

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES**

OPEN SESSION • MEETING OF: JUNE 25, 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 by Chairman Robert Kirschner at 11:48 AM.

2 Roll Call for attendance:

<u>Commissioners</u>	Present	Absent
Brooks, Neil (NB)	x	
Flanbaum, Justin (JF)	x	
Katz, Shlomo (SK)		
Rabinowitz, Sam (SR)	x	
Schuster, Edwin (ES)		
Stafford-Smith, Gregory (GSS)	Arrived at 12:11 PM	
Kirschner, Robert-Chairman (RK)	x	
Quorum Count:		
Dep Mayor and Liaison Steven Langert	x	
<u>LIC Professionals and Staff</u>		
Reinman, Steven- Exec. Dir.	x	
Kean, Sean – Comm Atty	x	
Doyle, Anita–Scty-Designee	x	
Staiger, Jeff – Comm. Engineer	x	

Also in attendance: Frances Kirschner/
Frantasy Enterprises, Marketing and PR
for Lakewood Twp

3

4 Mr. Langert observed that the printed Agenda reflects a meeting of time of 11:30 PM rather than
5 11:30 AM and suggested that this typo be corrected. - A

6

7 **MINUTES OF THE MAY 28, 2014 MEETING:**

8 **JF/NB Motion to approve the transcribed minutes of the May 28, 2014 meeting as written.**
9 **Carried.**

10

11 **STATEMENT OF ACCOUNTS:**

12 The Statement of Accounts was presented for review and acceptance reflecting the current fiscal
13 standing of the Lakewood Industrial Commission. It was reported that the land lease payment for the
14 cell tower on Lot 21 in Block 1609 was received and deposited; posted interest has increased due the
15 settlement with the NJ Turnpike Authority. No unusual activity took place over the month.

16 **JF/SR Motion to accept the Statement of Accounts dated June 25, 2014 as presented. Carried.**

17

18

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19 **BILL LIST DATED JUNE 25, 2014:**

20 The following bills were presented for payment approval to be paid through the Industrial
21 Commission's checking account:
22

Num	Name	Memo	Amount
2961	Cleary Giacobbe Alfieri & Jacobs	Legal Services provides through 5/30/14	\$ 604.80
2962	Anita B. Doyle	Services provided to the LIC/LTDED for the 5/1/14 through 5/31/14	\$ 1,132.83
2963	Duvy's Media LLC	Website Management Services provided through 5/31/14	\$ 124.42
2964	Gertner Mandel & Peslak, LLC	File# 7691-4 Invoice # 37893 Legal Services provided through May 22, 2014	\$ 1,425.00
2965	Frantasy Enterprises, LLC	Public Relations and Marketing Services for Lakewood Township and LIC for the month of June 2014	\$ 2,000.00
2966	Israel Reinman	Executive Director's Car Allowance for the Month of June 2014	\$ 400.00
2967	Verizon Wireless	Cell Phone Service: Inv#9726409206 732-232-9700 5/5/14-6/4/14	\$ 102.98
2968	Watchung Spring Water Co., Inc.	Acct 127214 Inv#5853133 Meeting Supplies	\$ 73.92
Subtotal:			<u>\$ 5,863.95</u>
2969	Yussi's	Meeting Refreshments	\$ 186.19
Bill List Total			\$ 6,050.14

23 **JF/SR Motion to approve payment of bills numbered 2961 through 2969.**

24 On roll call:

Commissioner	Yea	Nay	Abstain
Brooks, Neil	x		
Flanbaum, Justin	x		
Katz, Shlomo			
Rabinowitz, Sam	x		
Schuster, Edwin			
Stafford-Smith, Greg			
Kirschner, Robert	x		Abstained from voting on Bill#2965

26 This action succeeded based on majority votes to carry the motion.
27

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28 The BUDGET TO ACTUAL REPORT was presented for Commission information reflecting that
29 adequate funds are available in the budget for payment of the bills listed in the Bill List.
30

31 Question on the Bills: Mr. Kirschner asked Mr. Reinman whether the Commission’s case assignment
32 to Attorney Gertner was concluded (NJ Turnpike Taking). The response was that the settlement
33 activity has concluded and that there may still remain a small balance which should be cleared up in
34 the next month.
35

36 **EXECUTIVE DIRECTOR’S REPORT:**

37 Mr. Reinman reported on the following:

- 38 • Lakewood Airport:
 - 39 ○ Mr. Reinman reported that he is continuing to work with contractors to try and come
40 up with a model for hangars construction.
 - 41 ▪ Mr. Kirschner asked about the access road from Airport Road into the T-
42 Hangar and Maintenance Hangar areas and what the plan is.
 - 43 • Mr. Reinman responded that right now they are using the dirt road that
44 exists to get to the hangar areas. After the 60 acres is under
45 development, it will be easier to get an access road constructed from
46 Airport Road.
 - 47 ○ Banner Towers are clearing additional space in the “bowl” away from the runway. The
48 Third Operator will also operate from the former jump zone. This should reduce
49 complaints about “beehive activity” over the runway.
- 50 • New Hampshire Holdings (Retail Center on New Hampshire Avenue/America Avenue).
51 We’ve received notice that CAFRA has indicated that their application is deemed complete
52 and placed their application into the 30-day Public Comment Period. Hopefully they will be
53 ready to close pretty soon.
- 54 • Lakewood Equities
 - 55 ○ Continue to progress toward approvals. A modification to the detention basin may be
56 presented to the Lakewood Planning Board.

