

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES
OPEN SESSION**

MEETING OF: FEBRUARY 23, 2011

Adequate Notice of this meeting was provided in accordance with the OPEN PUBLIC MEETINGS ACT, P.L. 1975, c. 231.

1 The meeting was called to order at 12:15 PM by Chairman Robert Kirschner.

2
3 **ATTENDANCE:**

Presiding:

Chairman Robert Kirschner

Present:

Commissioners Neil Brooks, Justin Flancabaum,
Shlomo Katz, and Gregory Stafford-Smith

Absent:

Commissioners Jeffrey Golub and Charles Silberberg

Also in attendance:

Executive Director Steven Reinman, Secretary-Designee Anita B. Doyle, Attorney Sean Gertner, Township, Publicist Frances Kirschner

4
5 **MINUTES:**

6 **Meeting of December 8, 2010 – Motion by Flancabaum/Katz** to approve the minutes of
7 December 8, 2010. Attorney Gertner clarified that a quorum of the members eligible to vote
8 suffices in authorizing approval of minutes.

9 **On Roll Call:**

Commissioner	Yea	Nay	Abstain
Brooks, Neil			X
Flancabaum, Justin	X		
Golub, Jeffery	-	-	-
Katz, Shlomo	X		
Silberberg, Charles	-	-	-
Stafford-Smith, Greg			X
Kirschner, Robert	X		

10 Motion carried by majority of members eligible to vote.

11
12 **January 26, 2011 meeting – Motion by Stafford-Smith/Flancabaum.** Carried.

13
14 **STATEMENT OF ACCOUNTS**

15 The Statement of accounts was presented for review by the Commissioners.

16 **Motion by Katz/Flancabaum** to accept the Statement of accounts dated February 23, 2011 as
17 presented. Carried.

18 Mr. Katz: Has anyone communicated to the Township that funds may not be available to
19 continue contracts for services?

20 Mr. Reinman: Yes, a lot of contractual obligations will have to be transferred to the Township.
21 Website maintenance costs will be significantly reduced in 2011 after the new Website is
22 constructed and underway. Much of the work will be done in-house.

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24 **BILL LIST:**

25 The following Bill List was presented for payment approval; the funds to be drawn from
26 Industrial Commission Budgeted Funds:

Num	Name	Memo	Bill Amount
2577	Bathgate, Wegener & Wolf, PC	Legal Fees January 1 2010 - January 31, 2010	\$ 284.04
2578	Frantasy Enterprises, LLC	Marketing and Public Relations Services provided month of February 2011	\$ 2,000.00
2579	Greater Media Newspapers	Printing of Public Notice - Legal Advertisement - 2011 Lakewood Industrial Commission Meeting Sc...	\$ 42.90
2580	Israel Reinman	Executive Director's Car Allowance - February 2011 and Reimbursement of out of pocket expenses	\$ 466.61
2581	Anita B. Doyle	As Administrator of accounts - Month of February 2011	\$ 400.00
2582	Upper Level/BP Graphics	Invoice 129930 - Website Maintenance November-January 2011	\$ 4,000.00
2583	Watchung Spring Water Co., Inc.	Acct # 127214 Meeting Refreshment and supplies	\$ 279.71
2584	Greenwald Caterers	EXPO 2011 Hall Rental (from 2010 EXPO profits to be used as seed monies)	\$ 2,000.00
BILL LIST TOTAL:			\$ 9,473.26

27

28 **Motion by Katz/Stafford-Smith** to approve payment of items # 2577-2584.

29 **ON ROLL CALL:**

Commissioner	Yea	Nay	Abstain
Brooks, Neil	X		
Flanbaum, Justin	X		
Golub, Jeffery	-	-	-
Katz, Shlomo	X		
Silberberg, Charles	-	-	-
Stafford-Smith, Greg	X		
Kirschner, Robert	X		ABSTAIN FROM # 2578

30

This Motion carried by majority vote.

31

32 **EXECUTIVE DIRECTOR'S REPORT:**

33 ***Stamos/Sommers Matter:***

34 This office is continuing to work through the channels. A technicality is holding up a conclusion
35 to this ongoing matter. Matter will be followed.

