

**LAKWOOD INDUSTRIAL COMMISSION  
MINUTES  
OPEN SESSION  
MEETING OF: SEPTEMBER 28, 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, September 28, 2005 at 12:14 PM by Chairman Ada Gonzalez.

**ROLL CALL:**

Presiding: Chairman Ada Gonzalez  
Present: Mr. Albert, Mr. Silberberg, Mr. Katz and  
Mr. Kokes- arrived after roll call was taken (12:18 PM)  
Absent: Dr. Eisenberg and Mr. Golub

Also in attendance: Mr. Corby, Mr. Delanoy, Anita Doyle, and Gidalty G. Cruz  
Mayor Charles Cunliffe, Abbi Hirsch & Moshe Mendlowitz,  
representing Goldstone Management

**APPROVAL OF MINUTES OF:** July 26, 2005

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

**STATEMENT OF ACCOUNTS:** September 28, 2005 (transactions from 7/27 – 9/27)

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

**BILL LIST:** September, 28, 2005

The following bills were presented for payment approval and drawn from Industrial Commission budgeted funds:

Num	Name	Memo	Amount
1959	MONOC FCU Acct# 2009183-6	Travel Reimbursement - Contractual Disbursement Authorized by Res# 050111	\$ (350.00)
1960	Anita B. Doyle	Administrator of Accounts - Month of August, 2005 Res# 050109	\$ (400.00)
1961	Acculmage Typesetting & Design, Inc.	Marketing and PR - Month of July, 2005 Res#050113	\$ (3,500.00)
1962	The Stewart Agency	Government Legislative Services - Sept. 2005 Res#050112	\$ (1,250.00)

1963	Secare, Delanoy, Martino & Ryan Legal Services - Month of July 2005	\$ (848.00)
1964	Acculmage Typesetting & Design, Inc. Public Relations Services - Month of August, 2005 - contractual disbursement	\$ (3,500.00)
1965	MONOC FCU Acct# 2009183-6 Contractual disbursement month of September 2005 - travel allowance	\$ (350.00)
1966	Dell Marketing, L.P. Invoice # H24696234 - Dell OptiPlex 620 PC System	\$ (1,436.84)
1967	Anita B. Doyle As Administrator of Accounts - Month of September 2005 - Per Resolution # 050109	\$ (400.00)
1968	Lakewood Blue Claws Purchase of 2006 Season Tickets authorized by Res # 030701	\$ (1,980.00)
1969	Lakewood Chamber of Commerce Meeting Registration Fees 9/7/05; 9/20/05; 10/5/05	\$ (60.00)
1970	Secare, Delanoy, Martino & Ryan Legal Services - Month of August 2005	\$ (64.00)
1971	Trump Plaza Russell Corby # 385945718123 ; GNJLM05, NJ League of Municipalities Conference	\$ (390.00)
1972	Watchung Spring Water Co., Inc. Invoice # 413651 - Spring Water - Meeting Refreshments	\$ (37.27)
1973	The Stewart Agency Government Legislative Consulting Services - October 2005	\$ (1,250.00)
1974	Lakewood Chamber of Commerce 2005 Citizens of the Year Awards	\$ (675.00)
	Bill List Total:	\$ (16,491.11)

Mr. Silberberg/Mr. Katz– Motion to accept the Bill List:

**On Roll Call:**

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

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

**CLOSED SESSION:**

The following Resolution was offered by Albert/Silberberg (and carried) to move the meet-  
ing into closed session.

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) exclusion 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  
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 12:20PM

The Meeting returned to Open Session at 12:27PM upon passage of a motion by Albert/Silberberg and carried.

