

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES
OPEN SESSION
MEETING OF: NOVEMBER 2, 2005**

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 on Wednesday, November 2, 2005 at 12:14 PM by Chairman Ada Gonzalez.

ROLL CALL:

Presiding: Chairman Ada Gonzalez
Present: Mr. Albert, Dr. Eisenberg and Mr. Golub.
Mr. Silberberg arrived after roll call
Absent: Mr. Katz and, Mr. Kokes
Also in attendance: Mr. Corby, Mr. Delanoy, Anita Doyle, and Gidalty G. Cruz
Mayor Charles Cunliffe and Mr. Jack Mueller

APPROVAL OF MINUTES OF: September 28, 2005

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

STATEMENT OF ACCOUNTS: November 2, 2005

Mr. Golub/Mr. Albert - Motion to accept the Statement of Accounts as presented:

BILL LIST: November 2, 2005

The following bills were presented for payment approval:

1975	Acculmage Typesetting & Design, Inc. Public Relations & Marketing Services -September 2005	\$ (3,500.00)
1976	Anita B. Doyle Administrator of Accounts -Res# 050109 (October and November 20005)	\$ (800.00)
1977	Anita B. Doyle Replenish Petty Cash On Hand	\$ (151.85)
1978	MONOC FCU Acct# 2009183-6 Reimbursement of Travel Expenses (Res# 050111) - October & November 2005	\$ (700.00)
1979	Owen, Little & Associates, Inc. Boundary Description - NE Parkway Acquisiton Area Tract Job # L033-05-LKWD	\$ (6,000.00)
1980	Secare, Delanoy, Martino & Ryan Legal Services Provided - September 2005	\$ (784.00)
1981	Shore Business Solutions Copier maintenance and Supplies Sharp A337 ID#C6554	\$ (389.56)
		\$ (12,325.41)

Mr. Golub/Mr. Albert- Motion to accept the Bill List as presented:

On Roll Call:

Commissioner	Aye	Nay	Abstain
Albert	X		
Eisenberg	X		
Golub	X		
Katz	-		
Kokes	-		
Silberberg	-		
Gonzalez	X		

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

SPECIAL PRESENTATION: Jack Mueller, Cedar Bridge Development Corporation

Mr. Mueller: My name is Jack Mueller, I'm here today to ask the Board for a grant to help us reforest Lafayette Avenue, which, you may recall, was a street that ran between Cedar Bridge Avenue and Pine Street. Under the Cedar Bridge [Corporate Campus] plan, we created two new streets, which are now known as Boulevard of the States and Avenue of the Americas, which I gave you a map of. As part of our obligation, which was to close Lafayette, we dug up the pavement and originally, we were just required to seed it, which we did. If you look there now, you'll see that there is a large path going back. The Planning Board has asked us to reforest the area. So I went out and got bids. I worked together with the Lakewood Township Engineer, Mr. Lines, and determined what he wanted, and our engineer prepare a plan which you have, to re-forest, to plan trees and bushes and other vegetation the will mesh together with the other forest area. This land belongs to Lakewood Township, they're not part of the Corporate Campus at all. They are also in the wetland area. We've gotten two estimates: one from Calgo Gardens of \$24,950 (which is a local landscaping company) and Pillari at \$23, 333.11, which is in Howell. Both are under twenty-five thousand dollars. I'm here requesting a grant from the LIC to pay for the reforestation project.

Mr. Albert: Is this land belonging to the township? Why do you have to reforest it?

Mr. Mueller: The planning board required it.

Mr. Albert: Is it part of Cedar Bridge [Corporate Campus]?

Mr. Mueller: No, is not part of Cedar Bridge, it belongs to Lakewood Township and it will always remain so, and it will never be developed because is in the mapped wetlands area and part of the CAFRA permit, which this Industrial Commission was involved in, saw to it that the whole area would never be developed as part of CAFRA permit.

Mr. Golub: is it the entire segment?

Mr. Mueller: no is 1 _ acres, they just want to reforest it where Cedar Bridge begins.

Mayor Cunliffe: Besides the environmental reason to reforest the area, one of the biggest problems we have been having, and you won't think so, is keeping people out. With the dirt bikes and ATVs,; that they are just ripping up a million-dollar complex. We had the same problem here. Before we were even able to open the spine road, we had tons of damage from people coming in with the 4x4's. So right now, from Cedar Bridge Avenue, you just see this clear path, it even makes it difficult for our police officers because if they follow them in there with a vehicle, they know they go down off-road. We can't go after them. Environmentally, it backs up the wetlands. Aesthetically, it will look better, but really, for security and safety reasons, it would be good to reforest the area.

Mr. Corby: I would remind the members of the Commission we currently don't have the funding for this. Be that as it you may, want to impose some conditions, based on the sale of some other property.

