

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES
OPEN SESSION
MEETING OF: APRIL 20, 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, April 20, 2005 on 12:15PM by Vice Chairman David Eisenberg.

ROLL CALL:

Presiding: Dr. Eisenberg
Present: Mr. Albert, Mr. Katz, Mr. Golub, and Mr. Kokes-arrived late
Absent: Mrs. Gonzalez and Mr. Silberberg
Also in attendance: Mr. Corby, Mr. Delanoy, Anita Doyle, and Gidalty G. Cruz
James A. Wolklin and Manager, Aaron of The Chateau Grande

Mr. Albert and Seconded by Mr. Katz. Motion to suspend the agenda and allow Mr. Wolklin, from the Chateau Grande, to make a presentation. Voice vote [Carried]

Mr. Corby: I would like to introduce the owner and representative of the Chateau Grande who has expressed some interest in the property known as Block 1608 Lot 2.

Mr. Wolklin: I'm the owner and managing partner of the company that currently has seven catering halls in NJ: Ocean, Monmouth, Morris, Union and Burlington County. We have an interest in this property to re-build the Chateau Grande (currently located on River Avenue in Lakewood and under contract for sale). The ground floor would be between 15,000 and 20,000 SF of central space. 3,000 - 5,000 SF on the second floor, which would be for offices/meeting rooms/bridal rooms. In the basement, we would have laundry, and food preparation areas. The whole wrap up of this building will be between 20,000 and 30,000 SF in basement, first floor and second floor. It will be finished in some combination of stone and stucco. We feel that this building will be the premier facility in Monmouth and Ocean County, it will be the number one facility when it is built; it will surpass Crystal Pointe in Point Pleasant; it will one of the top sites. My offer is a cash purchase. There is no financing. I can close immediately and I would like to close no later than September 1st. This property will employ approximately 8-15 full time and then around 50-70 part time employees. If we can reach an agreement, I believe that there is a demand for this kind of property and it will be successful once it is open. In addition, [this project] is also going to feed a lot of vendors such as, bands, DJs, photographers, videographers, limousine services, invitations printing, beauty parlors, dress/tuxedo shops. It has an impact on the local vendors and business people. Who will use this property? Charities, political meetings, social catering, weddings, Bar-Mitzvahs...this property will service the entire community. The property will take 18 months to complete from the time we get the plans

approved. We expect the property to open sometime late in 2006 or early 2007. I believe, by you pledging your support on this project, that you would be adding an attractive property as your gateway.

Mr. Albert: How many parking spaces have you provided?

Mr. Wolklin: That, I didn't calculate yet; our parking would certainly meet the needs of the facility.

Mr. Katz: How large would the actual ballroom be?

Mr. Wolklin: The majority of uses on this property will be for parties ranging from 125 to 300 with pre-function space that opens up, so the door would be able to collapse when need it for a larger function. 90% of the functions here would be here will be for between 100-300 people. So, when you take the pre-function space and open it up to the regular function space, you will be taking a room that might accommodate 300 people and now bring it up to about 500 people.

Mr. Golub: Some of the events that have gone on in the existing Chateau have exceeded that.

Mr. Wolklin: It is a bigger property, a 60,000 SF building. We won't be able to meet the demands of those but there far few of them in between. What we would do is a different set up, two wings that are set up that would be a wide-open two-story foyer and a large ballroom to the left and right.

The commissioners continued to express their concern regarding parking, but Mr. Wolklin assured them that this facility wouldn't attempt to do a party that won't provide a sensible accommodation for parking or overall safety.

Mr. Golub: 20,000 SF is the finished area? Does it include the kitchen?

Mr. Wolklin: 20,000 SF of foyer, meeting room, pre-function, ballroom, and bathroom space.

Mr. Albert: What is the foot print of the building? 20,000 SF?

Mr. Wolklin: On this particular drawing, it is 16,000 SF. With about 5,000 upstairs, and then 5,000-8,000 in the basement.

Mr. Albert: The foot print is the area of the land the building occupy not the total interior space

Mr. Wolklin: Yes.

Mr. Golub: Will you be providing any kind of garden or landscaping?

Mr. Wolklin: Yes, definitely. There will be a circular drive with a big fountain in the front and each room will have access to its own garden.

Mr. Albert: Will this have a kosher kitchen?

Mr. Wolklin: Is not planned to have one. No, but is a good idea maybe.

