

**LAKWOOD INDUSTRIAL COMMISSION  
MINUTES  
OPEN SESSION  
ANNUAL REORGANIZATION MEETING OF: JANUARY 26, 2005**

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act, P.L. 1975, c. 231. by notice in both the Ocean County Observer and the Asbury Park Press, filed with the Lakewood Township Municipal Clerk and by posting of same upon the public bulletin board of the Lakewood Municipal Building.

The meeting was called to order Wednesday January 26, 2005 at 7:17 PM by Vice Chairman Shlomo Katz.

**ROLL CALL:**

Presiding: Vice Chairman Shlomo Katz  
Present: Mr. Albert, Mr. Golub, Dr. Eisenberg, Mr. Kokes, Mrs. Gonzalez and Mr. Silberberg  
Also in attendance: Mr. Corby, Mr. Delanoy, Anita Doyle, and Gidalty Cruz  
Guest: Hon. Raymond Coles, Liaison

**APPROVAL OF MINUTES OF:** December 21, 2004

MOTION TO Waive the reading of the MINUTES by Dr. Eisenberg - and seconded by Mr. Golub .Voice Vote [Carried]

**STATEMENT OF ACCOUNTS:** Dated January 26, 2005

Motion to accept the Statement of Accounts as prepared: Mr. Albert/Dr. Eisenberg: Voice Vote [Carried]

**ELECTION OF 2005 OFFICERS:**

NOMINATIONS ~

Chairman: Mr. Albert/Dr. Eisenberg: Nomination of Ms. Ada Gonzalez as Chairman.  
Chairman: Mr. Kokes/Mr. Silberberg: Nomination of Mr. Katz as Chairman.  
Mrs. Doyle: Close floor to nominations.

**On Roll Call:** To Nominate Mrs. Ada Gonzalez for Chairman

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

The motion for Acclamation by Mr. Albert, seconded by Dr. Eisenberg, Confirming the office of Chairman to Mrs. Ada Gonzalez.

On Roll Call: (The motion of Acclamation confirming Chairman to Mrs. Ada Gonzalez)

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

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

Vice Chairman: Albert/Kokes: Nomination of Dr. Eisenberg as Vice Chairman

Mrs. Doyle: Closed the floor to nominations.

**On Roll Call:** (To Nominate Dr. Eisenberg for Vice Chairman)

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

Secretary: Mrs. Gonzales/Mr. Kokes: Nomination of Mr. Jeff Golub as Secretary.

Mrs. Doyle: Closed the floor to nominations

**On Roll Call:** (To Nominate Mr. Jeff Golub as Secretary)

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

Assistant Secretary: Kokes/Katz: Nomination of Mr. Bert Albert as Assistant Secretary  
Albert/ Golub Closed floor to nominations.

**On Roll Call:** (To Nominate Mr. Bert Albert for Assistant Secretary)

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

The gavel was turned over to Chairman Ada Gonzalez to carry on with the business portion of the meeting.

The newly elected Chairman, Ada Gonzalez, expressed her thanks at being appointed Chairman. She promised to do her best with the help of all the Commissioners.

Hon. Raymond Coles, at this time, excused himself and left the meeting.

**EXECUTIVE DIRECTOR'S REPORT:**

Mr. Corby: The township committee has introduced an ordinance to transfer property in the Northeast Parkway Acquisition Area to the Industrial Commission so that we can negotiate a sale of the property located within. There will be a second reading and public hearing on the ordinance February 2nd. There is also another ordinance which clears title to one piece of the Hotel Property that will also be heard February 2nd. There is no access to the land within the Northeast Parkway Acquisition Area; it has been deemed landlocked. There is an interested party developing in Brick Town and they need tree save area as a requirement of the NJDEP. They may be interested in acquiring this acreage. We have gone through an appraisal of the property even though it is landlocked to provide a value. This appraisal indicates the value to be 95 to 100 thousand dollars an acre, and there are approximately 13 acres. We are not in negotiations yet but those are the circumstances. We are going to be preparing to discuss the matter further at our February meeting.

Mr. Corby introduced the proposed 2005 Industrial Commission budget.

Mr. Kokes: Last year it was it was \$782,000 and this year is \$471,000. I guess my question is, do we have enough money? We have our accounts balance as \$452,000 and our budget is \$471,000; the question is: are there more properties that we are going to close?

Mrs. Doyle: We have the Hotel property we are waiting to close. We have the \$200,000 deposit on that and the sale was \$2,000,000.

Mr. Kokes: My concern is that at some point we have to understand how much money we want to keep for how many years ahead so that we can operate, because you going to ask the township to fund half a million dollars for us and you know what were are not going to get it. If and when the Hotel property closes, we need to make a decision; do we keep two years of money for our budget, assuming it is \$500,000.00 a year? We are going to be hard-pressed to find money to operate.

