

MINUTES



REGULAR SESSION BOARD MEETING

DATE: January 11, 2018
TIME: 10:00 a.m.
PLACE: 2 DeKorte Park Plaza - Lyndhurst, NJ
RE: **REGULAR SESSION MEETING MINUTES**

Members in Attendance:

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

Absent:

Michael Gonnelli, Member
LeRoy Jones, Member
Steven Plofker, Member
John Ballantyne, Member

Also Attending:

Ralph J. Marra, Jr., Sr. Vice President of Legal and Regulatory Affairs
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

Vice Chairman Buckelew called the meeting to order.

Vice Chairman Buckelew 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

Vice Chairman Buckelew presented the minutes of the Regular Session Board Meeting held on November 16, 2017.

Upon motion made by Commissioner Scardino and seconded by Commissioner Gluck, the minutes of the Regular Session Board Meeting held on December 14, 2017 were approved with Commissioners Yudin and Kolber abstaining.

II. PUBLIC PARTICIPATING ON RESOLUTIONS

- Michael Sullivan of Sills Cummis and Gross – representing Towers Associates spoke on Executive Session item – IMO Towers Associates’ Motion Requesting a Stay of NJSEA File No. 17-239 Pending Its Appeal of Resolution No. 2017-29.
- Eric McCullough of Waters McPherson McNeill – representing MEPT Lincoln Crossings LLC, spoke on Executive Session item – IMO Towers Associates’ Motion Requesting a Stay of NJSEA File No. 17-239 Pending Its Appeal of Resolution No. 2017-29.

III. APPROVALS

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

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

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

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

Resolution 2018-01 Resolution Certifying the Meadowlands Adjustment Payments for CY2018.

Mr. Yarenis stated that the resolution is to certify the 2018 Meadowlands Adjustment Payments calculation for the 2018 calendar year. Mr. Yarenis stated that the schedule has been prepared in accordance with the New Jersey Statute, which requires that the calculations be certified by the board before February 1. Mr. Yarenis explained that the scheduled payments also reflect the outcome of the November 9, 2017 Appellate Division decision regarding the years that are to be used to determine the three year average for the payments. Mr. Yarenis explained that staff spoke with HMMC Executive Director to discuss the appellate court ruling and then also spoke with the receiving towns regarding the decision and how it will be reflected the 2018 calculations. Mr. Yarenis indicated that the calculations were reviewed and verified by an outside accounting firm. If approved by the board, municipalities will be notified for inclusion in their budgets.

Vice Chairman Buckelew presented Resolution 2018-01. Upon motion by Commissioner Scala and seconded by Commissioner Fontoura, proposed Resolution 2018-01 was unanimously approved by 10-0 vote.

Ms. Sundell explained that Command Web Offset Co. owns a vacant property located at 200 Castle Road, and identified as Block 9, Lot 9, in the Town of Secaucus. She also explained that the property owner plans to develop this property and intends to submit a future zoning certificate application to the NJSEA for a proposed addition to its existing facility located on the adjacent lot. Ms. Sundell indicated that since a 0.85-acre portion of the 8.07-acre property is subject to the State's riparian interest, Command Web Offset Co. has submitted a tidelands license and a riparian grant application to the NJDEP Bureau of Tidelands Management. She also indicated that pursuant to statute, the NJDEP is required to provide the NJSEA with an opportunity to submit its recommendation regarding applications for tidelands conveyances within the District to the Tidelands Bureau for their consideration. Ms. Sundell stated that staff reviewed the proposed tidelands license and grant filings, as well as a concept plan for the addition, and found that they are in conformance with the applicable District zoning regulations and recommends that the Board forward a resolution to the Tidelands Bureau in support of the subject tidelands license and riparian grant applications.

Vice Chairman Buckelew presented Resolution 2018-02. Upon motion by Commissioner Scardino and seconded by Commissioner Gluck, proposed Resolution 2018-02 was unanimously approved by 10-0 vote.

Resolution 2018-03 Resolution Issuing a Decision on the Suitability Recommendation as Required by the *NJSEA Interim Policies Governing Affordable Housing Development in the Meadowlands District* – File No. SP-750, Highland Cross Redevelopment Plan Amendment Block 219.04, Lots 1 (portion), 2 (portion), and 3, and Block 219.02, Lots 61 (portion), 65.05, 65.06 and 65.07 in Rutherford.

