

# LAKWOOD INDUSTRIAL COMMISSION

## MINUTES

### OPEN SESSION

Meeting of: February 16, 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 Wednesday, February 16, 2005 at 12:27PM by Chairman Ada Gonzalez.

#### **ROLL CALL:**

Presiding: Chairman Ada Gonzalez  
Present: Mr. Albert, Dr. Eisenberg and Mr. Golub  
Absent: Mr. Katz, Mr. Kokes and Mr. Silberberg  
Also in attendance: Mr. Corby, Mr. Delanoy, Anita Doyle, and Gidalty G. Cruz

#### **APPROVAL OF MINUTES OF: December 21, 2004 & January 26, 2005**

**MOTION TO APPROVE THE MINUTES** [with the change to December 21, 2005, Minutes, to be added *brackets* to the words [as written] by Mr. Albert and seconded by Dr. Eisenberg. [Carried] Minutes were approved by a voice vote.

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#### **STATEMENT OF ACCOUNTS: Dated February 16, 2005**

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

#### **BILL LIST: Dated February 16, 2005**

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

| <u>Num</u>       | <u>Name</u>                          | <u>Memo</u>                                                      | <u>Amount</u>        |
|------------------|--------------------------------------|------------------------------------------------------------------|----------------------|
| 1899             | Acculmage Typesetting & Design, Inc. | Admin Lakewood Twp PR&M - January 2005                           | \$ (3,500.00)        |
| 1900             | Anita B. Doyle                       | Reimbursement of Out of Pocket; Admin of Accts February 2005     | \$ (473.21)          |
| 1901             | Lakewood Chamber of Commerce         | Chamber meeting 2/2/05 - ABD                                     | \$ (30.00)           |
| 1902             | MONOC FCU #                          | Auth Resolution # 050111 Contractual Disbursement- February 2005 | \$ (350.00)          |
| 1903             | Ocean County Observer                | Legal Advertisement - Awd of Contract - Stewart - Acculmage      | \$ (72.16)           |
| 1904             | Watchung Spring Water Co., Inc.      | Acct # 127214, Inv # 55131                                       | \$ (82.02)           |
| Bill List Total: |                                      |                                                                  | <u>\$ (4,507.39)</u> |

*Dr. Eisenberg/Mr. Golub – Motion to accept the Bill List as presented:*

34 ***On Roll Call:***

| <b><u>Commissioner</u></b> | <b><u>Aye</u></b> | <b><u>Nay</u></b> | <b><u>Abstain</u></b> |
|----------------------------|-------------------|-------------------|-----------------------|
| Albert                     | X                 |                   |                       |
| Eisenberg                  | X                 |                   |                       |
| Golub                      | X                 |                   |                       |
| Katz                       | -                 |                   |                       |
| Kokes                      | -                 |                   |                       |
| Silberberg                 | -                 |                   |                       |
| Gonzalez                   | X                 |                   |                       |

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

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39 **EXECUTIVE DIRECTOR'S REPORT:**

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41 Mr. Corby: In your folders you have an ordinance that was adopted by the Township Committee  
 42 authorizing the transfer the tract known as the Northeast Parkway Acquisition Area of some 13  
 43 acres. I do have some remarks to make, but they should be kept for executive session because we  
 44 do have an interested party and there are some issues that I would like everyone to know about  
 45 before we start negotiations. The same with Hotels Unlimited - there are some issues there. The  
 46 progress we made was to grant them the right to construct another pad site (3). Hotels Unlimited  
 47 came back to us and regarding the proposed client for the third pad, I will try to explain the  
 48 circumstances with respect to getting clients for the pad. I would like to keep that matter for  
 49 executive session as well. Regarding Block 1608, Lot 2, which is the Cedar Bridge Avenue, I  
 50 haven't heard from the interested party there.

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52 **Mr. Albert:** This tract of land that is east of the Garden State Parkway, that we are acquiring now,  
 53 if you look at the map it shows an extension to Shorrock Street from Rt. 70 north , I've been  
 54 wondering whether or not that's going to be vacated or are they ever going to build the extension  
 55 [extending Shorrock Street].

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57 **Mr. Corby:** I don't have a specific answer, but I do know that we have plot here, there is a wetland  
 58 area which prohibits building road through to Route 70. The current plan for the intersection is to  
 59 have the Parkway Authority's jughandle come to the intersection that's all outside of the wetlands, I  
 60 have not heard anything else to date.

