

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES
OPEN SESSION
MEETING OF: OCTOBER 25, 2006**

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, October 25, 2006 at 12:27 PM by Chairman Jeff Golub.

ROLL CALL:

Presiding: Mr. Golub.
Present: Mr. Kokes, Mr. Albert, and Dr. Eisenberg.
Absent: Mr. Doyle, Mr. Silberberg, Mr. Katz
Also in attendance: Mr. Cunliffe, Mr. Corby, Mr. Delanoy, Anita Doyle, and Gidaly G. Cruz

APPROVAL OF MINUTES OF: September 5, 2006 –special Meeting
MOTION TO APPROVE THE MINUTES as written by Dr. Eisenberg and seconded by Mr. Golub [Carried] Minutes were approved by a voice vote.

APPROVAL TO WAIVE OF MINUTES OF: September 27, 2006 – Regular Meeting
MOTION TO WAIVE THE MINUTES by Mr. Golub and seconded by Dr. Eisenberg [Carried] Minutes were waived by a voice vote.

STATEMENT OF ACCOUNTS: Dated October 25, 2006.
Motion to accept the Statement of Accounts as presented: Mr. Kokes second by Dr. Eisenberg–[Carried]

EXECUTIVE DIRECTOR'S REPORT:

Mr. Corby: We have an update on the roadway repaving project. The LDC approved another \$200,000.00. Birdsall Engineering is putting the bid documents and the contract documents together. We feel that we can have this out to bid in the spring. We can have it out sooner, but the work can be done in the spring and summer of next year. There is a resolution on the agenda regarding the Foreign Trade Zone. We have been contacted by an importer/exporter that is located in Cranbury, New Jersey. They are Foreign Trade Zone-shopping to see if we would allow them to use the status of our FTZ. There is a process you have to go through with the FTZ (US Customs) to do that. We don't have an active (Foreign Trade Zone) business in the Lakewood Industrial Park, so we will be contacting our FTZ consultant to get the process underway.

Mr. Cunliffe: They would be able to use our Lakewood FTZ for their operation in Cranbury?

Mr. Corby: Yes, that's correct. And we get substantial application fees and residual fees from it. I will have a breakdown of what we get after I sit down with the FTZ consultant.

More discussion followed. In conclusion, the Commissioners agreed to go ahead and hire a FTZ consultant and learn the aspects of operating a FTZ program and its processes.

Mr. Corby: Just an update on the Franklin Street Redevelopment Area. The LDC will be putting up some money to buy one of the properties.

Mr. Cunliffe: The Master Plan Advisory Committee is looking to change the zoning in the Franklin Street Redevelopment Area. We had two planners working on the Master Plan; we had to fire them because they became "renegade" Planners. So now we are on our third and he seems to be very good. My understanding was that was supposed to become area DA-2. DA-1 is Cedar Bridge Corporate Campus; DA-2 was supposed to be the Franklin Street Development Area. That never made it to the Zoning map and I want to find out why and although I suspect I know why it never got to the zoning map, now they are changing it from the old designation to put mid-rise building there, which will completely shoot us in the foot for doing any kind of commercial or industrial expansion, I would suggest to this committee that they might want to send a letter to the Planning Board ("don't do this"). We want that to be DA2 to give us the complete freedom.

Mr. Corby: The Planning Board did it (DA-2) as a formal action.

Mr. Cunliffe: Well then, it is not on a Zoning map, and it is not in the Master Plan. So, yet again, they are working from another defective map that I can't get the votes to get fixed. But they are fixing to change it to mid-rise apartments over there.

Mr. Corby: I was unaware of that; because there is a fully adopted plan.

Mr. Cunliffe: For that to be DA-2, I thought I was right but people were telling me I was wrong.

Dr. Eisenberg: Can you repeat? DA-1 and DA-2 is what?

Mr. Corby: It is that you have a redevelopment area. You specifically say what uses are in the redevelopment area.

Mr. Cunliffe: Yes, so Cedar Bridge, Dr. Eisenberg, and the ballpark are in DA-1 Zone. That's our first official redevelopment area in Lakewood. I was always under the impression that the Franklin Street area was supposed to be shown on the zoning map as DA-2. That was our second official redevelopment area.

Mr. Corby: That's was already established, but it went back to the Planning Board to have the uses changed, and they adopted the new uses that we put the RFP out with.

Mr. Golub: Is my memory correct? Was that supposed to be hybrid between commercial and residential?

Mr. Cunliffe: Yes, but they are fixing to make it strictly mid-rise apartment complex.

Mr. Corby: The planner has a copy of the redevelopment plan. We did a summary.

Mr. Cunliffe: Carry on, I will go get the Zoning Map.

Dr. Eisenberg: We should do a letter and express our feelings.

Mr. Albert: Does the LIC own any of it?

