv#22869 Legal Services Provided through March 31, 2014	\$ 1,981.00
2941	Duvy's Media LLC	Invoice # 13351 Services through March 31, 2014	\$ 620.80
2942	Frantasy Enterprises, LLC	Inv#LIC1600 Marketing and Public Relations Services provided during the month of April 2014	\$ 2,000.00
2943	Anita B. Doyle	Inv# 1 - Administration Management Services - 3/1/14-3/31/14	\$ 1,273.65
2944	Israel Reinman	Executive Director's Car Allowance Month of April 2013	\$ 400.00
2945	Remington Vernick	Inv# 1515T062-3 Professional Engineering Services Provided through March 31, 2014 - Feasibility...	\$ 500.00
2946	Verizon Wireless	Inv# 9722985312 3/5/14-4/4/14 732-232-9700	\$ 66.21
2947	Watchung Spring Water Co., Inc.	Acct#127214 Meeting Supplies	\$ 118.89
2948	Anita Doyle as Agent of LIC	Replenishment of Petty Cash on Hand	\$ 112.63
Bill List Subtotal:			\$ 7,073.18
2949	Yussi's	Meeting refreshments	\$ 161.06
Total Bill List 4/30/14			\$ 7,234.24

20

21 **GSS/SR Motion to approve payment of bills numbered 2940 through 2949 totaling**
 22 **\$7,234.24 and paid through the Industrial Commission checking account.**

23 On Roll Call:

Commissioner	Yea	Nay	Abstain
Brooks, Neil	X		
Flancbaum, Justin	-		
Katz, Shlomo	-		
Rabinowitz, Sam	X		
Schuster, Edwin	-		
Stafford-Smith, Greg	X		
Kirschner, Robert	X		Abstained from voting on item # 2942

24

Motion carried by majority vote.

25

26 **EXECUTIVE DIRECTOR'S REPORT:**

27 Mr. Reinman reported on the following matters:

28 LAKWOOD AIRPORT:

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- 29 • There is a wrinkle in the finalization of the obstruction removal project (tree
30 topping/trimming)
31 ○ The last phase before recapturing length of runway will include restriping
32 ▪ FAA’s new directive is to change the approach. There is no grandfathering.
33 ▪ These will bring a delay by several months from allowing expansion of the
34 runway. We’ll be able to do the design portion of the project but not the
35 construction portion in time (before this takes effect).
36 • The State of NJ (NJDOT-Aeronautics) has come back into the game regarding funding of
37 “Obstruction Removal” as a participant. This will come into play with the airport’s land
38 acquisition component and the extension of RWE 6. A new source of revenue is now in the
39 game.
40 • We’re still trying to work out something with the Banner-towing operations that have applied
41 to relocate to Lakewood from Monmouth Executive.
42

43 ***NEW HAMPSHIRE HOLDING LLC*** (New Hampshire Avenue and America Avenue)

- 44 • Have Lakewood Planning Board approvals;
45 • Waiting on finalization of CAFRA approval;
46 • Hope to see groundbreaking soon.
47 • This will be developed as a shopping center. They will be using the perimeters (hill) as part of
48 their design (the lands [along New Hampshire] will not be leveled , this is intended to remain
49 as part of the buffer/tree save)
50

51 ***LAKESWOOD EQUITIES***

- 52 • Is moving along
53

54 ***NJ TURNPIKE AUTHORITY:***

- 55 • Will be discussed in Closed Session under Pending Litigation
56

57 **ATTORNEY’S REPORT:**

58 Mr. Kean announced that his report will be made in closed session.
59

60 **CORRESPONDENCE:**

61 None was received.
62

63 **COMMITTEE REPORTS:**

64 No Committees met during the month.
65
66

67 Mr. Flancbaum arrived at 11:45 AM
68

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OLD BUSINESS:

60 ACRES – Feasibility Study

- There is a proposal on the agenda (and Resolution for formal approval) for a Change Order for RVE which was precipitated by the results of the Ocean County Engineer’s meeting with RVE and Ocean County requiring additional studies to be performed (12 intersections plus those immediately impacted on Cedar Bridge Avenue) – traffic study on effects of this project on other intersections. This expanded the scope of the original Feasibility Study format.
- Jeff Staiger gave an overview of the results of RVE’s meeting with the Ocean County Engineer.
- Mr. Reinman said that the issue was about Airport Road coming in.
- Mr. Rabinowitz: How much was the traffic study part in the original proposal? We are looking at feasibility. Feasibility is meant to see what we could put there. Why is this getting so involved? We are not beginning construction.
- Mr. Staiger: This is what you are doing - To develop a Plan to develop further. This information would be needed to show to the project planner. (...what improvements, what permits, what would be required to construct this... if these improvements are being anticipated... what the County or other agencies would require to give their approval)
- Additional discussion continued regarding the preparation of a full-blown ‘plan’ at this time.
- Jeff Staiger: The County is looking at the intersection along the County roads and how development will impact their intersections and roadways.
- Mr. Rabinowitz: We are just going too far...but, if this does the job in full, ...we shouldn’t have to spend this money again.