### **SPECIAL PRESENTATION:**

Mr. Hirsch: For the benefit of the members here, I'm just going to go over the actual plan. I understand that there were some areas of concern last time, and we are here to address two areas of concern. Like we mentioned last time, our primary business is real estate development and management and when we looked at this site, we weren't sure if we wanted to develop it possibly as an office building, or as a banquet facility. The office market is something we have a lot of experience in. We own a 30 story building in downtown Philadelphia of almost 300,000 sq ft; we have some office space in Lakewood. We are very familiar with the Lakewood office market and there is a definite need for the office market. What made us go over to the banquet facility idea was the fact that Lakewood market has a lot of offices coming on line. Airport Road has offices up and down it. There is the Cedar Bridge Corporate Campus, which, I guess, we all hope sooner or later is going start building. This (catering) is a unique product for the Lakewood market. I don't think it is something that the Lakewood market has and as we go through it in a few minutes, it is something the Lakewood market needs and could use and could benefit from. The office concept could be a very nice idea but we are sure that the banquet facility idea is superior and we think this is something that can really enhance Lakewood as a whole. The entrance, as you notice, is one of the problems with this particular site in that Cedar Bridge Avenue runs directly in front of the site and is a busy street and there would be a safety issue created by asking people to enter it by

turning left across traffic into the banquet facility. What we are envisioning is an entrance from Cedar Bridge Avenue north directly into the site and you can see the turn in there and if you are coming from Cedar Bridge South or of the Garden Parkway exit 89 which will be a big exit for this particular facility you will come to the light opposite on Airport Road and Cedar Bridge Ave. There is an entrance directly into Jesel which a corporate client in the industrial park and we are in the process of working an easement agreement that will give us the ability to have our entrance off Jesel's piece of property and that will provide a very nice entrance. If you look at this picture you can see there is a long drive with landscaping and all sort of trees that would shield the parking lot and give it a very formal approach to the actual banquet facility. Now, what you see over here is that your entrance foyer is 60 feet high, and what I understand from the architect is that it as high as code will allow and is something that will serve as a beacon. It will be visible from the GSP and it will be very visible from Cedar Bridge Avenue and it will definitely, as you can see from the concept, be something that would make a tremendous statement as to the look of the banquet facility as a whole. The entrance is going to go through this covered area which has a nice look, as well as in rain or any inclement weather, you have the protection for your guests getting out under the covered area. Valets will bring the vehicle back to the parking facility. The entrance foyer is going to give you access directly to the main banquet facility. The additional facility outside the dining area, and one of the things we discussed at the meeting last time, was possibility of reconfiguring the building slightly so that there would be access directly from the foyer without having to pass through the main banquet facility. It gives you the chance to have more than one affair at the same time. At the top of the tower we are envisioning suites, rooms for members of the family or whoever is having the affair. There is an elevator shaft here built into the design. The main dining room, I believe, is of 15,000 SF in area and is made to hold about 1,000 people.

Mr. Mendlowitz: It is 20,000 SF.

Mr. Hirsch: I believed he (the architect) knocked area down from this, I will double check with him. As you can see from the outside, it is a very impressive-looking room. The inside ceiling is going to mirror the curve that you see on the outside roof. There is a glass area on both sides. We are envisioning an extensive garden area outside the facility with views from inside to the garden. The architect is working with this rib roof idea and, from what I understand, this is the best way to build this a large banquet hall and having structural soundness and having a pillar-less banquet area. He had an interesting idea of having the roof ribs extend over this outdoor terrace area, there we envision this terrace area to be used as a spill-over area from the main banquet hall so guests can go outside and enjoy some fresh air. There are also retractable shades that can give options of having a covered dining area or an open area depending on weather or time of year.

Mr. Cunliffe: You mention a pillar-less dining area. There is absolutely no roof support, or conventional support that we would see as pillars. Has your architect that design this designed the same in other buildings successfully?

Mr. Hirsh: From what I understand, yes. Obviously it would need to be stress-tested on computer models, but from what I understand, that is somewhat standard in the banquet facility industry.

Mr. Cunliffe: I only ask you this only because once in a while, and it goes in cycles, we heavy snow loads. We had some problems in the industrial park during snows.

Mr. Mendlowitz: Well, it would slide off.

Mr. Cunliffe: Well, we hope, but please ask your architect. You might not think you have to worry about that down here.

