

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES
OPEN SESSION
MEETING OF: DECEMBER 7, 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, December 7, 2005 at 12:21 PM by Vice Chairman David Eisenberg.

ROLL CALL:

Presiding: Vice Chairman Eisenberg
Present: Commissioners Bertram Albert, William Doyle, and Shlomo Katz
Absent: Chairman Jeff Golub; Commissioners Charles Silberberg and Jan Kokes
Also in attendance: Mr. Corby, Mr. Delanoy, Liaison Charles Cunliffe, Anita Doyle, and Gidaly G. Cruz

APPROVAL OF MINUTES OF: October 25, 2006

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

STATEMENT OF ACCOUNTS: December 7, 2006

Mr. Katz/Mr. Doyle– Motion to accept the Statement of Accounts as presented. Carried.

BILL LIST: December 7, 2006

Mr. Katz/Doyle– Motion to pay the following Bills (Items # 2101-2109):

Number, Name, Memo, Paid Amount

2101	Acculmage Typesetting & Design, Inc. Marketing and PR services Oct-Nov 2006 \$ (7,000.00)
2102	Anita B. Doyle Adm of Accts; Replenishment of Petty Cash \$ (535.03)
2103	Avalon Risk Management, Inc. FTZ #235 - Bond Fee and C4 Policy Payment Acct#FTYZ2043 \$ (550.00)

- 2104 Lakewood Chamber of Commerce
11/14/06 (4); 12/6/06 (2)- Registration
\$ (440.00)
- 2105 MODC
11/29/06 registration R. Corby
\$ (10.00)
- 2106 MONOC FCU Acct# 2009183-6
Car Allowance - December 2006
\$ (350.00)
- 2107 Princeton Public Affairs Group, Inc.
Legislative Consultant - November, December 2006
\$ (5,000.00)
- 2108 Secare, Delanoy, Martino & Ryan
Legal Services-Month of October 2006
\$ (1,520.00)
- 2109 Watchung Spring Water Co., Inc.
Acct # 127214 Spring water
\$ (47.22)
- \$ (15,452.25)**

On Roll Call:

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

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

EXECUTIVE DIRECTOR'S REPORT:

Mr. Corby: We are receiving bids on the 13th of December on the property next to Jesel known as Block 1608, Lot 2. At the January meeting we can take some kind of official action on the proposals received. We have a resolution regarding the Master Plan and the stance that we took last month. The LDC met this past month and we would like to re-adopt this resolution so both of the agencies take a united stand. There has been a suggestion that certain areas that are now in the business zone and in the Franklin Street Redevelopment area be re-zoned exclusively for Mid-Rise apartment use. The position should be that it shouldn't be exclusively a Mid-Rise Zone but a mixed use zone. That serves everybody's purposes.

Mr. Cunliffe: Over by the Parkway and Rt. 70 the underlying business zone will still be in effect. It is a new concept that is called an overlaid zone. So the business zone will still be in effect over by the Parkway and Rt. 70.

Dr. Eisenberg: We don't want the industrial zone to be eaten up little by little because we only have an 'X' amount of land.

Mr. Corby: Well, that was what was proposed as an exclusive Mid-Rise Zone and we are objecting to that. What we are suggesting is as part of something like the Franklin Street Redevelopment plan it is acceptable to include Mid-Rise as long as there are other comparable uses going on.

Mr. Albert: Everything North of Rt. 70 is industrial park; so why are we putting housing there?

Mr. Cunliffe: I'm not telling you to support it. I'm just advocating. If you guys decide that that's a bad idea, then you can certainly have a different position than the LDC.

Mr. Corby: This was discussed, and I think the real objection is that it's being recommended that the use be "exclusive". And that's why the LDC objected too. The other uses currently there should continue to be allowed either as a conditional use or as an overlay; we can have mid-rise apartments but in the context of some greater project, not exclusively.

