

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES
OPEN SESSION**

MEETING OF: March 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 12:12 PM by Chairman Robert Kirschner.

2

Presiding: Chairman Robert Kirschner
Present: Commissioners Neil Brooks, Justin Flancabaum
and Gregory Stafford-Smith

Absent: Commissioners Jeffrey Golub, Shlomo Katz and
Charles Silberberg

Also in attendance: Executive Director Steven Reinman, Secretary-
Designee Anita B. Doyle, Attorney Sean Gertner,
Township, Township Engineer Jeffrey Staiger,
Publicist Frances Kirschner

3

4 **APPROVAL OF MINUTES OF THE FEBRUARY 23, 2011 MEETING:**

5 **Flancabaum/Stafford-Smith – Motion to approve the minutes as written. Carried.**

6

7 **STATEMENT OF ACCOUNTS:**

8 Anita Doyle reviewed the Statement of Accounts with the Commissioners. Interest received on
9 LIC accounts is negligible. The remaining balances of the accounts are very low.

10

11 Mr. Reinman added that if no changes of circumstances are imminent, we should consider
12 freezing the spending lines and transfer Lakewood Township obligations to the Township.

13

14 Mr. Stafford-Smith suggested that we should send notification to the Township in writing. It was
15 agreed that by May, we should have a better idea of our financial health.

16

17 **Flancabaum/Brooks – Motion to accept the Statement of Accounts as provided. Carried**

18

19 **BILL LIST:**

20 The following bills were presented for payment approval to be paid from Industrial Commission
21 budgeted funds:

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
2585	Frantasy Enterprises, LLC	Marketing and Public Relations Services March, 2011	\$ 2,000.00
2586	Frantasy Enterprises, LLC	Marketing and Public Relations Services April, 2011	\$ 2,000.00
2587	Anita B. Doyle	as Administrator of Accounts - March & April 2011	\$ 800.00
2588	Israel Reinman	Car Allowance - March & April 2011	\$ 800.00
2589	Dell, Inc.	Purchase of Main Office Equipment - Dell Vostro V130 includes Office Pro 2010, Case, External DVD Drive, Wireless Logitech Mouse	\$ 1,228.46
2590	Gertner Mandel & Peslak, LLC	Inv# 30444 & 30445 Professional Services through 2/28/11	\$ 790.00
Bill List Total:			\$ 7,618.46

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- 22 **Stafford-Smith/Flanbaum – Motion to pay items 2585-2590 from the Lakewood Industrial**
23 **Commission’s checking account (*****5890).**
24 On Roll Call:

Commissioner	Yea	Nay	Abstain
Brooks, Neil	X		
Flanbaum, Justin	X		
Golub, Jeffery	-	-	-
Katz, Shlomo	-	-	-
Silberberg, Charles	-	-	-
Stafford-Smith, Greg	X		
Kirschner, Robert	X	-	Abstain from vote on # 2585 & 2586

25 Motion carried by approval of majority of members eligible to vote.

26

27 **EXECUTIVE DIRECTOR’S REPORT:**

28

29 **1.** The *OPEN PUBLIC MEETINGS ACT* is in the process of undergoing changes.
30 Mr. Reinman deferred to the attorney to review the changes proposed and how they may
31 affect Lakewood Industrial Commission business.

32

33 **2. *LAKWOOD AIRPORT***

34 The Director of Lakewood Airport is following through in Grant projects that have
35 already been approved by the Federal Aviation Administration (FAA) and NJ
36 Department of Transportation (Aviation Division)

37

38 The Environment Assessment (EA) report has been presented. There is no knowledge of
39 objections from the public. Waiting for issuance of a final letter regarding the Pine Snake
40 matter.

41

42 The active projects at this time include:

43

- 44 • Lighted Wind Cone
- 45 • AWOS has been installed (Automated Weather Observing System). Mr. Reinman
46 advised that Commissioners that he would provide the web page to access the
47 Weather information relative to Lakewood Airport and other airports having this
48 system installed
- 49 • REILs (Runway End Illumination Lighting). Once the Environmental Assessment
50 is complete and hopefully lands will be deemed as non-sensitive, runway end
51 lighting can be installed.
- 52 • Helipad (Design Phase and Permitting) – we are in negotiation with a Helicopter
53 Service Operator to come and base out of Lakewood Airport.