Further discussion followed. Mr. Wolklin agreed to take the idea of having a kosher kitchen into consideration.

Mr. Delanoy: If everything went the way you expected them to go, when did you expect to close?

Mr. Wolklin: I'm willing to close immediately. As soon as I close, I will finish my plans and I will go thru all the necessary approvals. I would like to be open as soon as possible. I think the earliest would be late 2006. But realistically, Spring of 2007.

Mr. Katz: This is your ideal size. In other words, you're not shrinking down because the property is small.

Mr. Wolklin: This is going to be an exclusive property and what happens as you get larger; you lose the exclusive feel and it just become too big and even though you can accommodate 1,000 or 1,500 people, for the other 95 % of the jobs you will be doing, you become unappealing.

Mr. Corby: You have been made aware of the wetland issues.

Mr. Wolklin: Yes, that is why there is a bump here (pointing to schematic site plan) and the wet lands - I think are down here - and buffer areas have been taken into consideration.

Mr. Corby: With this footprint that you are showing us?

Mr. Wolklin: Yes, with this footprint. I'm very familiar with the wetlands on that property and the wetlands ordinance.

Mr. Kokes: The CAFRA tree-save, you're familiar with that also? I assume you gave it to your engineer and your engineer checked all that. Is that right?

Mr. Wolklin: No, the engineer did not; this is, so far, an architectural design on the plot plan supplied by the town that shows the wetlands.

Mr. Corby: I believe what the Commissioner is referring to, is that we are in a CAFRA area. There are other rules and regulations with respect to the environment. The other issue that has been brought forth is the zoning issue. Is this a permitted use?

Mr. Wolklin: What I saw is that it is a permitted use; "restaurant" is a permitted use.

Mr. Corby: Some concerns also have been in the past is with respect to entrance and exit. I think your demonstration here, a circular traffic pattern, will all have to go before the planning board. I'm not sure if you're aware of that.

Mr. Wolklin: Yes, I am aware.

Mr. Corby: I will suggest that the decision to accept or not to accept an offer will be done in closed session. There have been others interested in this property that will also be discussed in Closed Session, and depending on the direction given by the Commissioners. We will be in touch with you either tomorrow or later in the week.

Mr. Wolklin: Is it just the financial- the higher bidder, or is it the uses of the proposed facility?

Mr. Corby: I heard no objection to the proposed use; the decision is normally made in executive session. No decision will be made until we come out of executive session.

Mr. Wolklin: Can I get any details of CAFRA rules in relating to this property?

Mr. Kokes: Your engineer would have this.

Mr. Wolklin: There all 50ft buffers, that what I understood.

Mrs. Doyle: There is a [DEP] Letter of Interpretation that I can provide to you.

Mr. Kokes: There are others issues within CAFRA that you must talk to your engineer about. I just mentioned one of them but there are some complex conditions. It is best you check into that before you go further.

Discussion followed and Mr. Wolklin agreed to bring in an engineer to survey the property.

At this time 12:42PM Mr. Kokes left the meeting.

The Commissioners continued on with the regular order of the meeting.

APPROVAL OF MINUTES OF: March 23, 2005

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

STATEMENT OF ACCOUNTS: Dated March 23, 2005

Mr. Golub/Katz – Motion to accept the Statement of Accounts as presented: [Carried]
Statement of Account was approved by a voice vote.

BILL LIST: Dated March 23, 2005

Mr. Katz/Mr. Golub– Motion to accept the Bill List (Items #'d 1917-1927) as presented:

1917	Anita B. Doyle Services- Administrator of Accounts Authorizing Res# 050109 - April 2005	\$(400.00)
1918	Acculmage Typesetting & Design, Inc. Contractual Disbursement: Public Relations and Marketing, March 2005	\$(3,500.00)

1919	Lakewood Chamber of Commerce Registration: 4/26/05; 5/4/05 events	\$(240.00)
1920	Kimball Medical Center Foundation Insertion 1/2 page Congratulatory Ad - HGB Humanitarian Award	\$(500.00)
1921	MONOC FCU # Contractual Disbursement Auth Res# 050111- Month of April, 2005	\$(350.00)
1922	Treasurer, State of New Jersey Hazardous Waste Compliance Monitoring Fees NJD986646438 (annual)- Oak Street Landfill site	\$(40.00)
1923	Ocean ELC Registration: Meeting of May 20, 2005 - RKC	\$(20.00)
1924	Caregiver Volunteers of Central Jersey Registration - Business Development 5/16/05	\$(450.00)
1925	The Stewart Agency Contractual Disbursement - Legislative Consultant Services - April, 2005	\$(1,250.00)
1926	Shore Business Solutions Invoice # 7128 - Quarterly Maintenance Sharp AR337 Copier Ser# 06507355	\$(247.55)
1927	Watchung Spring Water Co., Inc. Meeting Refreshments - Account # 127214	\$(46.22)
		\$ (7,043.77)

