

MINUTES



REGULAR SESSION BOARD MEETING

DATE: November 16, 2017
TIME: 10:00 a.m.
PLACE: 2 DeKorte Park Plaza - Lyndhurst, NJ
RE: **REGULAR SESSION MEETING MINUTES**

Members in Attendance:

Michael Ferguson, Chairman
Joseph Buckelew, Vice Chairman
Wayne Hasenbalg, Esq., President and Chief Executive Officer
John Ballantyne, Member (via phone)
Armando Fontoura, Member (via phone)
Michael H. Gluck, Esq., Member
George Kolber, Member (via phone)
Shannon McManus, NJ State Treasurer's Representative
Steven Plofker, Member
Andrew Scala, Member
Anthony Scardino, Member
Robert Yudin, Member

Absent:

Michael Gonnelli, Member
LeRoy Jones, Member

Also Attending:

Christine Sanz, Sr. Vice President/Chief Operating Officer
Adam Levy, Vice President of Legal & Regulatory Affairs
John Yarenis, Director of Finance/CFO
Sara Sundell, Director of Land Use Management and Chief Engineer
Nicholas Kant, Assistant Counsel, Governor's Authorities Unit
Christine Ferrante, Executive Assistant/Paralegal

Chairman Ferguson called the meeting to order.

Chairman Ferguson stated that the New Jersey Sports and Exposition Authority gave notice of the time, place, and date of this meeting by providing such notice to the Secretary of State for the State of New Jersey, The Star-Ledger, The Record, and other newspapers and by posting the notice at the offices of the Authority.

I. APPROVAL OF MINUTES

Chairman Ferguson presented the minutes of the Regular Session Board Meeting held on October 19, 2017.

Upon motion made by Commissioner Scardino and seconded by Commissioner Yudin, the minutes of the Regular Session Board Meeting held on October 19, 2017 were approved by a vote of 12-0.

II. PUBLIC PARTICIPATING ON RESOLUTIONS - None

III. APPROVALS

- Approval of Cash Disbursements Over \$100,000 and Professional Invoices

Chairman Ferguson presented the report of cash disbursements over \$100,000 and Professional Invoices for the month of October 2017.

Upon motion by Commissioner Buckelew and seconded by Commissioner Gluck, the cash disbursements over \$100,000 for the month of October 2017 were approved subject to the following recusals:

<u>Member</u>	<u>Recused as to</u>
Commissioner Buckelew	Borough of Oceanport

Resolution 2017-31 Resolution Adopting the 2017 NJSEA Budget.

Chairman Ferguson presented Resolution 2017-31. Upon motion by Commissioner Buckelew and seconded by Commissioner Gluck, proposed Resolution 2017-31 was unanimously approved by 12-0 vote.

Mr. Yarenis was pleased to report that the NJSEA CY2017 budget stayed within the \$15 million appropriations from Trenton. He also stated that the budget was reviewed by the Executive Committee and asked if any board members had questions.

Resolution 2017-32 Resolution Approving the NJSEA Annual Schedule of Meetings for the Year 2018.

Chairman Ferguson presented Resolution 2017-32. Upon motion by Commissioner Gluck and seconded by Commissioner Scala, proposed Resolution 2017-32 was unanimously approved by 12-0 vote.

Resolution 2017-33 Resolution to Deem the Property Located at 1631 Paterson Plank Road, Block 191, Lots 15.01, 15.02 & 15.03 in Secaucus as an Area In Need of Redevelopment – File No. SP-747.

Ms. Sundell explained that Pirhl, the contract purchaser of the 3.14-acre property owned by Schmitt Realty Co. Inc., located at 1631 Paterson Plank Road in Secaucus, has submitted a petition requesting that the property be designated as an area in need of redevelopment. Ms. Sundell went on to explain that in July, the Board authorized staff to conduct an investigation of the property. The subject property was utilized for over a century as a concrete plant, which has been closed for over a decade. Ms. Sundell stated that the isolated, underutilized industrial property has a large amount of impervious surface, consisting of a one to two-feet thick layer of concrete, and is surrounded by various residential uses and a municipal park. The parcels within the study area were evaluated in relation to the in need of redevelopment criteria established by the NJSEA statute and regulations. She also stated that Land Use staff compiled the results of the investigation in a Draft Report and held a public hearing on the matter. At the public hearing, the Town of Secaucus expressed support for the in need designation of the property. Ms. Sundell stated that Staff is recommending that the

Board designate the site as an area in need of redevelopment and authorize the Staff to prepare a redevelopment plan

Chairman Ferguson presented Resolution 2017-33. Upon motion by Commissioner Plofker and seconded by Commissioner Scardino, proposed Resolution 2017-33 was unanimously approved by 12-0 vote.