Mr. Katz arrived at 11:50 AM

- Mr. Reinman: If the Commission choses to pass the resolution today, I will follow up with RVE to understand that what we are getting can actually stand the test of time depending on what actually happened there. They are requiring 12 intersections... that’s a large area – past the baseball stadium.
- Mr. Flancbaum: Why are we performing this portion and not pass it on to the buyer?
- Mr. Reinman: In order to attract the business to invest in the 60-acre tract. And will stand the test of time in pursuing retail development. The study presumes certain types of traffic flows. The study is generic enough to be relevant.
- Mr. Kirschner: How do we want to proceed?
- Mr. Reinman: There is a Resolution (authorizing Change Order) on the agenda.

13-ACRE TRACT (Northeast Parkway Acquisition Area)

Mr. Reinman reported that he is pursuing discussions with several parties (3 parties) interested in this tract. Two have a mixed use concept that may involve re-zoning.

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110 Mr. Schuster arrived at 11:54 AM

111

112 Mr. Kirschner provided a Map as a visual add-on to the discussion and overview of the tracts and
113 neighboring tracts. He went to Brick and obtained a detailed map of the area of Brick and merged it
114 with Lakewood's map of the Northeast Parkway Acquisition Area.

115

116 The PIQ is adjacent to the Bathgate / Leone property in Brick. Their partnership owns about 10 acres
117 and an additional 25.54 acres. They have a contract on their Brick property for residential
118 development. However, they need all kinds of approvals including a variance. The property in Brick
119 is zoned B3 (Commercial). Of their 35 acres total, there is a wetlands buffer required of 10 acres,
120 which nets them 25 acres.

121

122 Mr. Kirschner: We can consider buying into the Bathgate/Leone property and install a service
123 road to access LIC lands? The access from Route 70 holds problems.

124

125 Mr. Reinman: If he wants develop as residential, we really can't participate in that... it's not
126 within our Charter. If he wants to purchase our portion for their commercial portion (of the mixed
127 use), we can consider that sale.

128

129 Mr. Katz: We could consider going to Brick and file an objection unless he "un"
130 landlocks us before he gets Brick Planning Board approval.

131

132 Mr. Reinman: We would probably want to get County approval as to where we would want to
133 enter. Right now there is an acceleration lane that we need to consider. Suggest that we take maps to
134 the County Engineer to review and come up with a solution after the ending of the existing
135 acceleration lane.

136

137 **NEW BUSINESS:**

138 None

139

140 **COMMENTS FROM THE PUBLIC:**

- 141 • Frances Kirschner (Frantasy Enterprises) addressed the commissioners to announce that press
142 releases were generated about the upcoming Lakewood's Memorial Day Parade, Gutters and
143 the Twin City Jewelers event.

144

145

146 The following resolution was offered by GSS/SR and carried to move the meeting into **Closed**
147 **Session:**

148

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

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

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

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

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

159 **CONTRACT NEGOTIATIONS**

160 **PERSONNEL**

161 **LITIGATION**

162 **OTHER**

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

167 4. This resolution shall take effect immediately.

168

169 The meeting moved into Closed Session at 12:12 PM

170

171 On a Motion by SR/JF and carried, the meeting returned to Open Session at 1:03 PM

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CONSENT RESOLUTIONS:

None

NON-CONSENT RESOLUTIONS:

#140401 Resolution authorizing Change Order #1 to Remington Vernick in the amount of \$10,910.00 (Contract would now Total \$34,410.00 due to a change of scope (resulting from meeting with Ocean County Engineer).

179 SK/ES Motion to adopt resolution # 140401 Authorizing award of Change Order #1 **if needed**
180 – following additional discussions which are also being authorized between the Executive Director,
181 Remington Vernick Vena and the Ocean County Engineer and if this Change Order as presented is
182 deemed necessary, the Industrial Commission budget will be amended to reflect the additional
183 obligation.
184 On Roll Call:

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

185 The above resolution hereby duly adopted.

186

187 JF/SK: Motion to extend Cedarport an additional 2 weeks through Tuesday, 5/13/14 to allow
188 them to secure a bonafide contract with their client. Carried.

189

190 Contract Review Committee would follow up with developing the details and conditions of any LIC
191 Contract to be negotiated if deemed appropriate.

192

193 On a Motion by GSS/JF and carried, the meeting was adjourned at 1:25 PM.

194

195 Dated: 5/26/14

by Anita B. Doyle

196

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