On Roll Call:

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

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

EXECUTIVE DIRECTOR'S REPORT:

Mr. Corby: On the subject matter we just spoke about, Block 1608 Lot 2, you will find in your folders, another offer made. I think it more appropriate to have it discussed in Executive Session along with the presentation we just had. On the Northeast Parkway Acquisition Area update: a survey of land is being prepared so that we may enter into negotiations for the sale of the tract. We received a letter of intent on that. I was authorized to get quotes and not all are in, therefore, we will proceed with that at the appropriate time. Regarding Hotels Unlimited, there are still some issues remaining. One was that the Commission didn't want a Dunkin Donuts on the third pad; and there still some negotiations ongoing with respect to that; also, you should be advised that the ownership will continue to press for incentives. They made a presentation to the Township Committee and requested consideration of a long-term (30 year) tax abatement as opposed to 5 year tax abatement. There has not been any indication from the Committee indicating that they would accept that.

Mr. Albert: Is there a cut off date on the contract with the Hotel Unlimited as to when they must start work on this?

Mr. Corby: I believe they are operating under an extension now and pay 8 or 9 thousand dollars [\$8,333.33] a month under this contract extension period. Lastly, we have the issue of the property of the corner of New Hampshire and Cedar Bridge Avenues, the Stamos and Sommers property, the Commissioners had agreed to remove restrictions from certain parts of the buffer area to allow for access. For about the last six months, the client has been sending us descriptions for proposed vacated areas much larger than what was granted by the Commission. Finally, they have submitted an appropriate description and we have advised the Planning Board that they have met their commitment to us in terms of what we granted them and nothing more.

ATTORNEY'S REPORT:

Mr. Delanoy saved his report for closed session

CORRESPONDENCE: NONE

COMMITTEE REPORTS: NONE

OLD BUSINESS:

Mr. Corby: At the last meeting it was brought up, the ownership of lands surrounding the [Oak Street] Landfill regarding acquiring an access way. There are certain issues that we need to be clear on if we are to proceed. We have defined the property and it appears that we don't have access immediately to Route 70 or the surrounding areas.

Discussions followed regarding this matter of the Oak Street Landfill and in conclusion the Commissioners agreed to table the matter pending the settlement of the Brownfield remediation project.

Motion by Mr. Albert/ Mr. Golub to table the Oak Street Landfill [Carried]
Approved by a voice vote.

NEW BUSINESS:

LAKWOOD AIRPORT AUTHORITY - Request for Grant Subsidy for Signage

Mr. Albert: Mr. Attorney, since I have a conflict of interest on this next one, can I sit here or do I have to leave the room?

Mr. Delaney: You can sit here; you just can't take part in the discussion.

Mr. Corby: Mr. Chairman, we were forwarded a letter in March from the [Lakewood] Township Airport Authority with respect to a request for a grant from the Industrial Commission to design and the erect a sign at the entrance of the airport property. And since this is generally a matter of economic development, it was to our attention along with the estimate that totaled \$84,034.49 and was supplied by DY Consultants, an Airport Authority consultant engineer on the matter. You all have this information. I think this maybe appropriate, first of all, to say that certainly we can consider such a grant request; we have done special projects like this in the past. My concern and recommendation to the Commissioners, if they review this, is to suggest that more than half of the expenditure of eighty-some thousand dollars is for soft costs and not actual construction of the entrance way. I would suggest to the Commissioners that they take a very close look at that because soft costs usually run about 11% of the project cost in terms of engineering. Perhaps another percentage for legal work or other. Certainly to propose something nearly 15% of is going to the consultant in terms of construction management seem to me that it needs to be re-worked.

Dr. Eisenberg: Is this a bid?

Mr. Corby: No, this is a professional service contract. The actual construction would be required to be bid. These are the consulting cost estimates: Design \$22,908.40 Construction Management \$19,828.24, and construction \$41,297.85.