Mr. Corby: The Township, the LDC and some private owners. One was bought with Housing Development money. We are in the process of buying it from them. That was just an overview of what is going on. Any more questions for me? Attorney's report.

ATTORNEY'S REPORT:

Mr. Delanoy: The Hamilton Partners money is in and that's good news. We are also working on the Stamos and Sommers contract that has been finalized and we are preparing to send that over now to their attorney for review and signature. As you recall, that was the matter where they had asked for property to be set aside as part of their CAFRA permit. It is a little different than our typical contract because we are actually conveying property to ourselves and restricting it. They have two years to close and if they don't close in two years, we can "call" the contract as due and terminate the contract. Other than that, the contract is prepared and ready to go and if they are any questions/comments, you can address them now otherwise I will forward the contract for signature. The other item is the Northeast Parkway Acquisition Area. If you recall, they had asked that a mortgage be held and we basically said that was not part of the deal. I had sent a letter to Mr. Bathgate with regard to this item and the last correspondence was approximately a year ago. We had received an offer from him at \$90,000 an acre and we had gone back with a counter offer of \$95,000 per acre for approximately 13 acres. So we are talking over a million dollars and that has not yet been resolved (that they agree). I assume that they would agree to the amount.

Mr. Cunliffe: Through the Chair, may I go back to the group with this? This is the zoning map that was just introduced last night to the Planning Board by the Master Plan Committee. There are over 35 zoning changes that the master plan is trying enact here in Lakewood. This all whole area here was made DA-1 on the zoning map officially because it supports the stadium and it supports Cedar Bridge Development. I always thought that there was a DA-2 and there was potentially going to be a DA-3, but DA-2 was supposed to be here. These are the railroad tracks; this is Rte 9 running up and down here, But this is the Franklin Street Redevelopment Area, That was supposed to be our second full redevelopment zone and it was supposed to be reflected on the zoning map as such, But now you see this here is called mid- rise. They are creating a new zone in town for mid rise apartment houses; 5 and 6 story apartment houses.

Dr. Eisenberg: Does the railroad track go through the property?

Mr. Cunliffe: It goes behind it. Part of it comes past it.

Mr. Corby: The triangle- is that designated mid-rise?

Mr. Cunliffe: Everything that you see here is designated as mid-rise; I always thought that we were going to try to take the development and take it all the way down Rt 88 and try to clean up the place. We talk about right here on the rail road tracks having a train station there and we were supposed to have all of the office, business, and retail around the area. But now they are trying to make it into a mid-rise apartment house zone. So I don't know if you want to say something but your about to lose that area as a development zone.

Mr. Corby: This perhaps is an issue of the LDC because they have a more substantive role in that because it's a LDC project.

Mr. Cunliffe: But if the township acquires the land, won't that sold by the LIC?

Mr. Corby: No, by the LDC, The LIC never has put up money for the portion.

Mr. Golub: But I think you're right; you're losing a 3% (Sales Tax) UEZ area. You're giving it up for residential

Mr. Cunliffe: I just thought you should know this, I thought if we acquire the land then it would be brokered by the LIC.

Mr. Corby: I will go back to our original RFP it list all the uses and I believe that the uses we wanted there were part of the redevelopment study that was approved by the Planning Board and sent back to the Township Committee and the Township Committee approves it.

Dr. Eisenberg: Can we correspond with the LDC?

Mr. Corby: I think it will be an issue in the LDC, Can we got back to...

Mr. Delanoy: Just to complete my report. We will now finalize the contract and get this to close before the end of the year.

Mr. Golub: Do we have to get and affirmation that they would take \$95,000?

Mr. Delanoy: That's been verbally accepted. But we have to get it "written down in stone". And the objective is to get it closed by the end of the year. That is all I have.

CORRESPONDENCE:

Mrs. Doyle: We have a letter from Durkin & Durkin. Avallone Partners was scheduled to do a presentation at this meeting. Avallone is on Lehigh Avenue. They own a 15 acre parcel backing up to the Airport flight path and they have submitted to the DEP to allow them to construct and add on to their facility on the property they own to make it a corporate

headquarters and to bring a company in from North Carolina that belongs to them and consolidate their operations in Lakewood. CAFRA comes back and informs them that they have indication that there are migratory song birds on their property. So they are looking for additional acreage to satisfy CAFRA, but now they requested to be move to our next meeting.

COMMITTEE REPORTS: None

OLD BUSINESS:

Mrs. Doyle: We kept this on. At this time we have done nothing regarding the Oak Street Landfill.

Mr. Cunliffe: Oak Street Landfill...is that the Oak Street that is in the industrial park? That is another zone they want to change and make that mid-rise apartments. I don't know if that affects...

Mr. Kokes: Sure it does, they can't do that.

Mrs. Doyle: The LIC owns it.

Mr. Cunliffe: If you want me to go back and get the map. They want to make the area over there mid-rise apartments.

