

**LAKWOOD DEVELOPMENT CORPORATION
MEETING MINUTES
APRIL 4, 2006**

CALL TO ORDER – Rabbi Moshe Weisberg, 4:33pm

ANNOUNCEMENT OF MEETING COMPLIANCE WITH THE SUNSHINE LAW.

Adequate notice of this meeting has been provided in accordance with the provisions of the Open Public Meetings Act, PL 1975, C 231, by notice published in both the Ocean County Observer and the Tri Town News, and by posting of same in the office of the Municipal Clerk, the office of the Lakewood Development Corporation, and upon the public bulletin board of the Lakewood Municipal Building.

ROLL CALL:

Present: Bertram Albert, Lynn Celli, Charles Cunliffe (arrived 4:40),
Mitch Dolobowsky, Ada Gonzalez, Adam Lieberman, James Waters,
Rabbi Weisberg, and James Savage

Absent: Michael D'Elia, Stanley Federowicz, Robert Mohel, Abraham Muller,
Sen. Robert Singer, and alternate Francis Edwards

Also Present: Russell K. Corby, Executive Director;
Office Staff: Douglas Doyle, Anita Doyle, and Joan Wilkes;
Kevin Starkey of Starkey, Kelly, Bauer & Kenneally, Corporate
Development Counsel.

MOTION – M. Dolobowsky/A. Gonzalez

To approve the minutes from the March meeting.
All in favor
Motion carried

OLD BUSINESS

The Executive Director brought to the attention of the members an e-mail conversation with the UEZ Director confirming his understanding that reimbursement requests can now be submitted for Job Link.

The Chairman referred to the minutes with respect to the concern of conflict of interest and suggested that a letter be sent on an annual basis requesting all members for a full disclosure of any organization, corporation, committee, etc they are affiliated with.

The Executive Director stated that every member of the board has to file a disclosure statement with the township clerk by April 30th and requested that a copy be made and submitted to the LDC for record keeping purposes.

NEW BUSINESS

J. Waters stated that it is incumbent upon each member that if there exist what might even be perceived to be a conflict of interest it is their responsibility of running it by the attorney, further stating that he felt a sense of embarrassment that we would be audited and he had no clue about what led to this particular audit. The members should have known prior to that happening.

CORPORATE COUNSEL REPORT:

Nothing to report.

DIRECTORS REPORT:

The Director informed the members of his participation in today's conference call with the UEZ Mayors Commission. Governor Corzine has introduced the budget and in that budget there are some actions being taken with respect to the UEZ Program. It is their understanding that it being suggested that the tax exemption benefit for purchases of UEZ businesses will be altered and changed to the extent that while it would remain it would not be automatic at the site of purchase. The business would have to file for the rebate of the money. This will be an issue over the next two – three months.

The Director referred the members to the administration budget for fiscal year 07. Stating that the only difference between the budget this year and last, is the addition of a Grant Development Coordinator. The Director explained that the office currently does grant work through the UEZ directed at the Urban Enterprise Zone. Currently there is the EPA Brownfield Grant, Smart Growth Grant, and New Jersey Historic Trust Grant. The administration of these grants has very heavy reporting requirements and is currently assigned throughout the staff. It is disruptive to the staff as it takes time away from other UEZ projects. He believes that hiring a person who has grant writing and development abilities, can really focus and obtain more funds than we currently are.

The Director stated the development corporation is a 501C corporation, and has charitable educational status which we have not taken advantage of. The element of this position would be (and this has a lot to do with future funding) to development private funding and opportunities where we can draw in private and corporate funds towards and for things like work at the Strand Theater such as the Historic Trust Grant. This is the next step in the maturity of the corporation in terms of outreach and our ability to focus on other sources of funding. The justification for the position has been included in our submission to the UEZ Authority, where the final approval will be made.