Mr. Hirsh: I believe he has used this concept on other facilities. These are concrete ribs.

More discussion followed as to how the building would look as a finished product. Goldstone explained how the banquets will be catering to different types of functions. The facility will have two kitchens; kosher and non-kosher. The facility will be a niche to the catering market that will meet the unique needs of different groups.

The commissioners expressed their concerns regarding Goldstone's obtaining access through the Jesel property. Goldstone was confident that they would come to an agreement with Jesel

Mr. Hirsh and Mr. Mendlowitz stepped out of the room while the commissioners went into closed session.

**The meeting moved into Closed Session at 1:04PM for discussion relating to client negotiations on a resolution offered by Albert/Kokes and carried.**

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

**The Meeting returned to Open Session at 1:20PM**

Mr. Kokes/Albert– Motion to enter into a contract with Goldstone Management, granting them 6 months to obtain an agreement with Jesel or provide an acceptable alternative access to Block 1608, Lot 2, on Cedar Bridge Avenue. In the event that permissions for acceptable access to the property is not obtained, the contract shall become null and void deposit monies refunded to the Buyer and further providing the LIC all rights to any engineering performed relating to the property.

**On Roll Call:**

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

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

At this time Chairman Gonzalez excused herself from the meeting. Mr. Albert took his position to run the remainder of the meeting. Goldstone was invited to return to the meeting.

Mr. Albert: The commission took a vote and has approved this project with some conditions.

Mrs. Doyle: We are going to enter into the contract with a condition that Goldstone has a 6 month period of time in order to resolve the issue of obtaining an alternative access or to get a contract/agreement with Jesel for an easement and also that we would retain any engineering and/or traffic studies being done. The contract would be come null and void if you can't get suitable access in the period of 6 months.

Mrs. Doyle: Basically this is intended that you have 6 months to get a yes or no as to whether or not you can access the property.

Further discussion follow on the language the will be used in the contract.

Mrs. Doyle: Upon execution of a contract, there is still going be a 10% deposit on the contract. In the event, that in six months, there is no access, we will return the deposit and cancel the contract.

Mr. Albert: I want to clarify something, once you start that approval process, CAFRA may take you longer than a year; in which case, you can come back and ask for an extension, as long as we know that it is in the process.

At this time Goldstone Management thanked the Commissioners and exited the room.

## **RESOLUTIONS:**

**Resolution # 050901** - To amend the LIC's 2005 budget to add a new Line Item (2005 Grant Subsidy to Lakewood Airport Authority-Signage) and increase the budget total by \$15,000.00 to provide a new total budget of \$486,515.00.

Motion by Mr. Silberberg/Mr. Kokes to adopt Resolution # 050901.

### **On Roll Call:**

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

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

**Resolution # 050902** - To memorialize LIC action at the July 29, 2005 meeting to award the Lakewood Airport Authority a grant-subsidy in an amount not to exceed \$15, 000.00 for design of electrified signage for Lakewood Airport.

Motion by Mr. Silberberg/Mr. Kokes

**On Roll Call:**

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

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

**Resolutions # 050903** - To amend the Second Amendment to Contract of Sale between the Lakewood Industrial Commission and Route 70 @ Old Toms River Road authorizing an entity name change from Lakewood Hotel Associates (Project-Hilton Garden Inn). The new entity includes the same principals as Lakewood Hotel Associates and will be known as Parkway Lodging Realty, LLC.

Motion by Mr. Kokes/Mr. Katz to adopt Resolution # 050903.

**On Roll Call:**

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

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

**Resolution # 050904** - Authorizing the Executive Director to process the termination of the 2005 LIC Agreement with The Stewart Agency for provision of Legislative Consultant Services.