Mr. Kokes: That is in the middle of our industrial park

Mr. Corby: Then I think it is worthy that a motion be made that we communicate to the Planning Board...

Mr. Cunliffe: Maybe I can bring back a small copy of the map...

Mr. Albert: I thought we were going to try to develop the area for industrial uses?

Mr. Golub: We would like to.

Mr. Cunliffe: They want to change the whole area mid-rise residential, I would appreciate if you would consider, if the group was so inclined, to maybe take a position on the Franklin Street and also this area.

Mr. Golub: I envision going down the Parkway and seeing Lakewood Factory Outlets. Something similar to Jackson.

Mr. Cunliffe: That's what I would love to see. I think it would be a natural. It would be visible from the Parkway. We would get more action than Jackson gets out their outlet. The busses going back and forth from the casinos...

Further discussion followed. In conclusion, the Commissioners all agreed to formulate a resolution and send a letter to the Planning Board

NEW BUSINESS:

Mrs. Doyle: We just need to set a date for the November and December joint meeting which usually occurs the beginning of December. It's a luncheon meeting. We are looking at something that is good for all of you.

The commissioners all agreed by consensus to hold the November/December meeting on Thursday, December 7, 2006 at 12:00 pm

CLOSED SESSION: None

Mr. Cunliffe left the meeting at 1:25 PM

RESOLUTIONS – CONSENT AGENDA: None

RESOLUTIONS – NON-CONSENT AGENDA:

• **061001 Resolution Authorizing a three year LIC commitment to purchase season tickets annually to Lakewood Blue Claws Baseball (2007, 2008, 2009) as part of the Township's ongoing Marketing and Public Relations program and authorizing a budgetary encumbrance of \$2,129.00 for the 2007 Baseball Season for the purchase of the 2007 Season tickets.**

Mr.Kokes/ Dr. Eisenberg: Motion to adopt Resolution # 061001.

On Roll Call:

Commissioner	Aye	Nay	Abstain
Mr. Albert	X		
Mr. Doyle	-		
Dr. Eisenberg	X		
Mr. Katz	-		
Mr. Kokes	X		
Mr. Silberberg	-		
Mr. Golub	X		

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

- **061002 Resolution authorizing the Executive Director to prepare, advertise and receive bids on the sale of the property known as Lot 2 in Block 1608 (Cedar Bridge Avenue). The Subject property is to be offered in an “as is” condition and without contingencies.**

Mr. Albert / Mr. Kokes: Motion to adopt Resolution # 061002 Motion Carried by a voice vote.

- **061003 Resolution authorizing the Executive Director to enter into an Unusual and Unspecifiable Services contract for Foreign Trade Zone (FTZ) consulting services not to exceed \$17, 500.00.**

Mr. Kokes/ Dr. Eisenberg: Motion to adopt Resolution # 061003

On Roll Call:

Commissioner	Aye	Nay	Abstain
Mr. Albert	X		
Mr. Doyle	-		
Dr. Eisenberg	X		
Mr. Katz	-		
Mr. Kokes	X		
Mr. Silberberg	-		
Mr. Golub	X		

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

- **061004 Resolution Authorizing a lateral transfer of budgeted funds in the amount of \$17, 500.00 unused from Acct #3.3.2 Projects-2006 Job Link Bus Interim Funding to Account #3.2.5 Special Services- FTZ Consulting Services**

Mr. Kokes/ Mr. Golub: Motion to adopt Resolution # 061004 Motion Carried by a voice vote.

- **061005 Resolution Authorizing a letter of objection to be sent to the Planning Board objecting to the proposed re-zoning of Block 1160.01 Lot 228 as indicated on the July 2006 rezoning map to Mid-Rise housing and being in favor maintaining current zoning as well as the adjacent parcel to be maintained as B5.**

Mr. Golub / Dr. Eisenberg: Motion to adopt Resolution # 061005 Motion Carried by a voice vote.

BILL LIST: Dated October 25, 2006 for the amount \$11,258.82

The bill list totaling \$11,258.82 was presented for payment approval to be paid through Industrial Commission budgeted funds. This bill list to be attached hereto and intended to be part and parcel of these minutes.

Mr. Kokes / Dr. Eisenberg – Motion to accept the Bill List as proposed.

On Roll Call:

Commissioner	Aye	Nay	Abstain
Mr. Albert	X		
Mr. Doyle	-		
Dr. Eisenberg	X		
Mr. Katz	-		
Mr. Kokes	X		
Mr. Silberberg	-		
Mr. Golub	X		

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

COMMENTS FROM THE COMMISSIONERS: None

COMMENTS FROM THE PUBLIC: None

ADJOURNMENT:

Mr. Kokes / Dr. Eisenberg - Motion to adjourn. Carried

Meeting Adjourned at 1:34PM

Dated: November 21, 2006

by

Gidaly G. Cruz

Recording Secretary

[Reviewed] by Anita B. Doyle,
Secretary- Designee