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54 Next will be the Land Release that would open up “other” lands for development. These
55 lands being considered “prime” lands fronting on the Garden State Parkway lands (Exit
56 89 and new southbound entrance system).
57

58 **3. INFRASTRUCTURE PLANNING GROUP** (Future Planning – Utilities):

59 Recently, meetings have taken place with JCP&L to get them into the scope.
60 Water/Sewer: Strides have been made regarding changing of practices. By the next
61 meeting, we may have news on new infrastructure. Mr. Stafford-Smith noted that if they
62 continue this relationship, they could use the process as a benchmark for other locations.
63

64 **ATTORNEY’S REPORT:**

65 Mr. Gertner: Lakewood Industrial Commission is an independent agency but follows
66 Municipal Guidelines.

67 Upcoming changes to the **Open Public Meetings Act** (Sunshine Law) include:

- 68 • The requirement to *store* certain records and (recording) tapes. There is no
69 requirement to tape meetings, but if the meetings are recorded, the medium must
70 be stored and presented upon request.
71

72 Mr. Gertner made the recommendation: Until the Township makes a global change in
73 their policies, we should not be the first (to stop recording our meetings). The cost factor
74 of storage will eventually become prohibitive to all and global changes will eventually
75 take place.
76

77 **Coni-Seal** correspondence will go out regarding some of the findings following an on-
78 site inspection of the property that they are requesting to be released from Lease. It is
79 imperative that the property be returned to the Lakewood Industrial Commission in its
80 original condition. It was suggested that perhaps we leave the pavement that was installed
81 on the property for use by the next occupant of the building.
82

83 Comment included: (1) did they construct the paved area for parking without proper
84 permits? It was recommended that Planning Board files be reviewed for the Planning
85 Board resolution and conditions of Coni-Seal’s expansion project in 1997 (SP#1471).
86

87 **Stafford-Smith/Flancbaum - Motion to authorize the Executive Director to generate**
88 **correspondence to Coni-Seal and upon OK by the Chairman, the letter can be**
89 **released.**
90

91 **CORRESPONDENCE:**

92 **Iorio Construction: Letter of objection** to the placement of schools in the Lakewood
93 Industrial Park was reviewed as to content. It was deemed by the Commissioners that no
94 formal response to Mr. Iorio was necessary. Mr. Reinman indicated that discussions are
95 underway to develop alternative sites for schools so as not to break up the “heart” of

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96 Lakewood's commercial areas. Mr. Stafford-Smith added that there are serious safety
97 issues in having schools in the middle of large truck/industrial traffic. There needs to be a
98 review and insight into the overall picture of what would develop. Industrial Park activity
99 is not conducive to operation of schools. Questions were posed as to what happened to
100 development of proposed school zones.

101
102 The matter should be analyzed further to identify that truck traffic should not compete
103 with bus, children and pedestrian traffic. There needs to be a proactive approach taken to
104 help find other areas where very large schools can locate and operate.

105
106 Suggestion that there be established a new infrastructure group to come up with a
107 solution. There exist safety issues. These existing safety issues discourage relocation of
108 new businesses to the Lakewood Industrial Park.

109
110 It was commented upon that this school is the biggest school in town. The location of
111 schools is a permitted use in all zones in Lakewood which means that it is also permitted
112 in the industrial park. We shouldn't take an adversarial stance. Leave it up to the
113 professionals to plan a suitable solution.

114
115 Another concern was: how do we protect the assets of the industrial community?

116
117 Comment: At some point, someone needs to make a decision. The intersection at Cedar
118 Bridge Avenue and Oberlin Avenues contains a huge traffic issue at this time.

119
120 Recommendation: We generate a letter addressed to the Township Committee advising
121 that such a letter (Iorio's) was received and to offer to assist the town in proactively
122 planning for safety and the maintenance of the integrity of the industrial zone and
123 industrial community.

124
125 Discussion continued.

126
127 There was discussion of the issue of allowing schools to locate on upper floors of
128 industrial facilities (hazardous materials may be used in processes on the ground level
129 plant). This issue should be deferred to Township professionals.

