



Board Meeting

Thursday, March 15, 2018

10:00 a.m.



**AGENDA  
REGULAR SESSION**

Thursday, March 15, 2018 - 10:00 a.m.  
Two DeKorte Park Plaza, Lyndhurst, NJ

**I. APPROVAL OF MINUTES - (Action)**

- Approval of Regular Session Meeting Minutes of February 15, 2018.

**II. PUBLIC PARTICIPATION ON RESOLUTIONS**

**III. APPROVALS – (Action)**

Cash Disbursements Approval and/or Ratification of Cash Disbursements over \$100,000 for February 2018.

Resolution 2018-10 Consideration of a Resolution Authorizing Changes to Signatories for Bank Accounts.

Resolution 2018-11 Consideration of a 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. 17-185, Vedant Hospitality LLC/Comfort Inn Suites – New Building & Variances, Block 33, Lots 10 and 11 in Secaucus.

Resolution 2018-12 Consideration of a Resolution Issuing a Decision on the Variance Application submitted as Part of File No. 17-407 PSE&G/Bergen Switching Station – Security Fencing/Walls – Special Exception & Variances, Block 4014, Lot 4 in Ridgefield.

**IV. AWARDS/CONTRACTS**

Resolution 2018-13 Consideration of a Resolution Authorizing the President and CEO to Enter Into a Contract for Outdoor Market Operators.

**V. PUBLIC PARTICIPATION**

**VI. EXECUTIVE SESSION**

Resolution 2018-14 Consideration of a Resolution authorizing the New Jersey Sports and Exposition Authority to conduct a meeting, to which the general public shall not be admitted for the purposes of discussing legal matters, personnel matters and contract negotiations.

**VII. MOTION TO ADJOURN**

# MINUTES



## REGULAR SESSION BOARD MEETING

DATE: February 15, 2018  
TIME: 10:00 a.m.  
PLACE: 2 DeKorte Park Plaza - Lyndhurst, NJ  
RE: **REGULAR SESSION MEETING MINUTES**

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### **Members in Attendance:**

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

### **Absent:**

Michael Gonnelli, 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  
John Duffy, Sr. Vice President of Sports Complex operations and facilities  
Beverly Schmidt, Director of Human Resources/Chief Compliance Officer  
Lauren Nathan-LaRusso, 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 January 11, 2018.

Upon motion made by Commissioner Scardino and seconded by Commissioner Scala, the minutes of the Regular Session Board Meeting held on January 11, 2018 were approved with Commissioner Griffin abstaining.

**II. PUBLIC PARTICIPATING ON RESOLUTIONS - None**

**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 January 2018.

Upon motion by Commissioner Plofker and seconded by Commissioner Kolber, the cash disbursements over \$100,000 for the month of January 2018 were approved subject to the following recusals:

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

Resolution 2018-06 Resolution Authorizing the New Jersey Sports and Exposition Authority to Participate in the 2026 FIFA World Cup

Mr. Marra explained that this agency has been working with our partners at the Stadium in the preparation of documents connected to the bid for the 2026 World Cup. Mr. Marra indicated that, as done in the past with other complicated projects, this resolution would give authorization to the President and other executive staff to execute any documents needed for the successful completion of the bid.

Chairman Ferguson presented Resolution 2018-06. Upon motion by Commissioner Fontoura and seconded by Commissioner Dowd, proposed Resolution 2018-06 was unanimously approved by 13-0 vote.

Resolution 2018-07 Resolution Issuing a Decision on the Site Suitability Recommendation as Required by the *NJSEA Interim Policies Governing Affordable Housing Development in the Meadowlands District* – File No. 17-466, 210 Clay Avenue Associates LLC/New Building, Block 230, Lots 10.01 in Lyndhurst.

Ms. Sundell stated that Clay Avenue Associates, LLC has submitted a zoning certificate application proposing the construction of a 90,614-square-foot warehouse at 210 Clay Avenue in Lyndhurst. She indicated that the subject property is located in the District's Light Industrial A zone and currently contains an office building that is proposed to be demolished and that surrounding properties consist of industrial, warehouse and distribution facilities, and some office and institutional uses. Ms. Sundell explained that Clay Avenue is heavily utilized by truck and tractor-trailer traffic from nearby industrial and commercial land uses. Ms. Sundell further explained that staff evaluated the site and prepared a suitability review indicating that the subject property at 210 Clay Avenue is recommended to be deemed unsuitable for housing. Ms. Sundell explained that reasons include that the surrounding development pattern is not compatible for the development

of residential uses, due to the significant amount of truck traffic, noise and pollution on the adjacent roadway, which would present challenges with respect to the circulation, safety, and quality of life of residents. She asked that the Board concur with the Review Team's recommendation that the subject property be deemed not suitable for residential use.