Ms. Sundell explained that Linque-H.C. Partners, LLC has submitted a petition requesting certain amendments to the Highland Cross Redevelopment Plan. Ms. Sundell stated that the Highland Cross Redevelopment Area is located in the Borough of Rutherford near the intersection of Highland Cross and Veterans Boulevard. She also stated that the Redevelopment plan amendments are subject to the *Interim Policies Governing Affordable Housing Development in the Meadowlands District*, and this matter was forwarded to the Site Suitability Review Team. The review team, which consisted of NJSEA staff and municipal representatives, evaluated the site based upon the criteria provided in the Interim Policies and prepared a Suitability Review, which recommends that the subject vacant property be deemed not suitable for residential use. Ms. Sundell explained that reasons for this determination include the site's remote location, which is located across a major highway from Rutherford's residential community, including schools, parks and other community facilities. She also explained that access to the community requires crossing the signalized intersection at Route 17 and Highland Cross, which is 8 lanes wide and not pedestrian-friendly. Also, the roadway system in the immediate vicinity is heavily utilized by commercial truck and tractor-trailer traffic from nearby industrial and commercial land uses. Ms. Sundell indicated that in addition, the site was the location of a former sewage treatment plant and was subject to a NJDEP-approved Remedial Action Work Plan, which currently restricts the site to non-residential uses only. Ms. Sundell stated that staff requests that the Board concur with the site suitability recommendation prepared by the Review Team, which recommends that the subject property be deemed not suitable for residential use.

Vice Chairman Buckelew presented Resolution 2018-03. Upon motion by Commissioner Gluck and seconded by Commissioner Scala, proposed Resolution 2018-03 was unanimously approved by 10-0 vote.

VI. PUBLIC COMMENTS

- Captain Bill Sheehan – Riverkeeper – thanked the board on behalf of himself and the environmental community for all the cooperation that was received from the NJSEA during the past couple of years and hopes to continue to work together in the future.
- Fred Dressel, HMMC Executive Director – spoke of the seamless transition that began in 2014 and attributed it to the president and the agency for the way it was handled. The Mayor wished everyone well in the future.

VII. EXECUTIVE SESSION

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

Resolution 2018-04 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 Yudin Resolution 2018-04 was approved by a vote of 10-0.

Motion was made and seconded to enter into open session.

Resolution 2018-05 Resolution Denying Towers Associates' Motion Requesting a Stay of NJSEA File No. 17-239 Pending Its Appeal of Resolution 2017-28.

Vice Chairman Buckelew presented Resolution 2018-05. Upon motion by Commissioner Kolber and seconded by Commissioner Scardino, proposed Resolution 2018-05 was approved by 10-0 vote.

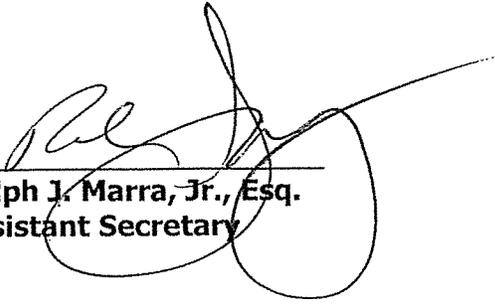
Vice Chairman Buckelew expressed that for the past 17 years it has been a pleasure working with everyone and an honor to be involved with this agency.

VIII. MOTION TO ADJOURN

With no further business, motion to adjourn the meeting was made by Commissioner Gluck and second by Commissioner Scala 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 January 11, 2018.



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

January 11, 2018

Commissioner	Roll Call	2018-01	2018-02	2018-03	2018-04	2018-05
Ferguson	P (via phone)	Y	Y	Y	Y	Y
Buckelew	P	Y	Y	Y	Y	Y
Hasenbalg	P	Y	Y	Y	Y	Y
Ballantyne	--	--	--	--	--	--
Fontoura	P	Y	Y	Y	Y	Y
Gluck	P	Y	Y	Y	Y	Y
Gonnelli	--	--	--	--	--	--
Jones	--	--	--	--	--	--
Kolber	P	Y	Y	Y	Y	Y
Plofker	--	--	--	--	--	--
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