

**LAKWOOD INDUSTRIAL COMMISSION  
MINUTES**

OPEN SESSION • MEETING OF: JANUARY 29, 2014

*Adequate Notice of this meeting was provided in accordance with the provisions of the Open Public Meetings Act, P. L. 1975, C. 231.*

1 The meeting was called to order at 11:43 AM by Chairman Robert Kirschner

2  
3

On Roll Call for attendance:

<u>Commissioners</u>	Present	Absent
Brooks, Neil (NB)	x	
Flanbaum, Justin (JF)	x	
Katz, Shlomo (SK)	Arrived at 11:44 AM	
Rabinowitz, Sam (SR)	x	
Schuster, Edwin (ES)	Arrived at 11:48 AM	
Stafford-Smith, Gregory (GSS)	x	
Kirschner, Robert (RK)	x	
Quorum Count:		
<u>LIC Professionals and Staff</u>		
Reinman, Steven- Exec. Dir.	x	
Kean, Sean – Comm Atty	Jodi Howlett, Esq. for Sean Kean	
Doyle, Anita–Scty-Designee	x	
Staiger, Jeff – Comm. Engineer	x	

Also in attendance: Frances Kirschner.

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

**MINUTES OF DECEMBER 11, 2013** meeting were waived.

The meeting was turned over to Anita Doyle to perform the election of officers for the year 2104:

**ELECTION OF OFFICERS:**

**CHAIRMAN:**

Nomination of **ROBERT KIRSCHNER** by Neil Brooks, seconded by Justin Flanbaum for the office of **Chairman**.

No other nominations were offered.

GSS/JF: Motion to close the floor to nominations. Carried.

Vote: all in favor to elect Robert Kirschner as Chairman for 2014

**VICE CHAIRMAN:**

Nomination of **JUSTIN FLANBAUM** by Gregory Stafford-Smith, seconded by Neil Brooks for the office of **Vice Chairman**.

No other nominations were offered.

GSS/JF: Motion to close the floor to nominations. Carried.

Vote: All in favor to elect Justin Flanbaum as Vice Chairman for 2014.

**LAKWOOD INDUSTRIAL COMMISSION**  
**MINUTES**

OPEN SESSION • MEETING OF: JANUARY 29, 2014

*Adequate Notice of this meeting was provided in accordance with the provisions of the Open Public Meetings Act, P. L. 1975, C. 231.*

---

---

25 **SECRETARY:**

26 Nomination of GREGORY STAFFORD-SMITH by Justin Flancbaum, seconded by Neil Brooks.

27 No other nominations were offered

28 GSS/JF: Motion to close the floor to nominations. Carried.

29 Vote: All in favor to elect Gregory Stafford-Smith as LIC Secretary for 2014

30

31

\* \* \*

32 Mr. Schuster arrived at 11:48 AM

33

34 **STATEMENT OF ACCOUNTS:**

35 Statement of accounts reflects the receipt of land lease payment from CGSR for the one-acre tract  
36 within Lot 9 in Block 1606 for parking and the cell tower land lease payment from AT&T.

37

38 GSS/JF: Motion to accept the Statement of Accounts as presented. Carried.

39

40 **EXECUTIVE DIRECTOR'S REPORT:**

41 Mr. Reinman reported on the following:

42

- 43 • Lakewood Airport
  - 44 ○ Feasibility Study – if there are any comments, they should be conveyed to Mr. Staiger
  - 45 to add to the basis of the Study. Looking to begin development planning of the 60
  - 46 acres this year (land release).
- 47 • In general, the Lakewood Industrial Park is “going strong”. Sudler is developing 140,000 SF
- 48 “Class A” flex space. This reflects that property owners in the Industrial Park are out of space
- 49 so that they are now building out their properties. Demand is high. We’re seeing prices rise
- 50 for buildings and space. We have a number of contracts in play, which we hope will come to
- 51 fruition this year (for an office building and a retail center). It is indicated spoken that there
- 52 are a number of things coming into development. We will continue with our strategy of the
- 53 ABCD Zone and SAFE Zone development.
  - 54 ○ Mr. Kirschner commented that he’s heard that a yacht company is going to occupy
  - 55 space in the new Sudler building (fabrication of canvas covering).
  - 56 ○ JF: How much space is the yacht company going to be taking?
- 57 • Do we want to discuss the feasibility study now?
  - 58 ○ Jeff Staiger requested comments from the commissioners to narrow down scope.
  - 59 ○ There were some questions regarding inclusion of reference regarding that the area in
  - 60 question is within the CAFRA Zone. (There were no references in the draft to the
  - 61 CAFRA zone)
  - 62 ○ Tree-save areas (for land swap) for maximization of the development tract including
  - 63 possible use of Lot 9 in Block 1606 and use some of the 13-acre tract area for tree
  - 64 preservation area.
  - 65 ○ Can we tell Jeff to move ahead with the Study using the comments presented at this
  - 66 meeting?