The Director further informed the members other than the inclusion of that position; the budget is going up less than 1% and provided each member with a comparison chart of Budget to Actual showing that the proposed budget is not actually what is spent. The Director explained to the members that the administrative budget is kept in a separate account called "Zone Assistance Account" from the "Project Account" in Trenton.

The Director moved on to Resolution on the agenda:

Submission of Grant application to N. J. Historic Trust Grant is to fund the structural needs of the Strand Building.

Award of Contract to Birdsall for bid preparation and construction management, this is the next step to continue the previously funded project for stage lighting access at the Strand.

Adopting E-Mail/Internet Policy informing the members that all e-mails relevant to the LDC/UEZ business are being sent to and stored in a specific public document and file, further explaining this will provide better organization for Public Record request.

Authorizing use of 2nd Generation funds (up to \$30,000) to fund extending UEZ 05-136 Marketing & Public Relations IV until December 31, 2006 this is simply to have the Marketing & Public Relations Project (Calendar year) on the same budget as the Township's budget which is on a fiscal year.

Authorizing use of 2nd Generation funds Dept. of Public Works Capital Project Block 1606 Lot 9 (not to exceed \$37,500.) Mayor Lichtenstein was in attendance to present proposal to the members. The Mayor requested the assistance of Committeeman, Charles Cunliffe in identifying the space on the map that was provided to the members. The Mayor stated what the township is looking to do for the much talked about Employment Center for the day laborers that are standing in the downtown area, is to find a common ground and solution that would not frustrate the downtown business owners and help the day laborers get employment in a respectable fashion. The township wanted to provide a roof over the laborers' heads, restrooms and ability to get coffee or a sandwich.

The Committee was able to locate a piece of property owned by the Industrial Commission where a structure consisting of a roof and poles, referring to similar structures in the parks, port-a-potties and an area where food vending vehicles can pull into. The Mayor stated, this decision was not made based on just the committee members, the committee meet with various groups in town and have meet directly with the day laborers and many organization that represent the day laborers.

Mr. Cunliffe stated that the Township has been wrestling with this issue for quite some time, and hears consistently from people who live in, work in and shop in downtown Lakewood that the conditions on Clifton Avenue are problematic, there are hundreds of people clogging the streets, sidewalks and doorways and they are there for the purpose of gaining employment. Residents and store owners have asked for help they cannot get in and out of their building or business, shoppers are afraid to shop because they are nervous about walking passed or through large groups of men. Not wanting to get into details of the immigration issues and documentation issues, he expressed that the committee is trying to respond to a cry for help.

Mr. Cunliffe informed the members that the committee tried many locations, some that looked very hopeful which actually did not turn out to work well at all. In looking at areas of open space they came upon an area (which has been discussed by the LDC for some usage) in the Industrial Park right off of Cedar Bridge Avenue it is indicated as being in the Airport Hazard Zone, so there are some limitations to what can be built on that zone and the thought process was to use a portion of the land closest to Cedar Bridge Avenue which is under the most restrictive FAA requirements.

A proposal was presented to the committee by Mr. Franklin of Public Works to build a covered structure; there are no sides or windows, just steel columns that hold up the roof to provide shelter from the rain and elements and a pull off area where the companies seeking temporary/day laborers can pull into pick up and pull out getting back to Cedar Bridge Avenue. This structure can be put up very quickly and the advertising that there is another option for getting employment which the Township prefers be used can be done. He emphasized that this is a trial, cannot guarantee it will work and cannot force people to utilize that area, the building is not a permanent building, but if we do not give an alternate location, the problem will never be solved.

The Executive Director agreed that this has been a long standing problem and commends the Committee on addressing this issue and wanted to emphasize that the UEZ is not taking part in any operations that will be at the location, the committee is just looking for the UEZ to assist in the Capital expenditures associated with the Public Works Department.