Mr. Corby: Mr. Kokes is absolutely accurate in his observation. The principal of the Industrial Commission, unlike other forms of government, that this is a 'pay as you go' operation. This year is set and if these current contractual matters before us don't happen in the next budget year, there are going to be changes in the numbers and in the commitment. We had the privilege, in the previous years, to having a surplus that was given back to the municipality to reduce taxes and do the things planned by the town fathers. But the reality is that this is a 'pay as you go' operation. Working with both the manager and with our Committee, I can only say that we presented the budget with those assumptions included.

More discussion on the budget followed. In conclusion the commissioners agree to make a motion to adopt the budget.

Resolution ( #050107) adopting the Lakewood Industrial Commission budget for calendar year 2005 in the amount of \$471,515.00

Mr. Kokes/Dr. Eisenberg – Motion to accept the 2005 Budget

**On Roll Call:** To accept the Budget of 2005

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

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

Mr. Delanoy excused himself form the meeting 8:20PM and defer to Mr. Corby, any questions the Commissioners would have regarding his report.

Mr. Corby: In terms of the budget itself, I would like for everyone to understand that are going to continue to support the ESL (English as a Second Language Grant-Subsidy), the re-signage of the industrial park, the paving of the roads for the industrial park, there are some provisions for this things. We have talked about melding UEZ funds with the LIC funds and this gives us more leverage on each project. The UEZ now supports ESL program and is prepared to put up money for start paving road in the industrial park.

Mr. Corby: Manley Performance, who is currently a resident of the Park, wanted to buy a piece of airport right of way, for use in additional parking, which we agreed to do. They had difficulty in front of their building with parking. A lot of people would park there and it was causing a problem. Now the DEP proposed to enact a lifting of the coastal centers regulations, which had a 30% pervious coverage formula applied and they are increasing the formula to increase it to 80%. Manley finds that they can't meet the standards and, based on the major changes being imposed by DEP, they are requesting to withdraw from their project and, subsequently, from the project.

Mr. Katz: In reading their letter, it seems that they don't have a choice, they hit a stone wall.

Mrs. Doyle: The Manley situation right now is that they requested to cancel the contract and have the deposit money refunded as is part of the contract - that if they can't obtain a permit within a reasonable time, we will consider releasing them from the contract, and that is what they are asking.

Discussion followed and the Commissioner were of the mind to table this matter to next meeting where the attorney would be present and the Commissioners can discuss the matter with him.

Mr. Albert: What is the status of the Clayton application for the purchase of the lot?

Mr. Corby: There were two clients that were interested in the property. We already know who one client is; the other was urged in writing to send us a complete plan of their proposed development, and as of this date, we haven't received it. The other client was sent a letter giving asking them for an offer, we didn't receive an offer yet, but both clients know that there are other interested parties involved and they know what our minimum is. So that's the status of the property. We are waiting for an offer.

## **CORRESPONDENCE:**

Mrs. Doyle: We have correspondence from Hamilton Partners which is one of our contracted land purchasers for land to develop as parking. It is just a letter of status. He is not requesting anything. In your packages there is also correspondence relative to offers to purchase property that Mr. Corby was just discussing, With regard to Lot 2 in Block 1608, we have prospectively two clients that we are negotiating with. The next piece of correspondence was our response to Mr. Tajfel. We had granted him permission to add another pad to the site, but we did turn down his choice of tenants, so this is the letter informing him of that decision. I think Mr. Delanoy is preparing an amendment to the contract to reflect that we are going to allowed 3 pads on the site because our previous contract amendment reflected only 2 pads. And the last piece of correspondence was relative to an application for Project Tax Abatement filed by Lakewood Salem LLC that is the property known as the new Knipper facility located on New Hampshire Avenue and Salem Street. It is a brand new 180,000 SF facility. Basically, our correspondence reflects a general support as long as they comply and conform to all regulations.

**COMMITTEE REPORTS: NONE**

**OLD BUSINESS:**

Mrs. Doyle: The amended By-Laws were sent out to you first as a black-lined copy (showing the changes) and now as a final copy.

Motion by Mr. Albert/Mr. Kokes to accept the amendment to the By-Laws.

**On Roll Call:** To accept the amendment By-Laws.

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

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

**CLOSED SESSION: NONE**

**CONSENT AGENDA RESOLUTIONS**

RESOLUTION #s 050101, 050102, 050103, 050104, 050105 050106 and 050108 were presented for approval for consent approval.