Mr. Albert: Whose responsibility is this? Is it yours? The Township?

Mr. Mueller: My. Cedar Bridge's.

Mr. Albert: Not the Township? It's yours?

Mr. Silberberg: What is the deadline?

Mr. Mueller: There is no deadline, they have given me time. But I'd like to get it done because of safety issues. I had great difficulty getting bids because the types of trees that they (Planning Board) want are very expensive, but it is going to be nice area.

More discussion followed. In the end the Commissioners agreed to: Approve the reforestation area not to exceed the bid threshold and conditioned upon the availability of funds. They also requested that more bids be obtained in order to get the best price.

Dr. Eisenberg/Golub- Motion to approve the reforestation area not to exceed the bid threshold and conditioned upon the availability of funds.

On Roll Call:

Commissioner	Aye	Nay	Abstain
Albert	-	X	
Eisenberg	X		
Golub	X		
Katz	-		
Kokes	-		
Silberberg	X		
Gonzalez	X		

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

At this time Mr. Mueller thanked the Commissioners and exited the room.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Corby: I have a number of issues before the Commission. One will be the request for an extension for the Hotel Property. The letter and information that you have already received states exactly what the Hotel group is waiting for in terms, which will go on way beyond the original closing date; that will be discussed in closed session.

The Northeast Parkway Acquisition Area: we have engaged conversation with the engineer to do a LOI on the wetlands area. The issue that was raised in the last meeting was to have an engineer determine the access across the wet lands. Currently, if you look at the map again, there would only be a particular area that we can put a road through. Technically, the wetland being there, now, the Township only owns half of Old Toms River Road. So technically, to build a road, we would have to ask the adjoining property owner, in this case, the one we are negotiations with, for the other side of the road. What they are offering us is to buy [the green portion here] without any wetlands for their purposes, which seems to take the argument away about the usefulness. We would have to go to the client: "We don't want to do this deal with you because we want to build a road there, and you have to give us half the road [Old Toms River Road]". Again, for purpose of discussion, we are probably scheduled to have an LOI done - probably in January. The other issue raised: This is now deemed to be in the type-one area where the buffer has to be greater than what you see here.

Hamilton Partners is under contract to buy a 1.25 acre portion from LIC. They want to expand their tenant's parking [Watchung Water - staging of stocked delivery trucks] at 1900 Swarthmore Ave. Their attorney is preparing a subdivision. Once this is done, the closing of title is anticipated.

At the LDC meeting yesterday, there was some discussion on property off Swarthmore Avenue, which is known as the airport hazard zone and consists of 29 acres. We received a request recently to buy or lease space there for bus storage purposes. We have two other school bus companies asking us for parking space. I suggested to the LDC that it could be a worthwhile UEZ program to actually build an access road that would, in fact, generate money from the lease of those lands for the type of purposes we are talking - storage and so forth - since there are limitations on the property. I would like to hear your comments on this matter.

Mr. Golub: Will it be limited to transportation vehicle storage? To put tractor-trailers, because throughout the town, you always see trailers parked. I'm not advocating, but independent truckers need someplace to park. He drops off his truck, gets in his car, goes home for the week-end, comes back Monday morning and takes the truck and does what he has to do.

Mr. Corby: Normally in other towns I know an individual will pay the town \$200-\$250 a month.

Mr. Golub: A lot of the storage facilities are doing it now. I just think is a big plus. It has to be properly monitored lit, etc.

Mr. Corby: That is certainly a valid UEZ project, in terms of approval.

Mr. Cunliffe: I'm also aware of Mr. Coles having discussion with one or two of the people on police department and they were talking, because you can't build anything of any height there because of the airport hazard zone, that they would like perhaps buy, lease property over there for police impound yard. We generally run out of room for cars that are involved in accidents and they end up here choking this parking lot up. So that is another proposal that may come your way, are you aware of that?

Mr. Corby: We have been advised of that and we picked several locations; this was one of them. In each case we would have to go in and do improvements and I think this is a case where the UEZ and the LIC can work hand in hand.

Dr. Eisenberg: Will a police storage yard still generate income for us?

Mr. Cunliffe: Yes, lease income.

Dr. Eisenberg: I think that is a good concept.

Mr. Cunliffe: I wonder, Mr. Corby, is whether we have enough land if we could do a mix, because Mr. Golub brings up a good point. We often get complaints from residents about people who park commercial vehicles. You tell them they can't park overnight so, what are they going to do with their rig? We get complaint from people by High Point that guys come in the night before and they line Prospect Street, and they keep their rigs running all night long. Now you have the fumes and sounds all night from vehicles waiting to get into the industrial park. Maybe, if we had an area that would need security and patrol, and in the industrial park and away from residences, this would resolve the problem.