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64 **ATTORNEY'S REPORT:**

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66 **Mr. Delanoy:** Block 1603, Lot 2.01 is the property located on the northeast corner of New  
 67 Hampshire and Cedarbridge Avenues. They (Sommers and Stamos) were here several months ago.  
 68 As you may recall, they requested that we vacate the vegetative easement or buffer area along the  
 69 roadway to allow access to the tract from both New Hampshire Avenue and Cedar Bridge Avenue.  
 70 We agreed, in principal and in concept, to do that. Subsequent to that time, they did send us  
 71 documentation that was not in accordance with what we agree to do. I wrote a letter back to the  
 72 attorney, Donna Thomson, advising her of the fact that there were inaccuracies with what was  
 73 presented versus what we had agreed to. I have not gotten a response from them so I recently sent  
 74 another letter stating that we still hadn't heard from them and that we would not go on the record

75 before the [Lakewood] Planning Board as being in support of this unless we have reconciliation of  
76 the problem between the descriptions they gave us and what was presented to us at the meeting.  
77 And we will be corresponding with the Planning Board to tell them we will not support the  
78 application. So that's where this matter stands.

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80 **Mr. Albert:** Is there anything new with the hotel?

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82 **Mr. Delaney:** We continue to collect our rent money, but other than that, no.

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84 **Dr. Eisenberg:** I want to ask you a question, I don't remember all the facts from the last meeting,  
85 but there was supposed to be a meeting on February 7<sup>th</sup> with some alterations in the CAFRA rules.

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87 **Mrs. Doyle:** February 7<sup>th</sup> had to do with the Manley contract and that the CAFRA regulations were  
88 changing on February 7<sup>th</sup> with regard to coastal centers.

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90 **Mr. Corby:** Yes, this change affects everyone.

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92 **Dr. Eisenberg:** Yes, that's what I wanted to know, does this CAFRA matter affect residential  
93 properties in Lakewood?

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95 **Mr. Corby:** CAFRA only applies to certain types of development, and that's residential  
96 development over 25 units. Several years ago, they created this area as part of their Smart Growth  
97 ideas – what can be developed. CAFRA had its particular rules which were less stringent than they  
98 are in other CAFRA areas. The Commissioner is the one who lifted that designation, and there has  
99 been quite a controversy about it, not only here, but throughout the State. There is legislation  
100 moving to the Legislature that would re-establish those coastal barrier zones for two more years  
101 until the Smart Growth state plan is done. And the real confusion now is because we have this area  
102 and we removed them and the State plan and the State cross-acceptance plan is not done. So, there  
103 is this 'void', if you will, that is just leads to a lot of confusion.

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106 **CORRESPONDENCE: NONE**

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110 **COMMITTEE REPORTS: NONE**

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113 **OLD BUSINESS: NONE**

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116 **NEW BUSINESS: NONE**

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118 **CLOSED SESSION:**

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120 *The following Resolution was offered to move the meeting into closed session. By Mr. Golub/ Mr.*  
121 *Albert and carried.*

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

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

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

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

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

133 **CONTRACT NEGOTIATIONS**

134 **PERSONNEL**

135 **LITIGATION (impending)**

136 **OTHER**

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

142 4. This resolution shall take effect immediately.

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144 **The meeting moved into Closed Session for the at 12:38PM**

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148 **The Meeting returned to Open Session upon passage of a motion by Mr. Albert/Dr. Eisenberg**  
149 **and carried.**

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151 **The Meeting returned to Open Session at 12:50PM**

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154 *Motion by Mr. Albert/Mr. Golub authorizing the executive director to write a letter to the*  
155 *interested parties with respect to the Northeast Parkway Acquisition Area, stating the value of the*  
156 *property in accordance with the current appraisal performed. The motion was approved by a*  
157 *voice vote. [Carried]*

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159 **COMMENTS FROM THE PUBLIC:**

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**COMMENTS FROM THE MEMBERS:**

**Mr. Albert:** I want to thank our secretary for the Coffee.

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**ADJOURNMENT:**

***Mr. Albert/Dr. Eisenberg-- Motion to adjourn. Carried***

***Meeting Adjourned at 12:52PM***

Dated: February 17, 2005

by

Gidaly G. Cruz  
Recording Secretary

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