Mr. Katz: My first concern before we really, I mean we are looking at a statement of accounts that shows anticipated available funds of \$52 thousand (\$52,242.54) and obviously that can fluctuate up and down...nothing is written in stone, but we have been talking for quite a few months about our finances starting to dwindle down. To approve anything close to that number is just prohibitive and you know, possible, but we have to take this with some seriousness - that we may end up with 52,000 dollars at the end of the year and now we are approving something. Even \$41,000

spent would be out of line with what we have in our available balances. There were days that we approved this kind of thing, for the Spanish language course, we were looking at 30-40 thousand dollars as the bottom line and we felt it was necessary because that was not an agency that can provide any kind of money.

Mr. Kokes: Well, that was really my point and to go further with it, we have a budget of 200 hundred plus thousand dollars and were wondering where we are going to get money for next year, let's start with that. You have \$52,000 coming by the end of the year. I know one day we will have a closing, but you don't know when that is going to be. Two million dollars - obviously then we will have money, which is some funds. But that is really my concern... where do we get the money? And, assuming we do grant the money for the soft cost, we should at least see a sketch - some kind of design - and you know what it is going to look like. That would be my recommendation, so that when we do have the money.

Mr. Albert: May I answer questions?

Mr. Delanoy: If you have information, yes go ahead.

Mr. Albert: Well first the design is part of the cost so we can't give you the design until we design it and last month we appropriated \$15,000 dollars to the design of a sign at the Cedar Bridge entry that just for the design so I can't give you a sketch until we get them working first ...

Mr. Kokes: Burt, what I meant wasn't a full design but a sketch, they will draw you a sketch because obviously....

Mr. Albert: I have catalogs

Mr. Kokes: Let me just try one more time. First of all I think it is a good idea to have a sign, so let's start with that. But, whenever I had a proposal to do a sign, it was sketch for me - just a sketch and the cost, nothing do to a sketch. I would never buy a sign without seeing the sketch of it, that's all and we have to have that. You just say 'ok were going to spend X amount of dollars for a sign' ...see, I mean, we won't do that for a piece of property that was selling and someone wants to built something on it they have to show us what is going to look like or at least a sketch of it is all we are saying and that's my point.

Mr. Chairman: Jeff.

Mr. Golub: I agree. I think that this airport needs a very strong commanding sign; something that gives nice straight appeal. Anytime I have been in the trades, anytime that I'm pitching something, I have to provide, based on what the owner is telling me, my vision of his vision of what is my perception of what your trying to convey to me, "is this right?" and then we go from there. Because, otherwise, we are just talking back and forth and we're paying to talk. But I have questions concerning this price too. "Construction Management", and I'm not being critical of the Airport Authority. While Burt is here, he can answer questions. There is someone that

runs the airport every day, there is a chairman of the Airport Authority and there is an Executive Director and Mr. Corby involved. Why would we need someone from the outside to 'manage the construction' of it, with four people that, at any given moment, could peer in and see what's going on. I'm in construction management. That's what I do - in part. Usually in the construction of the project. I understand DY Consultants engineering firm; they include all separate lines for construction of the project. That, to me, is a lot of money for one sign - ok? Now, another question. I look at this width here. It says exterior sign construction - land surveyor. Is there a survey that is current for the property that can be used for this or does this have to be separately surveyed because of the egress coming in and out of the drive way. I don't know. Mobilization: \$12,000 just mobilized to the site - are we paying just to bring his equipment there? I don't know what that's about, I want to know though. The sign itself is \$15,000 depending on the complexity of the sign; whether it is neon or whatever. It could probably be worth it. Trenching and restoration: This one, "silt fencing" \$2,000. How big is the sign that needs 1,000 feet of liner silt fencing? An entire property that we would work on may require a 1,000 ft of silt fencing; that's a line item that I'm curious about. And last of all we were looking into exploring options in doing the signage for the Industrial Park to build. One more sign, after you're building 10, your cost, you know what I mean - your cost becomes incidental as opposed to doing one specialty item just for Lakewood Airport. I think while the Lakewood Airport's logo may be very different from the Industrial Commission and very different from the Township, it still should follow suit with maybe color motif, maybe design. You know what I mean, like you have on a strip mall. Everyone has the same sized sign, but everyone has their own special placard. I don't know. Is there something we can add to that? My last question: is the money that the airport is actually realizing, whatever revenue. There are no monies available to be contributory. Where the Airport and us could partner in on that phase of the project of everyone blanketing a sign throughout the throughout the entire industrial park.