Chairman Ferguson presented Resolution 2018-07. Upon motion by Commissioner Bucklew and seconded by Commissioner Scardino, proposed Resolution 2018-07 was unanimously approved by 13-0 vote.

**V. PUBLIC COMMENTS - None**

**VI. EXECUTIVE SESSION**

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

Resolution 2018-08 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 Scardino and seconded by Commissioner Scala Resolution 2018-08 was approved by a vote of 13-0.

Motion was made and seconded to enter into open session at 11:42 a.m.

Commissioner Gluck not in attendance.

**VII. PUBLIC PARTICIPATION ON RESOLUTION 2018-09**

- Tony Armlin, Representing American Dream – Spoke in favor of Resolution 2018-09. Mr. Armlin also spoke about the strong and longstanding working relationship with the NJSEA. Mr. Armlin stated that he looks forward to a strong relationship going with the new leadership.
- James Cassella, Mayor of East Rutherford – spoke in favor of Resolution 2018-09. Mayor Cassella stated that he looks forward to working with Speaker Prieto not only as the Mayor of East Rutherford but also as the Chairman of the Hackensack Meadowlands Municipal Committee. Mayor Cassella also spoke of his appreciation of President Hasenbalg and the way he handled the merger of the NJSEA and NJMC.
- Jim Kirkos, Meadowlands Regional Chamber of Commerce – spoke in favor of Resolution 2018-09. Mr. Kirkos thanked Governor Murphy for elevating Speaker Prieto into the role of President and CEO of the NJSEA. Mr. Kirkos spoke of the commitment of himself and the MRCC in working together with the NJSEA in building the economy of the region. Mr. Kirkos also spoke of the Chamber's economic development vision plan - Vision 2040.
- Captain Bill Sheen, Riverkeeper – spoke in favor of Resolution 2018-09. Capt. Sheehan recognized President Hasenbalg and the work he has done in the merging the two agencies. Captain Sheehan went on to say that he looks forward to working with Speaker Prieto. He also spoke about the Master Plan and how it's time for it to be revised. Captain Sheehan indicated that as Mr. Kirkos is doing a great job in

advocating for the economic development of the region, he will be advocating for natural resources – as you can't have one without the other.

- Kevin O'Brien, President of the Theatrical Stage Hands Union and Joseph Villani – spoke in favor of Resolution 2018-09. Mr. O'Brien welcomed Speaker Prieto and stated that he looks forward to working together. Mr. O'Brien also recognized President Hasenbalg and presented him, on behalf of the membership, with a stage hand's crew t-shirt.

## **VIII. APPROVAL**

**Resolution 2018-09** Resolution Appointing Vincent Prieto as President and Chief Executive Officer of the New Jersey Sports and Exposition Authority.

Chairman Ferguson congratulated Speaker Prieto as incoming President and CEO. Chairman Ferguson indicated that Speaker Prieto is no stranger to the Meadowlands and was instrumental in writing and moving the legislation for the merging of the NJSEA and NJMC. The Chairman recognized Speaker Prieto's public service to the state and wished him the very best and looks forward to his leadership as President and CEO. Chairman Ferguson expressed that it is his personal privilege and honor to have worked closely with President Hasenbalg and hopes that he will be no stranger going forward as he is full of knowledge, experience and understanding in the workings of the agency.

Vice Chairman Buckelew congratulated Speaker Prieto and is looking forward to working closely with him during his tenure. Vice Chairman Buckelew wished President Hasenbalg well and expressed how he has been the ultimate professional in addition to being a great friend.

Commissioner Fontoura welcomed Speaker Prieto. Commissioner Fontoura stated that it is an exciting time again for the state and the region and he is looking forward to working with Speaker Prieto. Commissioner Fontoura spoke about how the smooth transition speaks volumes of both President Hasenbalg and Speaker Prieto's character and style. Commissioner Fontoura expressed that it has been a wonderful experience working with President Hasenbalg and wishes him the best.