**LAKESWOOD INDUSTRIAL COMMISSION  
MINUTES**

**OPEN SESSION • MEETING OF: JANUARY 29, 2014**

*Adequate Notice of this meeting was provided in accordance with the provisions of the Open Public Meetings Act, P. L. 1975, C. 231.*

---

---

66 **ATTORNEY’S REPORT:**

67 Jodi Howlett, Esq. was in attendance representing Commission Attorney Sean Kean at this meeting.  
68 Regarding the easement agreement that is being worked on, Mr. Kean has not received confirmation  
69 that the documents have been finalized. He spoke with Ms. Peters this morning who advised that the  
70 documents are on Jesel’s desk for signing. She will follow up with Mr. Kean. Jesel is a tenant in the  
71 building and the easement impacts Jesel’s access and was designed to accommodate comments that  
72 Jesel expressed to the previous plan – therefore the need for concurrence from Jesel before  
73 finalization of the agreement can take place.

74  
75 Justin: How long has this agreement been sitting on Jesel’s desk (since the holidays)? We should be a  
76 little more aggressive in trying to get this off the ground and executed. See if we can finalize it over  
77 the next two weeks.

78  
79 Discussion continued on the Permit Extension Act and its sunseting date.

80  
81 Mr. Reinman added to the discussion that the good news is that it has been determined that the stream  
82 that runs through the cranberry bogs behind the building are not considered C-1 waterways. The  
83 CAFRA buffer may not be as extensive as feared.

84  
85  
86 Mr. Reinman asked Ms. Howlett to carry the message back to the firm and Mr. Kean that we would  
87 like this matter resolved post-haste. Mr. Flancbaum added in comment that if it’s not signed by the  
88 next meeting of the LIC, that we could go to condemnation to finalize the issue- it’s been a year and a  
89 half. We should write Lightstone a letter to that effect that we need this signed by the next board  
90 meeting or we will proceed to condemnation.

91  
92 **CORRESPONDENCE:**

93 None

94  
95 **COMMITTEE REPORTS:**

96 There will be a Site Review Committee meeting after this meeting to review SP# 2048 for a change  
97 of use from retail/warehouse to lumberyard use.

98  
99 **OLD BUSINESS:**

100 13-acre tract:  
101 The interested party has not yet come back to us regarding the 13 acre tract. We are still waiting for a  
102 proposal. There is nothing concrete to act on at this time. We don’t really know what can be done.  
103 Creating of an access off Cedar Bridge Avenue will be difficult.  
104

# LAKESWOOD INDUSTRIAL COMMISSION

## MINUTES

OPEN SESSION • MEETING OF: JANUARY 29, 2014

*Adequate Notice of this meeting was provided in accordance with the provisions of the Open Public Meetings Act, P. L. 1975, C. 231.*