Mayor Lichtenstein wanted to stress to the members that this is temporary and the structure being put up takes up a big portion of the funds requested, the worst case scenario if this does not work is that we have made an attempt, the structure will be taken down and placed at one of the public parks. The Mayor also wanted the members to realize that although they are making a presentation for the UEZ downtown area; there is also a humane side. There are people standing out in the element that need restrooms which the Township Committee recognizes and that is why they have worked so hard to find a location. Further stating that unfortunately there are not a lot of groups that would take this onto their own property, they have met and spoken with churches and social agencies and were told no. The township has had to struggle with both sides of the problem and wanted to stress that it is absolutely correct; they are working with a few groups that will run the center; neither the Town nor the UEZ will be running the center.

Mr. Waters asked three questions. One, how will the laborers get to and from the location, two, will this lead to a regulation or ordinance that will forbid people from being in downtown; and three (a two part question) what about the buildings in Industrial Park that are not being used, why wasn't that a viable alternative and what happened with the idea of the Community Center?

Mayor Lichtenstein's response to the first question was that they have looked into the transportation issue even though the gathering point is the downtown area, the people are coming from areas like, Clover Street, Heart Stone and Rain Tree and whatever means they are using to get to downtown can be used to get to the Industrial Park. Spreading the word about the Job Link bus, with the assistance of the community groups, will assist any day laborers living downtown.

With regard to use of any Industrial park buildings, the township does not own any buildings; they have had issues with even socially oriented property owners or religious oriented property owners not wanting groups there; yes, renting a building could be done, but not at this budget nor could it be done as quickly.

Mr. Cunliffe informed the members that there was one building being considered for leasing, that fell through and the option became to purchase. The purchasing price was in the millions, there would also be the liability, utilities expenses, etc. and again reminded the members that this is a test, there is no guarantee it will work.

The Community Center was ruled out because there were neighboring properties that voiced opposition and there was also the traffic issue; the cars would be piling up on 4th Street.

In response to the ordinance question raised, the Mayor responded that as stated since, January 1st, we (the township) are looking to improve the quality of life downtown; we are targeting actions not people. Littering, graffiti and any of these quality of life issues will not be looked away from. The town is absolutely going to enforce the quality of life in the downtown area, however, we never put the two together, people came up to the mike and told us that when we enforce the quality of life it will affect the day laborers. Out of respect for the day laborers and an understanding of their needs, it was decided to hold off until they could address the day laborers issue and then go ahead with the quality of life issues.

Mr. Albert commented the land is under the authority of the FAA and the State DOT. It is called a "protection zone" for one reason, it is at the end of the runway and if an aircraft loses power during take off, or if they run short of the runway, the plane could come down in that area. Referring to his conversations with the State DOT and to Mr. Corby's conversation with the Director several weeks ago, the concern is not with parking cars or trucks, the concern is having people on that area and that frightens him. He suggested using the Baseball Stadium as it is owned by the township.

Mayor Lichtenstein responded that as far as the Airport Hazard Zone, we do not want to put anybody in danger or congregate people under falling airplanes, and directed Mr. Corby (which he believes has been done) to please again double check that this does not violate any Airport Hazard Zone.

Mr. Corby wanting to address the members stated that this land is owned by the Industrial Commission it is subject to the rules and regulations of the FAA. In preparing another project in that area, the engineering company has outlined the height of the buildings permitted. The area in question's height is 40ft and based on his conversation with the director of DOT with respect to use of the land, and based on the height restriction, he does not believe this use being considered would run into any difficulty.

Mr. Cunliffe explained that this area is located in a wooded area across four lanes of Cedar Bridge Avenue; it is not located at the end of the runway.

With respect to using the Baseball Stadium, that option was thought about, but disregarded because it would only make the traffic congestion that occurs during scheduled events even more difficult.

Discussion followed on the transportation with comments received from the Board Members commending the township for their efforts and supporting the proposal, but stressing the importance of the day laborers assistance in taking care of the property.

The Chairman stated this is an important public issue for the entire township, but wanted to clarify for the members that the LDC is not making the decision as to the location, but is being asked for assistance to help fund some of the improvements that need to be made to the property.