Dr. Eisenberg: But don't you think it is a conflict with Mid-Rise apartments and an industrial zone? Shouldn't we try to preserve this industrial zone for the ratable and employment for the community?

Mr. Doyle: Well, I think we should go on record. Recommending something by just generally going along with this doesn't sound like the right route for us to take as a group. My own feeling is that we have enough residential property going up in this town and we need a balance and that balance is - industrial, and we have the zone for industrial; and I think we should encourage maintaining it. So, it is my recommendation that we officially take a stand on it.

Mr. Silberberg arrived at 12:37PM

Mr. Cunliffe: Mr. Doyle, are you saying that you're not satisfied with the mixed use? That you want it to remain business and industrial only?

Mr. Doyle: That's right.

Mr. Cunliffe: Then that is something you guys will need to discuss.

Mr. Doyle: If you are always willing to give them the alternative of anything that you want in there, they are not going to put the effort to try.

Dr. Eisenberg: I think, what Mr. Doyle is suggesting is for the benefit of the whole town as far as taxes, employment, etc.

Mr. Albert: Why don't you put it in a form of a motion.

Mr. Doyle: I make the motion; I move that we go on record as recommending that we stick to the existing zoning.

Mr. Albert: I second that.

Mr. Katz: My feeling is that, the Master Plan committee did whatever they did; and we sort of fell out of the loop on that. I think what the proposed resolution of the area becoming a mixed use is probably the best compromise possible; that we are sort of not taking a position on the mid-rise, we are not promoting it, we are not saying we are not against it, but on the other hand, we want to make sure that we are not going to lose the industrial zone. I think that rather than take an extreme position one way or another, to kind of leave it out in the open.

Dr. Eisenberg: I don't think it is an extreme situation.

Mr. Albert: I want to call a vote:

Mr. Doyle /Mr. Albert– Motion recommending to the Lakewood Planning Board that the areas slated to become “Mid Rise” in the Lakewood Master Plan remain in its capacity as the existing zone of B5.

On Roll Call:

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

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

Mr. Corby: On the other matter of the Director's report, The LIC budget, we will be today adopting the temporary budget which is 25% of last year's budget so that we can operate into January when we can take a formal vote on the final draft of the budget.

Franklin Street Redevelopment area - you should know that the LDC is purchasing, from the NJ Housing Mortgage authority, a parcel in the area.

Mr. Golub arrived at the meeting at 12:45 PM

Mr. Corby: As to the roadway repaving project that will be going out to bid probably this month, I would suggest that in early spring would be the time where the actual work will be started to be done in the industrial park. That includes the area that was noted before, including the Airport Road.

Mr. Golub: I would like to make comment on that as well putting restriction on any road openings. Other towns have done it. To insure the integrity of the roadway as long as possible, they have put a moratorium on road openings.

Further discussion followed. In conclusion, the Commissioners asked the attorney, Mr. Delanoy, to check on the ordinance and review the laws regarding the moratorium and who enforces this law. Mr. Delanoy agreed to research the information and get back to the Commissioners for next meeting.

ATTORNEY'S REPORT:

Mr. Delanoy: The only matter I have right now is the Stamos and Sommers matter. The contract was forwarded to Stamos and Sommers on November 2nd . We still haven't received the executed contract back. We spoke to the attorney for Stamos & Sommers, Donna Thompson, and she advises that the contract has not yet been executed because they are awaiting confirmation from the DEP as to whether this is going to fly. So they sent the contract to the DEP basically to indicate that the LIC was ok with this, and if so, we will sign off. They haven't yet received their answer from DEP. As soon they hear from them, they will be in a position to execute the contract and we can move forward. That's all I have at this time.

CORRESPONDECE:

Mr. Golub: I attended a Planning Board meeting where they were discussing the proposed conceptual idea of the Master Plan Advisory Board and the adoption thereof. I spoke out about the Franklin Street Redevelopment Area, the surrounding areas and the Oak Street Landfill area. I asked that the minutes of this meeting to be forward to Mr. Corby's office so that everybody knows what I said when I spoke on behalf of all of us.