---

105 Mr. Kirschner introduced the subject of T-Hangars:

- 106 • Monmouth Executive Airport is looking at shutdown of current operations. The new owner is  
107 raising rents. Monmouth is NOT a Federally-obligated airport, so they don't have the same  
108 obligations that Lakewood Airport has. We have a bunch of people signed up for our tie-  
109 downs and a longer list of people looking for hangar space. There are a couple of businesses  
110 that do aircraft repair and maintenance.
- 111 • There have been discussions with the FAA and there is a meeting planned and Mr. Reinman  
112 will discuss how we can fast-track a project like to this to take some of the area that we have  
113 designated for T-Hangars - see if we can't strike a deal to develop the facilities that we need.
- 114 • We need utilities and an access road. Regarding the access road, we don't HAVE to building  
115 something off airport Road. We can utilize the back entrance from Cedar Bridge Avenue near  
116 Bathgate's office to access those areas.
- 117 • The bigger issue is utilities going out to the far southerly end of the area that we want to  
118 develop (close to the Church and Dwight property). We're waiting to hear from JCP&L for  
119 information on what it would take to run those utilities to that area and will contact the MUA  
120 to see about water and sewer. We could easily fill 36 or more T-hangar spaces with those  
121 utilities in place. Electricity would be used for lighting and 400 AMP, 3-phase power would  
122 also be used for Maintenance Facilities.
- 123 • FAA has not been very forthcoming regarding this as a priority. Their priorities are more  
124 driven toward safety issues. With the new clients that the LIC now has, our resources are  
125 increasing.
- 126 • Mr. Stafford-Smith asked whether, with the issues occurring at Monmouth, have there been  
127 inquiries for businesses that might fit well into the ABCD Zone that we are developing (as  
128 airport support businesses i.e. Air Cruisers)? There are all kinds of speculation out there at  
129 this time.
- 130 • Mr. Kirschner referenced the Airport Layout map. Should we have our engineers develop an  
131 estimate of costs for improvements to accommodate a resolution to some of the current  
132 issues? Mr. Reinman advised that if the ALP is to be revised, the Airport Engineers should  
133 develop a new layout and the layout would also need FAA approvals. The ALP lays out what  
134 is aviation-related and what is not aviation-related. The 60 acres are east of Lakewood  
135 Airport's aviation-related property.
- 136 • Mr. Rabinowitz brought up the matter of utilizing some of the Turnpike settlement funds for  
137 development of the airport improvements (hangars). Should funding be phased? Private  
138 investors?
- 139 • Mr. Schuster added that the improvements to Lakewood Airport will undoubtedly add new  
140 jobs and ratables. Good for all.

141

### **NEW BUSINESS:**

142 None

143  
144

**LAKWOOD INDUSTRIAL COMMISSION  
MINUTES**

OPEN SESSION • MEETING OF: JANUARY 29, 2014

*Adequate Notice of this meeting was provided in accordance with the provisions of the Open Public Meetings Act, P. L. 1975, C. 231.*

---

---

145 **CONSENT AGENDA RESOLUTIONS:**

146 The following resolutions were presented for adoption in bulk:

147

<u>Resolution #</u>	<u>Description:</u>
<b>140101</b>	Resolution Designating Depositories of the Lakewood Industrial Commission for the year 2014
<b>140102</b>	Official Newspapers of the Lakewood Industrial Commission- 2014
<b>140104</b>	Resolution releasing 2013 Closed Session Minutes deemed to have become suitable for release as being resolved.
<b>140105</b>	Resolution Qualifying Professional and Extraordinary Unspecifiable Services Vendors for the calendar year 2014 in accordance with the Fair and Open Process (NJ Pay-to-Play Law)

148 **JF/GSS Motion to adopt the resolutions included on the consent agenda. Mr. Kirschner**  
149 **abstained from resolution # 140105. Motion carried.**

150

151 **NON CONSENT AGENDA RESOLUTIONS:**

152 The following resolutions were offered individually for adoption by the commission:

153

**140106** Resolution authorizing the Lakewood Industrial Commission's 2014 Permanent Budget in the amount of \$97,700

154 **ES/SR- Roll Call Vote. All in Favor**

155

**140107** 2014 Appointment of Sean T. Kean, Esq. of Cleary, Giacobbe, Alfieri Jacobs, LLC as LIC Attorney

156 **GSS/JF Roll Call. All in favor. Adopted**

157

**140108** Resolution appointing 2014 Auditing Services under Lakewood Township contract (Holman & Frenia, PC).

158 **JF/ES: Roll Call. All in favor. Adopted**

159

**140109** Appointment of 2014 LIC Engineer - Remington Vernick & Vena Engineers

160 **JF/ES Roll Call. All in favor. Adopted**

161

**140110** Resolution authorizing the maintenance of Petty Cash in 2014

162 **GSS/JF Roll Call. All in favor. Adopted**

163

**140111** Resolution authorizing funding of Executive Director's Expenses and Travel Allowance for the calendar year 2014.

