

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES
OPEN SESSION
MEETING OF: SEPTEMBER 5, 2006**

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, September 5, 2006 at 4:06 PM by Chairman Jeff Golub.

ROLL CALL:

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

SPECIAL MEETING SUBJECT:

Mr. Golub: The Special Meeting subject relates to the Lakewood Job Link Bus Service.

Mr. Corby: Obviously, some explanation is in order with respect to the funding of the Job Link Bus. On the 9th of August, the UEZ Authority had posted [on their agenda] the Lakewood Job Link program along with Job Link network to have the presentation heard in Trenton. At the time, it was not considered even though it was on the Agenda. That left us in this circumstance [of having no funding for continuance of the project-Job Link 10 to expire on August 31, 2006].

Mr. Golub: Why wasn't it?

Mr. Corby: That hasn't been revealed to me.

Mr. Corby: There was speculation about it, but let me just say they didn't hear the matter, even though it was on the agenda. There exists a policy that [states] once their agenda is printed, each matter will be heard. That's their policy. They didn't abide by it. So, that put us in the position of having the LDC discontinue the Bus Service after the end of the program year, which was August 31st. However, if you are familiar with the newspaper reports at all, you would know that, as of July 1st, and under the new State budget, NO UEZ is permitted to use their Second Generation funds without approval of the Authority. So, we are in a kind of a Catch 22.

Mr. Albert: Without the State Authority?

Mr. Corby: Yes, without the State Authority even though the money is in the Lakewood Development Corporation's bank account. The state has to approve [use of] Second Generation funds.

Mr. Albert: That's something new, isn't it?

Mr. Corby: Since July 1st yes...which left the matter, quite frankly, in limbo. There was some hope that we would get some authorization from the UEZ or from the Township Committee with respect to money availability by the end of the month. The Township Committee were to advise their professionals and the CFO that those appropriations wouldn't be forthcoming; that they would be through an emergency appropriations process, which as you know, takes some time. So, as the matter of the last resort, you were called upon to call a Special Meeting. We do have, in our budget for this year, sufficient funds available for us to fund the bus service for an interim period. And when I say an interim period, it is subsequent to the UEZA not hearing it. I did receive a call from the director earlier this week. She indicated to me that the matter would be on the September 13th UEZA agenda. We have gone over a number of issues with respect with the Job Link Program and I'm confident, and I believe UEZA is now confident, that we are going to continue the program.

Mr. Golub: In other words, explain to them that it meets the criteria necessary.

Mr. Corby: We are looking for an approval from the UEZA on the 13th. The money technically doesn't become available to us until the Township Committee adopts what they call a Chapter 159 Resolution about three weeks from the final approval. What you have in front of you here is a resolution that suggests we set aside available funds in the Industrial Commission budget for \$ 25,000.00 for two months costs of operating. However, I don't think we are going to spend that amount of money. Also, we are going to request in the LDC meeting that obviously, the UEZA reimburse us for this expense since they are the one. I'm still going to be in contact with the director regarding that obviously. We would like to get these funds back. We didn't delay the process. Someone else did. So we'll definitely make the argument. That's the background. I will be happy to answer any more questions.

Mr. Albert: Mr. Corby, you just answered question number one. Is the money reimbursable?

Mr. Corby: No I can't sit here and say that, I will tell you that would be one of the negotiating factors when we meet on the 13th.

Mr. Albert: Why doesn't the Township Committee lay out the money rather than come to us?

Mr. Corby: Well, I mentioned that. When this happened, I did request that of the Manager and the Township Committee. They had some discussion about with their legal counsel. They would have had to go through a special appropriation process, which really takes more than a month, so it is not simply that they can give their nod and take a vote. They would have to go to a very definite process and that would have taken even longer.

Mr. Albert: There is no guarantee that UEZA will approve the expenditure, because we are talking about a big number here.

Mr. Corby: No, there is not. And quite frankly, if that would have been the case or scenario, we would have to end the service. And I did end service last Friday.

Mr. Albert: If we don't put up the money the services would end now. If we put up the money, and at the end of the time, and the UEZA doesn't appropriate the money, then the service would end. Unless the Township came up with the money.

Mr. Corby: Yes, that's correct.

Mr. Golub: In other words, you're asking, does this encumber us for further contractual financial agreement beyond this?

Mr. Corby: No it does not.

Mr. Albert: Not to exceed \$25,000.00.

Mr. Golub: All obligations are spelled out specifically here, there no other areas.

Mr. Corby: No, The LDC currently has a contract with Loori Bus Company. We are in the third year of the contract which is an optional year and what we are essentially doing is exercising our option on a monthly basis.

Mr. Golub: Ok

Mr. Doyle: So they understand is a monthly deal.

Mr. Albert: I move the resolution

Dr. Eisenberg: I second it.

RESOLUTION:

• 060901.1 Resolution to authorize interim funding of Lakewood Job Link Bus Service for the months of September and October, 2006 in an amount not to exceed \$25,000.00 and to authorized the amendment of the Industrial Commission's 2006 budget to create a new line item Projects/Job Link/Interim Bus Service appropriation in the amount of \$25,000.00 and amending the 2006 LIC Budget total to \$551,539.41

Mr. Albert/Mr. Golub: Motion to adopt Resolution # 060901.1

On Roll Call:

Commissioner	Aye	Nay	Abstain
Mr. Albert	X		
Mr. Doyle	X		
Dr. Eisenberg	X		
Mr. Katz	-		
Mr. Kokes	-		
Mr. Silberberg	-		
Mr. Golub	X		

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

ADJOURNMENT:

Mr. Albert/ Mr. Doyle - Motion to adjourn. Carried

Meeting Adjourned at 4:17PM

Dated: September 6, 2006

by

Gidaly G. Cruz

Recording Secretary

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