Commissioner Plofker welcomed Speaker Prieto and is excited for him to be here.

Commissioner Scardino welcomed Speaker Prieto. He spoke how Speaker Prieto is no stranger to the agency and that he will do a wonderful job just as he has done with the legislature. Commissioner Scardino went on to say that you can sense a great feeling among commissioner about the agency and that the feeling will continue as we go forward and the board is here to support the new President. Commissioner Scardino stated that President Hasenbalg deserves all the praise and accolades that are given. He went on to say how he cherishes their friendship and wishes him the best.

Commissioner Dowd thanked President Hasenbalg for being welcoming and available to him as a new Commissioner. Commissioner Dowd stated that it is an honor for him to enthusiastically support the resolution. Commissioner Dowd went on to say that Speaker Prieto's leadership style is tenacious and that he is the hardest worker he's ever watched. Commissioner Dowd indicated that this agency is in for exciting times and that Speaker Prieto will be a great leader and will only benefit this agency.

Commissioner Kolber thanked Governor Murphy for the wisdom to select Speaker Prieto – someone who is local and who understands the organization. Commissioner Kolber spoke about the unique opportunity the Speaker will have to learn a lot from President Hasenbalg during the transition. He went on to say that President Hasenbalg is smooth, knowledgeable, and forceful when he needed to be, and got the job done. Commissioner Kolber thanked President Hasenbalg and welcomed Speaker Prieto.

Commissioner Yudin welcomed Speaker Prieto and congratulated the Governor for choosing him. Commissioner Yudin spoke about how American Dream is where it is now because of President Hasenbalg's professionalism and that he has done a fantastic job. Commissioner Yudin urged the Speaker to use President Hasenbalg as a resource as it will make his tenure better.

Commissioner Ballantyne stated that he is looking forward to working with Speaker Prieto. Commissioner Ballantyne also stated that he has worked with the Speaker in that past and appreciates the leadership ability that he will be bringing to the agency. Commissioner Ballantyne spoke of President Hasenbalg's exceptional work that he has done on American Dream to make it a reality. Commissioner Ballantyne went on to say how it has touched the lives of working men and women of New Jersey with the work from American Dream. Commissioner Ballantyne thanked President Hasenbalg on behalf of the Board and also on behalf of the Northeast Regional Council of Carpenters and the 38,000 regional members.

Commissioner Scala – Welcomed Speaker Prieto and echoed the sentiments of the other board members. Commissioner Scala thanked Wayne for welcoming him four years ago. You have been a great asset to this agency.

Chairman Ferguson presented Resolution 2018-09. Upon motion by President Hasenbalg and seconded by Chairman Ferguson, proposed Resolution 2018-09 was unanimously approved by 12-0 vote.

Resolution 2018-09 - Roll Call:

Ballantyne	Yes
Buckelew	Yes
Dowd	Yes
Fontoura	Yes
Gluck	Absent
Hasenbalg	Yes
Kolber	Yes
Plofker	Yes
Scardino	Yes
Scala	Yes
Yudin	Yes
Griffin	Yes
Ferguson	Yes

Incoming President and CEO Prieto thanked Commissioners for this resolution and is looking forward to working with everyone. Speaker Prieto also thanked President Hasenbalg for the seamless transition and is looking forward to working together. The Speaker also thanked Governor Murphy for putting his name forward. Speaker Prieto went on to say how the region is an economic engine with a unique geography second to none and having the entertainment destination, these are exciting times. The Speaker stated that we are here to make a better

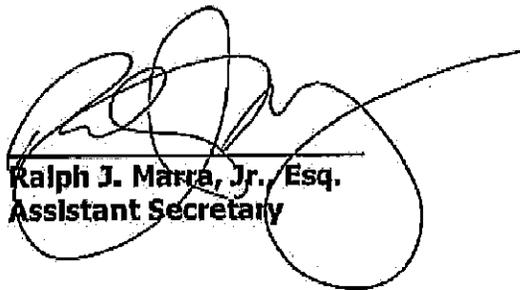
quality life for all residents and New Jersey a better place. Speaker Prieto thanked Captain Bill, Mayor Cassella and the Chamber for all their kind words.