36

37 ***NJDEP Sewer Service Area – Water Quality Management Plan.***

38 County will present maps of 17 towns at a meeting in March/April. There is a problem with
39 them. Lot 2 in Block 1608 (Cedar Bridge Avenue) is being included in the map for sewer. DEP

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40 is not in favor of septic installed in environmentally-sensitive areas. This lot is back in the map
41 for review.

42
43 **ATTORNEY’S REPORT:**

44 Attorney Gertner reported that he will be advising on matters in Closed Session.

45
46 **CORRESPONDENCE:**

47 Correspondence received will be reviewed in Closed Session under the heading of Contract
48 Negotiations and Litigation

49
50 **COMMITTEE REPORTS:**

51 Chairman reported that standing committees will be assigned for 2011. Site Plan committee will
52 be appointed immediately to review the site plan received. There is a Site Plan for review that
53 was just received by the office re: SP# 1948 Yeshiva Orchos Chaim, 725 Vassar Avenue.

54
55 **OLD BUSINESS:** 2011 Lakewood EXPO – Planning is active. Deposit for hall rental is on
56 the 2/23/11 bill list. The funding for the deposit was obtained from profits from the previous two
57 Expos (rolled over for seed funding). Mr. Reinman added that so many of the small businesses in
58 town are involved with online presence. Suggestion to take one of the rooms to dedicate to
59 “online” businesses.

60
61 **NEW BUSINESS:**

62 Chairman’s Subcommittee appointments.

63 Gregory Stafford-Smith was appointed to Chair the Site Review Committee

64
65 The following **Resolution was offered by Stafford-Smith/Flanbaum** and carried to move the
66 meeting into Closed Session under the qualifying reasons of CONTRACT NEGOTIATIONS
67 and LITIGATION:

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

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

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

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

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

78 **CONTRACT NEGOTIATIONS**

79 **PERSONNEL**

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80

LITIGATION



81

OTHER



82

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.

83

84

85

86

4. This resolution shall take effect immediately.

87

88

The meeting moved into Closed Session at 12:40 PM

89

• • •

90

On a **Motion by Katz / Stafford-Smith** and carried, the meeting returned to Open Session at 1:03 PM

91

92

93

Stafford-Smith / Flancbaum – Offered a Resolution to grant Organic Diversion a thirty day extension from February 18, 2011 within which to perform necessary due diligence.

94

95

ON ROLL CALL

Commissioner	Yea	Nay	Abstain
Brooks, Neil	X		
Flancbaum, Justin	X		
Golub, Jeffery	-	-	-
Katz, Shlomo	X		
Silberberg, Charles	-	-	-
Stafford-Smith, Greg	X		
Kirschner, Robert	X		

96

This resolution hereby being duly adopted by the Lakewood Industrial Commission.

97

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98 **RESOLUTION # 110201** – Resolution Memorializing the appointment of the firm of Gertner,
99 Mandel & Peslak, LLC to provide Legal Services to the Lakewood Industrial Commission for
100 the year 2011.

101

102 **Flanbaum/Stafford-Smith** – Motion to adopt Resolution # 110201.

103 ON ROLL CALL:

Commissioner	Yea	Nay	Abstain
Brooks, Neil	X		
Flanbaum, Justin	X		
Golub, Jeffery	-	-	-
Katz, Shlomo	X		
Silberberg, Charles	-	-	-
Stafford-Smith, Greg	X		
Kirschner, Robert	X		

104 This resolution hereby being duly adopted by the Lakewood Industrial Commission.

105

106 Letter from the NJTPA (New Jersey Turnpike Authority) advising of work being performed in
107 preparation for completion of the 4-way interchange (Route 70 / Cedar Bridge Avenue). They
108 anticipate a spade in the ground in 2012.

109

110 **Flanbaum/Stafford-Smith** – Motion to adjourn the meeting. Carried.

111

112 Meeting was adjourned at 1:10 PM

113

114 Dated: March 18, 2011

by Anita B. Doyle, Secretary-Designee