Resolution 2017-34 Resolution to Issuing a Decision on the Variance Application Submitted as Part of File No. 16-577 – 420 St.Paul’s Ave JC LLC/ACE LIMO – C.O. Block 6201, Lot 13 in Jersey City.

Ms. Sundell explained that the application was submitted on behalf of Ace 1 Limo, LLC regarding the property located at 420 St. Paul’s Avenue in Jersey City. Ace 1 Limo has requested a use variance to occupy 1,277 square feet of office space as a principal use on the subject premises. She went on to explain that the site is located in the Heavy Industrial zone, where office is not listed as a permitted use and that the subject property is currently developed with a three-story mixed-use building with a sit-down restaurant on the first floor and residential units above. Ms. Sundell stated that at the public hearing, a neighboring property owner expressed concerns about the lack of on-street parking in the neighborhood for the applicant’s fleet vehicles and stated that he would not have an objection if there were not a parking issue. The applicant provided testimony that the company’s fleet vehicles will be parked off-site at another location and the proposed office would only be utilized for administrative and dispatch staff, which consists of two to three employees. In addition, the traffic and parking impact from the proposed office use is anticipated to be substantially less than its current impact as a sit-down restaurant. Ms. Sundell stated that Staff is recommending the conditional approval of the use variance, with the limitation that the office space shall be utilized by Ace 1 Limo, Inc. solely as an office for administrative purposes and shall not be permitted to utilize the facility for the other functions of a taxi and limousine service.

Chairman Ferguson presented Resolution 2017-34. Upon motion by Commissioner Buckelew and seconded by Commissioner Plofker, proposed Resolution 2017-34 was unanimously approved by 12-0 vote.

V. PUBLIC COMMENTS

- Andrew Schwartz of Sills Cummis and Gross, representing Towers Assoc., spoke about Resolution 2017-28 that was approved at the September board meeting. Mr. Schwartz stated that, on behalf of Towers Assoc., an appeal was filed to the Appellate Division of the State of NJ Superior Court and a motion to stay was filed to the NJSEA board for application 17-239 pending the appeal. Mr. Schwartz urged the board to act and grant the application for a stay. Mr. Levy responded that the agency did receive the motion for a stay and that it is being evaluated by the Attorney General’s office. Mr. Levy stated that he will have the Attorney General’s office contact Mr. Schwartz.

VI. EXECUTIVE SESSION

Chairman Ferguson stated a need for the Board to enter into Executive Session to discuss contractual matters and litigation matters.

Resolution 2017-35 Resolution authorizing the NJSEA to enter into a meeting to which the general public shall not be admitted to discuss legal matters, personnel matters and contract negotiations.

Upon motion made by Commissioner Scala and seconded by Commissioner Gluck Resolution 2017-35 was approved by a vote of 12-0.

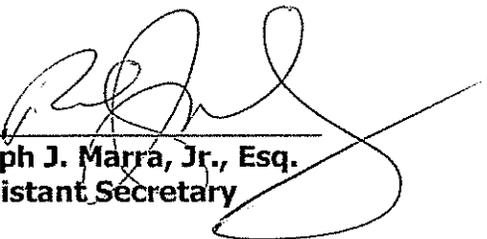
Motion was made and seconded to enter into open session.

VII. MOTION TO ADJOURN

With no further business, motion to adjourn the meeting was made by Commissioner Plofker and second by Commissioner Gluck with all in favor.

Meeting adjourned at 10:25 a.m.

I certify that on information and belief this is a true and accurate transcript of the Minutes of the Regular Session of the New Jersey Sports and Exposition Authority Board Meeting held on November 16, 2017.



Ralph J. Marra, Jr., Esq.
Assistant Secretary

November 16, 2017

Commissioner	Roll Call	2017-31	2017-32	2017-33	2017-34	2017-35
Ferguson	P	Y	Y	Y	Y	Y
Buckelew	P	Y	Y	Y	Y	Y
Hasenbalg	P	Y	Y	Y	Y	Y
Ballantyne	P (via phone)	Y	Y	Y	Y	Y
Fontoura	P (via phone)	Y	Y	Y	Y	Y
Gluck	P	Y	Y	Y	Y	Y
Gonnelli	--	--	--	--	--	--
Jones	--	--	--	--	--	--
Kolber	P (via phone)	Y	Y	Y	Y	Y
Plofker	P	Y	Y	Y	Y	Y
Scala	P	Y	Y	Y	Y	Y
Scardino	P	Y	Y	Y	Y	Y
Yudin	P	Y	Y	Y	Y	Y
Treasury Rep McManus	P	Y	Y	Y	Y	Y

P - Present A - Abstain
 -- Absent R = Recuse
 Y = Affirmative N = Negative