164 **NB/JF Roll Call . All in favor. Adopted**

165

**140112** Resolution appointing the Administrator of Accounts and Secretary-Designee for the year 2014

166 **JF/SR Roll Call. All in favor. Adopted**

167

**LAKESWOOD INDUSTRIAL COMMISSION  
MINUTES**

OPEN SESSION • MEETING OF: JANUARY 29, 2014

*Adequate Notice of this meeting was provided in accordance with the provisions of the Open Public Meetings Act, P. L. 1975, C. 231.*

**140114** Resolution Accepting Settlement (NJ Turnpike Authority vs LIC) regarding land acquisition by eminent domain for Parkway interchange improvements.

168 **Question on the motion: Mr. Stafford Smith: These funds, if we accept them...how long do we**  
 169 **have to use them before they become someone else's funds? Response was that they are the**  
 170 **LIC's funds but, as is practice, they won't stay there long.**

171 **GSS/JF Roll Call. All in favor. Adopted.**

172

**140115** Resolution appointing Frantasy Enterprises as Marketing and Public Relations firm for the period of February 1, 2014 through January 30, 2015 at a fee of \$24,000.

173 **JF/ES Roll Call. R. Kirschner abstained from voting. Adopted.**

174

175 **BILL LIST:**

176 The following bills were presented for payment approval to be paid by Industrial Commission funded  
 177 accounts:

Num	Name	Memo	Original Amount
2912	Cleary Giacobbe Alfieri & Jacobs	Inv# 21387 Services thru 12/31/13	\$ 840.00
2913	Anita B. Doyle	Admin Accts and Reimb OOP (meeting expenses)	\$ 700.00
2914	Duvy's Media LLC	Inv# 12945 Website Maintenance December 2013 & January 2014	\$ 491.08
2915	Greater Media Newspapers	Ad#1255581 / Acct # 84414	\$ 143.20
2916	Lakewood Chamber of Commerce	Inv# 14-0177 LTDED Membership Dues 1/1/14-12/31/14	\$ 50.00
2917	Israel Reinman	Car Allowance Jan 2014 + Reimb of OOP	\$ 518.76
2918	Verizon Wireless	Inv#9717841253 Cell Phone Service -Dec & Jan	\$ 132.29
2920	Frantasy Enterprises, LLC	January 2014 Marketing & PR	\$ 2,000.00
2921	Anita Doyle as Agent of LIC	Replenishment of Petty Cash On Hand	\$ 90.55
2922	Watchung Spring Water Co., Inc.	Account # 127214	\$ 57.95
<b>Bill List Total:</b>			<b>\$ 5,023.83</b>

178

179 **GSS/JF: Motion to authorize payment of Bills # 2912-2922 as presented. On roll call**

Commissioner	Yea	Nay	Abstain
Brooks, Neil	X		
Flancbaum, Justin	X		
Katz, Shlomo	X		
Rabinowitz, Sam	X		
Schuster, Edwin	X		
Stafford-Smith, Greg	X		
Kirschner, Robert	X		Abstained from voting on # 2920

180 Bill Payments hereby being authorized.

**LAKWOOD INDUSTRIAL COMMISSION  
MINUTES**

OPEN SESSION • MEETING OF: JANUARY 29, 2014

*Adequate Notice of this meeting was provided in accordance with the provisions of the Open Public Meetings Act, P. L. 1975, C. 231.*

---

---

181 The commissioners also requested that a year-to-date expenses paid report be provided as part of the  
182 packet monthly.

183

184 **PUBLIC COMMENT:**

185 Fran Kirschner informed the Commissioners that the Marketing and Public Relations Book of articles  
186 published about Lakewood is available to them and has been presented to them on the meeting table.

187

188 The following resolution was presented by GSS/JF and carried to move the meeting into Closed  
189 Session:

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

192

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

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

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

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

201 **CONTRACT NEGOTIATIONS**

202 **PERSONNEL**

203 **LITIGATION**

204 **OTHER**

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

209 4. This resolution shall take effect immediately.

210

211 The meeting moved into Closed Session at 12:32 PM

212 Following the return to Open Session on a Motion/Second by GSS/JF, the meeting returned to Open  
213 Session at 1:47 PM

214

215 GSS/JF: Motion to adjourn the meeting. Carried

216

217 Meeting was adjourned at 1:47 PM

218

219 Dated: March 21, 2014

By: Anita B. Doyle, Secretary's Designee