The Chairman moved on to the administration budget for submission for discussion.

Mr. Albert stated he recognizes everyone on the list, but does not recognize Theresa Beaugard and asked if she works for the LDC. The Executive Director responded yes she does. Mr. Albert asked where. The Director responded as liaison for the Strand Theater and is a regular staff member. Mr. Albert asked if she works out of the LDC or the Strand and was informed that she works out of both places. Mr. Albert stated that his question really is does she work for the Strand or does she work for the LDC.

Corporate Counsel informed the Chairman that although the name of a person and where the person works are certainly matters that can be discussed publicly, when you get into personnel discussions about a particular individual it is more appropriate for executive session.

Mr. Albert stated he is not asking about her qualifications or her duties he just wants to know where and who she works. The Executive Director replied he believes he already answered the question.

COMMITTEE REPORTS:

No committee reports

PUBLIC COMMENTS:

One member of the public stated that although she supported the employment zone, she hoped that this does not attract other towns to come to Lakewood and mushroom into something larger. Ms. Gonzalez wanting to address this concern and explained that it works both ways, we have Lakewood residents who take the bus to Freehold because there are more job opportunities for them. She has heard of more going out to Freehold because it is more open there. Mr. Cunliffe also stated that was one of the reasons why the township walked away from a Route 9 site because of its accessibility to public transportation.

Another Lakewood resident addressed the board and stated this is a good idea and long overdue, but know that this will be monitored there will be some problems and they will be dealt with.

TRUSTEES COMMENTS:

No comments

CHAIRMAN'S COMMENTS:

None

MOTION – J. Waters/A. Lieberman

To accept Resolutions on Consent Agenda:

- RESOLUTION 06-04-1 – Authorizing closeout of Esskol, Inc. micro loan and transfer to FAP pool account.
- RESOLUTION 06-04-2 - Accepting LDC Policy set for compliance with OPRA
- RESOLUTION 06-04-3 – Authorizing Submission of Grant Application to N.J. Historic Trust for fire escapes and plumbing system at Strand Theater (up to \$120,000.)
- RESOLUTION 06-04-4 – Authorizing Executive Director to execute Agreement with OC Dept. of Transportation for \$3,000 grant.

Roll vote taken

All in favor

Abstention by M. Dolobowsky on Resolution 06-04-3

Motion carried.

MOTION – A. Lieberman/Charles Cunliffe

To accept Resolution 06-04-5 – Authorizing Submission of Admin budget for '07 (\$737,264.)

Roll vote taken

Abstention by M. Dolobowsky

All other in favor

Motion carried.

MOTION – A. Gonzalez/J. Savage

To accept Resolution 06-04-6 - Authorizing award of contract to Birdsall Engineering bid preparation and construction management for stage Lighting Access Provisions (not to exceed \$6,300.)

Roll vote taken

Abstention by M. Dolobowsky and Rabbi Weisberg

All others in favor

Motion carried.

MOTION – M. Dolobowsky/L. Celli

To accept Resolution 06-04-7 - Authorizing use of 2nd Generation funds for Dept. of Public Works Capital Project Block 1606 Lot 9 (not to exceed \$37,500.)

Roll vote taken

Yes vote: L. Celli, M. Dolobowsky, A. Gonzalez, A. Lieberman, J. Savage, and Rabbi Weisberg

Abstention: B. Albert, C. Cunliffe and J. Waters

Motion carried.

MOTION – M. Dolobowsky/A. Gonzalez

To accept Resolution 06-04-8 – Authorizing use of 2nd Generation funds (up to \$30,000) to fund extending UEZ 05-136 Marketing & Public Relations IV until December 31, 2006.

Roll vote taken

Abstention by B. Albert and C. Cunliffe

All others in favor

Motion carried.

MOTION to Adjourn – J. Waters/A. Gonzalez

All in favor

Motion carried.

5:40 p.m.