Mr. Cunliffe: Mr. Golub, I'm not sure when exactly you walked in, but just that you know, Mr. Doyle made a motion and Mr. Albert seconded it. They changed the position [of the LIC]; they strictly would like to stay industrial over in that area.

Mr. Golub: Ok, thank you. Hopefully, you will receive the minutes and I would like that to go into the next meeting so that everyone will understand what I said.

Mr. Corby: If you remember, last month we took a position and adopted a resolution. I went to the Planning Board and left the record open stating what position was adopted. Subsequently, they re-stated their position.

Mr. Golub: I also spoke to two people on the Master Plan Advisory Committee and spoke

to them about the fact that the Industrial Commission was being cut out of the loop with the changing of the uses in certain areas industrial-related which was in poor taste. Both individuals assured me that Mr. Corby's entire staff attended or were invited numerous times to attend the meetings. I said someone is at a deficit of the truth, and, I don't believe, they are the people that I sit in meetings with once a month.

Mr. Corby: For the record, I was asked to attend one meeting of the advisory group; I attended and I believed I reported that.

Mr. Golub: is exactly what you told me.

Mrs. Doyle: I also attended with you on behalf of the Chamber of Commerce.

Mr. Corby: And I haven't received any other request either formally or informally to attend.

COMMITTEE REPORTS: NONE

OLD BUSINESS:

Mr. Cunliffe: On the Oak Street Landfill, and regarding the area of land east and west of the Parkway; being the we have a lobbyist, is there any way we can use the lobbyist and ask him to bring the Commission some contacts of businesses. Maybe we can get prime high-end outlet malls, if this commission would be interested in something like this.

Mr. Corby: You may have noticed that there are some issues going on in Manchester and Toms River with respect to Wal-Mart and it has come to my attention that they can't build there because of issues regarding the pine snake. There is already discussion, as of this week, that might be something imminent.

Discussion followed with regard to the Oak Street Landfill area. The Commissioners all liked the idea of having a Wal-Mart and prime, high- end strip mall developing. They agreed to check with the lobbyist for more information regarding the matter.

NEW BUSINESS: NONE:

CLOSED SESSION: NONE

CONSENT AGENDA RESOLUTIONS:

- **061201 Resolution establishing the meeting dates of Industrial Commission meetings for the calendar year 2007.**

Mr. Albert/Doyle– Motion to accept the Resolution # 061201:

On Roll Call:

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

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

RESOLUTIONS – NON CONSENT:

- **061202 Resolution Authorizing 2007 temporary budget appropriation to be effective January 1, 2007 and remain in place until the permanent budget is adopted.**

Mr. Golub/Mr. Doyle – Motion to accept Resolution 061202

On Roll Call:

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

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

COMMENTS FROM THE PUBLIC: NONE

COMMENTS FROM THE COMMISSIONERS:

Mr. Cunliffe: Before I go, I just wanted to wish you all Happy Holidays and a good New Year. I don't know whether or not next year's administration will appointment me to the LIC or not. But let me tell you all that it has been a pleasure to serve as your liaison this year. I wish you the best of luck for next year; thank you for working with me and doing the work you do for the Township. It is greatly appreciated.

The Commissioners also thank Mr. Cunliffe.

Mr. Golub: Anita has an invitation you from my company, Mr. Silberberg & Mr. Katz, if you would like to be in attendance, please let me know. I would provide the appropriate food for you. It is this Saturday evening at Yakkety Yak Café in Seaside Heights.

ADJOURNMENT:

Mr. Albert/Dr. Eisenberg— Motion to adjourn. Carried
Meeting Adjourned at 1:10PM

Dated:December 8, 2006

by

Gidaly G. Cruz

Recording Secretary

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