Mr. Golub: Brick Town has been very successful with having a small car shack 24 hours a day, right near Parkway Exit 91 in back of the firehouse. They have a small, very modest vending area where people can grab a cup of coffee or snack. You can get weekly, monthly or yearly permits for a fee.

Mr. Corby: We have interest from a factory-direct bus sales operation company that needs storage space. There are two policies to consider: whether we should sell this (and I don't believe we should) or if we should lease the property.

Mr. Silberberg was concerned whether the 29 acres were developable with respect to constructing a building; the Commissioners discussed the height restrictions that the FAA has imposed, basically making the land un-buildable. To assure Mr. Silberberg further regarding the FAA position, they asked Mr. Albert to bring back up-dated written documentation from the FAA re-stating their position on the matter of height restriction.

More discussion followed on this matter. In conclusion, the Commissioners agreed that leasing this property for commercial vehicles would be a great stream form of revenue. That it could sustain the Commission during and between land sales.

Mr. Corby: There is a draft [meeting] schedule for 2006. If everybody would look that over we could probably adopt it in December. If anybody has any problems with it, please let us know.

One other matter in the agenda is Resolution #051101 for replacement of our previous lobbying group with Princeton Public Affairs Group; this contract will be for the remaining two months of the year [2005], because we haven't adopted a new budget. This money is already in our budget.

Discussion followed on the matter regarding the duties and functions of the lobby firms and what they do for the township.

ATTORNEY'S REPORT: In Closed Session

CLOSED SESSION:

The following Resolution was offered to move the meeting into closed session. By Mr. Golub/Mr. Albert/ 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:
 - CONTRACT NEGOTIATIONS
 - PERSONNEL
 - LITIGATION (impending)
 - OTHER
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 1:06PM

The Meeting returned to Open Session upon passage of a motion by Mr. Golub/Albert and carried at 1:40PM

Lakewood Industrial Commission to Parkway Lodging: Mr.Golub/Mr. Albert - Motion to grant the additional 4- month extension at a new rate of \$16,666.66 beginning December 9th and then at the conclusion of the 4 month period, if an additional extension is requested, the Commissioners will further entertain a re-appraisal of the value of the property.

On Roll Call:

Commissioner	Aye	Nay	Abstain
Albert	X		
Eisenberg	-		
Golub	X		
Katz	-		
Kokes	-		
Silberberg	X		
Gonzalez	X		

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

Offers from Preferred Enterprises and Factory Direct Bus Sales. Inc to purchase property

Mr. Golub/Mr. Albert -Motion direction the Executive Director to inform Preferred Enterprises LLC, and Factory Direct Bus Sales. Inc. that the LIC has an interest in leasing land for their purposes versus a sale of land.

On Roll Call:

Commissioner	Aye	Nay	Abstain
Albert	X		
Eisenberg	-		
Golub	X		
Katz	-		
Kokes	-		
Silberberg	X		
Gonzalez	X		

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

At this time Mr. Cunliffe excused himself and exited the room

RESOLUTIONS:

Resolution # 051101 - Awarding Professional Services contract for Interim Legislative Consulting Services to Princeton Public Affairs Group Inc. for the period of November and December 2005 at a fee of \$1,250 per month.

Motion by Mr. Silberberg/Mr. Golub to offer Resolution #051101 for adoption.

On Roll Call:

Commissioner	Aye	Nay	Abstain
Albert	X		
Eisenberg	-		

Golub	X
Katz	-
Kokes	-
Silberberg	X
Gonzalez	X

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

Resolution # 051102 - Amending Resolution #050501 (authorizing the award of professional survey services awarded to Owen, Little an Associates for performance of boundary delineation relative to a tract within the Northeast Parkway Acquisition Area in an amount not to exceed \$5,500.00). Due to certain circumstances, this project incurred additional time/man-hours for completion. This resolution shall reflect an increase of the contract to an amount not to exceed \$7,000.

Motion by Mr. Silberberg/Mr. Golub

On Roll Call:

Commissioner	Aye	Nay	Abstain
Albert	X		
Eisenberg	-		
Golub	x		
Katz	-		
Kokes	-		
Silberberg	X		
Gonzalez	X		

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

CORRESPONDECE: NONE

COMMITTEE REPORTS: NONE

OLD BUSINESS: NONE

NEW BUSINESS: NONE

COMMENTS FROM THE PUBLIC: NONE

ADJOURNMENT:

Mr. Golub/Mr. Silberberg-- Motion to adjourn. Carried

Meeting Adjourned at 1:47PM

Dated: November 22, 2005

by

Gidaly G. Cruz

Recording Secretary

[Reviewed] by Anita B. Doyle,

Secretary- Designee