130
131 **Stafford-Smith/Brooks- MOTION to generate correspondence to the Township**
132 **Committee reflecting that the LIC received a letter from Iorio Realty identifying an**
133 **issue and indicate that the LIC is willing to form a committee to develop a proactive**
134 **way to direct future activities and plans for development in the industrial zones.**
135 **That the LIC has a fiduciary obligation to maintain the integrity of the industrial**
136 **parks. Attach Iorio's letter as part of the support documentation. Motion is Carried.**
137

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COMMITTEE REPORTS:

(1). Site Review Committee – GSS, Committee Chairman

Northern Ocean Recycling Center Courtesy Site Plan. Mr. Stafford-Smith referenced that we suggest that they (Ocean County) utilize shared services instead of building a new wash facility as indicated on the site plan. This sharing of services would stop the duplication of expenses if they could utilize the John Franklin facility / Lakewood DPW. It was clarified that the County is under no obligation to abide by local recommendations. The Plan was provided only for a courtesy review.

- The LIC recommends the entering into shared services.
- Ask the Director to reach out to the County and see what efforts have been made regarding use of shared services.
- Contact Public Works to see what they say about a contract with the County.
- Mr. Reinman will make phone calls to Ocean County and DPW

[FINAL DETERMINATION ON THE MATTER: CONTACT WAS MADE WITH BOTH ENTITIES BY MR. REINMAN AND IT WAS DETERMINED THAT THE JOHN FRANKLIN FACILITY COULD NOT HANDLE THE COUNTY'S PURPOSES REGARDING THE VEHICLE WASHING NEEDED]

OLD BUSINESS

SUBCOMMITTEE APPOINTMENTS FOR THE YEAR 2011.

Mr. Kirschner made Chairman's appointments to the LIC's subcommittees for the year 2011 as follows:

Finance Committee:	<i>SHLOMO KATZ Justin Flancbaum Neil Brooks</i>	Committee Chairman
Site Review Committee:	<i>GREG STAFFORD-SMITH Shlomo Katz Jeff Golub</i>	Committee Chairman
Client Review Committee:	<i>JUSTIN FLANCAUM Greg Stafford-Smith Neil Brooks</i>	Committee Chairman
Park Control, Signs, Advertising and Promotion	<i>NEIL BROOKS Charles Silberberg Jeff Golub</i>	Committee Chairman
Airport Management and Development	<i>JEFF GOLUB Charles Silberberg Neil Brooks</i>	Committee Chairman

160

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161 **PUBLIC COMMENTS:**

162 Fran. Kirschner (Frantasy Enterprises, 1400 W. Cross Street, Lakewood, NJ 08701)
163 updated the Commissioners on the upcoming LAKEWOOD REGIONAL BUSINESS
164 AND INDUSTRY EXPO taking place on July 21, 2011 at Lake Terrace, 1690 Oak
165 Street, Lakewood, NJ
166

167 The following resolution was offered by Brooks/Flanbaum and carried, moving the meeting
168 into **Closed Session:**

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

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

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

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

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

- | | | |
|-----|------------------------------|-------------------------------------|
| 179 | CONTRACT NEGOTIATIONS | <input checked="" type="checkbox"/> |
| 180 | PERSONNEL | <input type="checkbox"/> |
| 181 | LITIGATION | <input checked="" type="checkbox"/> |
| 182 | OTHER | <input type="checkbox"/> |

183 3. It is anticipated at this time that the above stated subject matter will be made
184 public only when the reasons for discussing and acting on them in closed session
185 no longer exists; said determination to be made by further resolution adopted by
186 the Industrial Commission.

187 4. This resolution shall take effect immediately.

188
189 The meeting moved into Closed Session at 1:15 PM

190

191 **On a MOTION BY Stafford-Smith/Flanbaum and carried, the meeting returned to Open**
192 **Session at 1:28 PM**

193
194 **Flanbaum/Stafford-Smith – MOTION to adjourned the meeting. Carried.**

195
196 Meeting adjourned at 1:29 PM.

197
198 Dated: 5/3/11 by: ANITA B. DOYLE
199 SECRETARY'S DESIGNEE