Mr. Albert: To answer your question Mr. Golub, have you ever dealt with a federal agency? We are under the auspices of the Federal Aviation Administration. Everything we do goes to them for approval before we do anything. They have certain mandates that we must adhere to, and what the consulting firm has done is adhered to their instruction as far as construction is concerned. And they require that we survey the property personally, find a specific spot for it, and at each base they have to approve it. The silt fence? That is an environmental concern and it may be that if they say 1,000 feet, it's not just at the location of the sign but the entire area. Because we can blow dirt around it. There are so many qualifications to everything that we do. It makes everything so much more expensive and time consuming. We have just gone through an environmental assessment and it is going to take from now to October to see if we have pine snakes over on the old drop zone.. it's a sandy area.. they found swamp pink over on the north side where the....

Dr. Eisenberg: Are they weeds?

Mr. Albert: It is a flower, that once they find, we can't do anything at the property. If they find pine snakes, we are dead in the water. We can't do anything with acres and acres

of property. So the FAA mandates exactly what we do and what you see there in the estimate is in accordance with FAA mandates and we don't have much choice.

Mr. Golub: And they can mandate how much money we as an airport...

Mr. Albert: No no no it has nothing to do with you. It only has to do how we do construction.

Mr. Golub: But the FAA can determine how...

Mr. Albert: the FAA can approve or disapprove everything that we do

Mr. Golub: But they can approve a specific line item or disapprove a specific line item?

Mr. Albert: They were looking for a whole estimate and they would tell us, "ok, you can proceed with it". They won't contribute any money.

Mr. Golub: But they won't pay on it.... they won't tell you how top heavy on construction management it is.

Mr. Albert: No, no

Mr. Golub: No, but I can't tell you that...

Mr. Albert: No, no

Dr. Eisenberg: Just a minute you're going to have a whole dialog, I think we can all agree we want the airport. This will be just a beginning step because the other way approves it as if money would be forth coming from the FAA but...

Mr. Albert: Not to the sign

Mr. Golub: I don't think we can solve this right now

Mr. Golub: Pardon me?

M. Albert: Not to the sign, but I can bring back a preliminary sketch next month.

Mr. Golub: I would like to get the ball rolling though.

At this time Mr. Katz suggested that for the future, a policy can be made for spending of a certain percentage for the usage of end of year available funds for discretionary expenses.

Mr. Katz/Mr. Kokes motion to table the matter until there are more funds available.

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

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

CLOSED SESSION:

The following Resolution was offered to move the meeting into closed session by Mr. Katz / Mr. Golub and carried.

The meeting moved into Closed Session at 1:23PM

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

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

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

1. The public shall be excluded from discussion of private and confidential matters involving any of the nine (9) exclusions as set forth in Section 7(b) of said law and as hereinafter specified.
2. The general nature of the subject matter to be discussed is as follows:

CONTRACT NEGOTIATIONS	R
PERSONNEL	£
LITIGATION (impending)	£
OTHER	£
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.
4. This resolution shall take effect immediately.

The meeting moved into Closed Session at 1:23PM

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

The Meeting returned to Open Session at 1:43PM

Mr. Katz: To authorize Mr. Corby to send a letter to the previous interested parties relative to Block 1608, Lot 2 that we haven't made any final decision. We will accept final offers prior to our next meeting - in 30 days. Also to inform them that is very important that they state any or all contingencies that might be required. That will be a big consideration in addition to price. Also to inform the Chateau Grande that their bid, so far, not hit our minimum appraised value of the property. And also let them know that we have the right to reject or accept any bids. Motions by Mr. Katz/Kokes authorizing the executive director to write a letter to the interested parties asking them to give us a written proposal. The motion was approved by a voice vote [Carried]

RESOLUTIONS:

Mr. Kokes left the meeting at 1:43 PM

Resolution # 050401 Memorializing LIC action of April 28, 2004 to agree to vacate a portion of a vegetative buffer relating to development of Lot 2.01 in Block 1603.

Motion by Mr. Katz/Mr. Golub. The motion was approved by a voice vote [Carried]

COMMENTS FROM THE PUBLIC: NONE

ADJOURNMENT:

Mr. Katz/Mr. Golub— Motion to adjourn. Carried

Meeting Adjourned at 1:47PM

Dated: May 2, 2005 by Gidaly G. Cruz
Recording Secretary

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