Motion by Mr. Katz/Mr. Kokes

**On Roll Call:**

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

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

## **EXECUTIVE DIRECTOR'S REPORT:**

Mr. Corby: Lakewood Hotel Associates have until December 9th to finally close (title) on this. We have some issues there. The consolidation of the lots (into one Block and lot) won't be done until January of 2006 according to the tax assessor, so we will have to provide all the lot numbers for the closing. They are asking for the tax abetment and they haven't closed title yet. I wrote a note suggesting that they are 'getting the goods up front' with signing the deal. The other portion of this, and you should all know about I, is that the strip of land that the Hotel is being constructed on should be going into the UEZ so they're getting the advantage of having a UEZ location. We really should be urging them to close the deal.

Mr. Katz: We have no reason to extend any longer.

Mr. Kokes: How much we are getting?

Mr. Corby: 2 million dollars for the property that is about 12 or 13 acres and they have been paying us (interest for the extension of the contract).

Mr. Kokes: I would just suggest that we get the money and we close. And that we get the money and we save enough money for a couple of years to run the LIC.

Mr. Corby: Another matter that is hanging is Block 1606, Lot 9. This subdivision is supposed to be prepared.

Mrs. Doyle: Yes, the subdivision, I believe, is being prepared he has retained an attorney, who is Mr. Doyle, to prepare a submission for the subdivision to the planning board

Mr. Corby: So that we can close and the thing is, here again, Mr. Kokes's concern; we want to close by the end of the year too so we have some funds. If I may move on to the subject of the Northeast Parkway Acquisition Area circumstance, they are also ready to close with us. We were able to get an old LOI showing the wetlands that, as you can see, cuts everything off from Cedar Bridge Avenue.

A map was displayed which depicted the area in question, the Garden State Parkway interchange improvements and the wetlands that were flagged for the LOI.

Mr. Corby: The other issues involved are metes and bounds descriptions which we had done that don't jive with the hotel property metes and bounds description. On this side here (easterly portion of the tract) there is a small portion which our metes and bounds description doesn't jive with (the adjoining property owners). Those 3 issues I think are still hanging and I want to have authorization to do the final LOI, actually a re-instatement of the LOI for the portion where Old Toms River Road intersects with Cedar Bridge Avenue.

Mr. Albert: Where is the access to this property?



Mr. Corby: there is none.

Mr. Silberberg: We don't have a wetlands delineation.

Mrs. Corby: In our research to do the metes and bounds, this was dug out by the Parkway when they constructed their entrance.

Mrs. Doyle: By the engineer, we have an LOI number but it has expired.

Mr. Corby: We have to go back and have it re-issued.

Mr. Kokes: And they need the property for what?

Mr. Corby: They need to buy it because they are the adjacent property owners in Brick Town, so I am sure they're using it for tree save or a re-construction area.

Mr. Albert: And there is no access to this property except to Brick.

Mr. Kokes: How much is the price.

Mr. Corby: I think is 90-95 thousand an acre (the most recent appraisal reflects). If everybody can see, this green area is what we are looking to sale. They made an offer on this. The issues were whether it was wet land and it is an old LOI that has to be re-done. The other issue is down here there are some discrepancies with respect to the meets and bounds and also in a little area there. Other then that and if we can proceed to that this would be ready for closing as well.

Mr. Silberberg: That black piece out there is the wet lands?

Mr. Corby: Yes, well this is the buffer

Mr. Kokes: Is that a condition of purchase for the 13 acres?

Mr. Corby: No, there offer is to buy everything that isn't wet lands.

Mrs. Doyle: The engineer came up with a minimum 16.6 acres of uplands.

Mr. Kokes: How much has he offered?

Mrs. Doyle: \$90 thousand an acre.

Mr. Silberberg: If this property has access from Cedar Bridge Avenue, independent of Brick Town, then there are other people that could have easily bought this to develop it. So we want to be determining, as responsible committee people, we want to make sure that this property has no access to anyone else other than the adjacent land owner. That is the issues we have to resolve.

Mr. Corby: I believed we resolved that by our engineer doing the metes and bounds and

coming back to us. He found this LOI - that's the way; obviously it cuts the property off from access to Cedar Bridge Avenue.