57
58 **ATTORNEY’S REPORT:**

59 Attorney Kean stated that he has no report this month.
60

61 **CORRESPONDENCE:**

62 Letter was received from NJEDA announcing that Tipico was approved NJEDA sponsored financing
63 through TD Bank for expansion of their business. Mr. Reinman asked whether they were also looking
64 into Foreign Trade Zone participation. The response was that they were considering FTZ but no
65 forward motion was made regarding an application.
66
67

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COMMITTEE REPORTS:

- Mr. Flancbaum reported on the H & H LLC plan for a second residential (townhouse) development on the properties at the northeast corner of New Hampshire Avenue and Cedar Bridge Avenues. There are issues regarding ingress and egress to the site. A meeting is being scheduled with the applicant to discuss the plans for this site.
- Oros Bais Yaakov application on Rutgers University Boulevard is requesting change of use from existing Industrial uses to Orthodox Girls' High School. Mr. Flancbaum informed the commissioners that no exception was expressed by the Commission to the Lakewood Planning Board as educational facilities are a permitted use in the zone.

Mr. Kirschner presented a question regarding the H & H application. Is the access to the complex to be made from New Hampshire Avenue? Or Cedar Bridge Avenue? Mr. Flancbaum responded that it is indicated that a main plan for access is via Swarthmore Avenue through Kenyon Drive.

Mr. Langert commented that permission was given to the applicant (H&H LLC) by the Township Committee for residential development contingent on their exiting on to New Hampshire Avenue. Not to use industrial park roadways as main thoroughfares. This was presented and discussed in October or November 2013 at a Public Meeting. There may have been an agreement between them and the Township Committee.

Mr. Reinman added that there is a lot of residential planning activity in the industrial area. This is impactful on the businesses. We want to be cautious about supporting anything that have an adverse impact on the businesses in the (industrial) park. We (LIC office) were noticed on this application only because we are land-owners within 200 feet of the project. We were not directly asked to review the plan and comment as part of the approval process (B6 zone).

The Commission is well-within their purview to comment on the Application.

Discussion continued on this matter.

We need clarification from the Township as to the (referenced) agreement.

The commissioners concluded that they should...

1. Meet with the applicant
2. Give the Executive Director direction to prepare a letter if deemed necessary
3. Issue a letter to the Lakewood Planning Board

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107 **OLD BUSINESS:**

- 108 • FEASIBILITY STUDY (60 acres adjacent to Lakewood Airport aviation property)
- 109 ○ Mr. Staiger reported that the final study should be in - in July.
- 110 • 13-ACRE TRACT. Mr. Kirschner reported that he spoke with Steven Leone about the tract.
- 111 There is no forward motion on their side. He asked about access to our tract through their tract
- 112 in Brick. The Leone project is for housing. Mr. Reinman advised that it is not within the
- 113 LIC's charter to sell land for housing. Ours must be sold to provide ratables and employment
- 114 opportunities.
- 115 ○ The LIC Office was directed to research files for any boundary survey that may have
- 116 been done in the acquisition and consolidation of the lands in the tract (initially titled
- 117 Northeast Parkway Acquisition Area).
- 118

119 **COMMENT FROM THE PUBLIC (announcement was made that public comment is limited to**

120 **4 minutes):**

121 Fran Kirschner of Frantasy Enterprises verified that she wanted to make sure that all of the

122 Commissioners are receiving her press releases. Mr. Reinman thanked Fran Kirschner for working

123 with Kait and Anita on the e-zine (newsletter) that is currently under construction in its first issue.

124

125 Mr. Stafford-Smith arrived at 12:11 PM

126

127 **NEW BUSINESS:**

128 Chairman Kirschner passed out a map of the industrial park area where he is spearheading the

129 designation of the S.A.F.E. Zone, which is an expansion of the established ABCD Zone to protect the

130 purposes of the industrial/business parks. Due to new construction and the growing population, there

131 is no end to the need for schools. They are also relocating to industrial buildings which impacts

132 surrounding business' operations. They also tend to locate wherever they can and it is considered

133 that this may spark safety issues if there is no plan for amendment.

134

- 135 • We should determine the borders
- 136 • Send our proposal to the Township Committee which, if acceptable will direct the concept to
- 137 the Township Planner who will include Planning components and write the description of the
- 138 Zone and then the ordinance to adopt the Zone plan.
- 139

140 Mr. Langert asked that the LIC consider preparing a report to be presented to the Township

141 Committee regarding how many schools are located in the industrial parks and a calculation of how

142 much in tax revenue is lost from the conversion of constructed industrial space for use as schools.

143

144 **The following resolution was offered by GSS/SR and carried.**

145

146 **WHEREAS**, Section 8 of the Open Public Meetings Act, P. L. 1975, Chapter 231, permits the

147 exclusion of the public from a meeting under circumstances; and

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

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

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

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

156 **CONTRACT NEGOTIATIONS**

157 **PERSONNEL**

158 **LITIGATION**

159 **OTHER**

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

164 4. This resolution shall take effect immediately.

165

166 The meeting moved into Closed Session at 12:19 PM

167

168 On a motion by GSS/JF, the meeting returned to Open Session at 12:44 PM.

169

170 Mr. Kirschner pointed out an article published in the Asbury Park Press on 5.23..14 titled, "Banners
171 Banned?" The article detailed the change in use of Monmouth Executive Airport and the banishing of
172 Banner Towing Operations from that airport.

173

174 Lakewood is gaining a lot of exposure from this issue.

175

176 It was directed that there be a tour of Lakewood Airport organized for the Commissioners with
177 photos. They would like it to include a drive-through of the proposed hangar site(s) and the banner-
178 towing operations. This should not be done on a meeting date, but scheduled independent of the LIC
179 meeting.

180

181 On a motion by NB/GSS and carried, the meeting adjourned at 12:48 PM

182

183 Dated: July 22, 2014

by Anita B. Doyle

184

185

186