Albert / Katz: Motion to accept Resolutions 050101 through 050108 [Carried]

**NON-CONSENT AGENDA RESOLUTIONS-**

- **050107** Resolution adopting the Lakewood Industrial Commission 2005 Budget of \$471,515.00

Albert/Dr. Eisenberg: Motion to adopt Resolution # 050107

**On Roll Call:**

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

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

- **050109** Resolution appointing the Administrator of Accounts and Secretary Designee for the year 2005

Dr. Eisenberg/Kokes: Motion to adopt Resolution # 050109

**On Roll Call:**

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

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

- **050110** Resolution authorizing the maintenance of a petty cash fund for the calendar year 2005

Kokes/Eisenberg: Motion to adopt Resolution # 050110

**On Roll Call:**

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

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

- **050111** Resolution authorizing the reimbursement of Executive Director's Expenses and Travel for the calendar year 2005

Eisenberg/Kokes: Motion to adopt Resolution # 050111

**On Roll Call:**

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

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

- **050112** Resolution authorizing industrial Commission's participation in a Lakewood Township Agreement legislative consulting services to the Stewart Agency (as an Unusual and Unspecifiable Service) in an amount not to exceed \$15,750.00.

Katz/Eisenberg: Motion to adopt Resolution # 050112

**On Roll Call:**

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

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

- **050113** Resolution to authorize the Lakewood Industrial Commission's participation in a Township project for Public Relations and Marketing services and Award to Accu-Image Typesetting and Design, Inc. a contract for provision of such Unusual and Unspecifiable Services in an amount Not To Exceed \$101,800.00.

Eisenberg/Golub: Motion to adopt Resolution # 050113

**On Roll Call:**

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

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

- **050114** Resolution authorizing the Lakewood Industrial Commission to enter into an agreement to provide a grant-subsidy to the LCSC's English as a Second Language Program in the amount of \$40,000 for the calendar year 2005.

Katz/Eisenberg: Motion to adopt Resolution # 050114

**On Roll Call:**

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

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



- **050115** Resolution authorizing the cancellation of the Contract by and between the Lakewood Industrial Commission and Manley Performance Products for the purchase of a 1.5 acre portion of lot 9 in Block 1606 and a return of the deposit of \$3,000 made to secure the contract. Reason for cancellation is the inability to obtain CAFRA permitting within reasonable time frames-circumstances' being applies beyond the control of the purchaser.

Katz/Eisenberg: Motion to adopt Resolution # 050115 subject to the approval of Mr. Delanoy.

**On Roll Call:**

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

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

**BILL LIST:** Dated January 26, 2005

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

Num	Name	Memo	Amount
1887	Shore Business Solutions	Inv # 6683 _ Quarterly Maintenance Agreement - Sharp AR337 Copier	\$ (223.27)
1888	Acculmage Typesetting & Design, Inc.	Inv # 4721 - Admin- Public Relations & Mktg - Dec. 2004; Spirit Winter 2004-2005	\$ (16,993.00)
1889	Watchung Spring Water Co., Inc.	Acct # 127214 - Meeting Refreshment Supplies	\$ (35.80)
1890	Asbury Park Press	Order # 544428 - Legal Ad - Schedule of Public Meetings #12247	\$ (63.92)
1891	Anita B. Doyle	Administrator of Accounts - January 2005	\$ (400.00)
1892	IEDC	2005 Membership Dues Member ID# 115120 3/1/05-2/28/06	\$ (325.00)

1893	Lakewood Chamber of Commerce 1/10/05; 1/5/05; 2005 Membership Dues	\$ (215.00)
1894	MGL Forms-Systems Inv # 53109 - Minute Book & Filler sheets	\$ (131.00)
1895	MONOC FCU # Contractual Disbursement per Resolution # 050111	\$ (350.00)
1896	Ocean County Observer Legal Ad #52671; Acct # 009456- Publish LIC Meeting Schedule	\$ (33.91)
1897	The Stewart Agency Legislative Consultant Auth by Resolution # 050112 Jan/Feb 2005	\$ (2,500.00)
1898	Eagle Ridge Golf Club LIC Reorganization Dinner Meeting 1/26/05	\$ <u>(499.05)</u>
		\$ (21,769.95)

Katz/ Albert: Motion to approve the items # 1887-1898 on the bill list subject to the availability of funds.

**On Roll Call:**

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

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

**COMMENTS FROM THE PUBLIC: NONE**

**COMMENTS FROM COMMISSIONERS:**

Mr. Albert: I would like to welcome Mr. Silberberg to the industrial commission and am hoping he will be able to attend our subsequent meetings and I also like to congratulate Mr. Kokes on his re-appointment he has five more years to suffer with us.

Mr. Katz: How about me Bert, I was re-appointed?

Mr. Albert: You were re-appointed I apologize I didn't know it was 3 congratulations

**ADJOURNMENT:**

Kokes/ Albert: Motion to adjourn the meeting. Carried.

Meeting adjourned at 8:31 PM

Dated: January 8, 2005

by:

Gidaly G. Cruz

Recording Secretary

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