Mr. Silberberg: and this LOI was done

Mrs. Doyle: The LOI was done for the Parkway. It was issued in 1999 and it expired in 2004; a 5-year LOI

Mr. Silberberg: And the Parkway, of course, won't permit anybody to access the property of the jug-handle because they own it.

Mr. Corby: I will refer to counsel. Can we do a contract?

Mr. Delanoy: If you resolved the access issue, and we are satisfied that we only have one potential buyer, then we can go to contract now.

Mr. Kokes: I just want to make sure that the price for the property is current and that we won't be criticized one day. \$90-95 thousand an acre is not a lot of money today for a very good piece of property. If it is the right number I don't care. As long as an appraiser or someone tells us that is the right number. Because you never want to be in a position here to say we did something favorable or without checking.

Mr. Corby: We did an appraisal as of last December.

Mr. Kokes: Fine that's good.

Mr. Silberberg: Current value is about 200 thousand dollars

Mr. Albert: If it has access it would be.

Mr. Silberberg: But that is a very interesting question.

Mr. Corby: Well the appraisal did acknowledge the wet lands issues.

Mr. Kokes: I don't need it updated as long as there is an appraisal I'm fine with it.

Mr. Silberberg: Jan this is a question. It is definitely worth twice as much to the person. We have no way to beat him up is because we don't have anyone to sell it to other than him.

Mr. Albert: Unless they filled some of the wet lands. Is it possible to get a State permit to cross a wet land?

Mr. Katz: Or just to cross for an access road?

Mr. Kokes: And what you do is you trade off and you create new wet lands.

Mr. Corby: The offer sent to us was just to buy everything but the wet lands and the wetland will remain in township ownership.

Mr. Katz: can we create a road from Cedar Bridge Avenue crossing the wet land and coming into the 13 acres piece and then all of a sudden it becomes worth 220 thousand dollars and acres as to supposed 95 thousand. That's what we really have to decide.

Mr. Silberberg: oh yeah we can get 200 thousand from Bathgate for the piece of property.

Mr. Katz: We don't even have to create access, if we can convince Bathgate that our engineer told us that we put in application to create that road it is now not land lot he may pay more for it.

Mr. Silberberg: Anybody would pay more for it.

Mr. Albert: We would have to reject the offer first, if that is the way you feel, than let's have a motion to reject the offer.

Mr. Katz: I don't necessary feel that way, I think we should get an engineer first. I would even feel it is prudent to spend even to spend 5 or 10 thousand dollars to get an engineer to make the determination.

Mr. Katz: I make a motion to budget some money to consult an engineer to determine whether is feasible to cross the wetlands and make it accessible and that is no longer land locked property and at that point, we will make a determination.

Mr. Katz/Mr. Silberberg -Motion to budget some money to consult an engineer to determine whether a road can be constructed to cross the wet land and create access.

**On Roll Call:**

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

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

**ATTORNEY'S REPORT: NONE**

**CORRESPONDECE: NONE**

**COMMITTEE REPORTS:**

Mr. Albert: I reviewed a site plan for an expansion and I didn't find any that was objectionable. They are still conforming with established setbacks and so on. If you want to

see what it is there, I have a drawing here they are adding on to an existing building to create flex space with one dock which will service two bays. I don't know what he is going to do with this one.

Mr. Silberberg: That is subject to planning board approval?

Mr. Albert: Absolutely, is always subject to other approvals. Our recommendation is to approve this expansion.

Motion to approve the recommendation. [Carried] Approved by a voice vote.

**OLD BUSINESS: NONE**

**NEW BUSINESS: LIC Meeting Schedule**

Motion by Mr. Kokes/Mr. Katz -To cancel the LIC October 26th, 2005 meeting and reschedule it for November 2, 2005. [Carried]; approved by a voice vote.

**COMMENTS FROM THE PUBLIC: NONE**

**ADJOURNMENT:**

Mr. Kokes/Mr. Silberberg— Motion to adjourn. Carried

Meeting Adjourned at 1:57PM

Dated:October 4, 2005

by

Gidaly G. Cruz

Recording Secretary

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