**IX. MOTION TO ADJOURN**

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

Meeting adjourned at 11:20 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 February 15, 2018.**



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

February 15, 2018

Commissioner	Roll Call	2018-06	2018-07	2018-08	2018-09		
Ferguson	P	Y	Y	Y	Y		
Buckelew	P	Y	Y	Y	Y		
Hasenbalg	P	Y	Y	Y	Y		
Ballantyne	P	Y	Y	Y	Y		
Dowd	P	Y	Y	Y	Y		
Fontoura	P	Y	Y	Y	Y		
Gluck (via phone/portion)	P	Y	Y	Y	--		
Gonnelli	--	--	--	--	--		
Plofker	P	Y	Y	Y	Y		
Scala	P	Y	Y	Y	Y		
Scardino	P	Y	Y	Y	Y		
Yudin	P	Y	Y	Y	Y		
Treasury Rep Griffin	P (via phone)	Y	Y	Y	Y		

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

# **APPROVALS**



CASH DISBURSEMENTS  
\$100,000 OR MORE  
FEBRUARY 2018

EAST RUTHERFORD - SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
NEW JERSEY STATE POLICE	344,545.75	N/L	OVERTIME CHARGES: - NOV 2017 -DEC 2017
<b>SPORTS COMPLEX TOTAL</b>	<u>344,545.75</u>		

LYNDHURST

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
JACOBS ENGINEERING GROUP, INC.	103,433.77	N/L	MASSTR ON-CALL TRAFFIC ENGINEERING SUPPORT SERVICES: OCT 2017 - NOV 2017
LYNDHURST, TOWN OF	175,000.00	I	PAYMENT IN LIEU OF TAXES: 2018
PHILADELPHIA INSURANCE COMPANIES	398,017.75	A	GENERAL LIABILITY & AUTO POLICY INSURANCE RENEWAL PREMIUM: JAN 2018 - DEC 2018
WASTE MANAGEMENT OF NEW JERSEY	209,598.40	A	OPERATIONS CONTRACT - KEEGAN LANDFILL: JAN 2018
<b>OTHER TOTAL</b>	<u>886,049.92</u>		



CASH DISBURSEMENTS  
\$100,000 OR MORE

<u>REFERENCE LETTER</u>	<u>TYPE</u>
A	CONTRACT ON FILE
B	PURCHASE AWARDS - APPROVED AT MONTHLY BOARD MEETING
C	STATE REQUIREMENT FOR RACING
D	STATE VENDOR
E	SOLE SOURCE*
F	APPOINTED BY RACING COMMISSION
G	ADVERTISED BID
H	PRESIDENT/CEO APPROVAL
I	STATUTORY PAYMENT
J	UTILITIES
K	LOWEST PROPOSAL
L	REIMBURSABLE
M	OUTSTANDING PROFESSIONAL INVOICES APPROVED AT MONTHLY BOARD MEETING
N	PURCHASES ON BASIS OF EXIGENCY
*	PURCHASES DIRECT FROM SOURCE
	EXPENDITURE TO BE CHARGED TO MAINTENANCE RESERVE FUND

**RESOLUTION 2018-10**

**RESOLUTION AUTHORIZING CHANGES TO  
OFFICIAL SIGNATORIES FOR BANK ACCOUNTS**

**WHEREAS**, certain bank accounts have been established by resolution adopted in the past for the New Jersey Sports and Exposition Authority (the "Authority"); and

**WHEREAS**; due to recent changes of personnel within the Authority, certain signatory changes are necessary, and

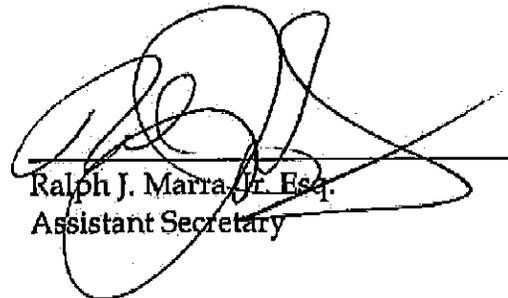
**WHEREAS**, in accordance with the by-laws of the Authority the following signatories are to be assigned to the bank accounts as directed by and in discretion of the President/CEO, Vincent Prieto:

Vincent Prieto  
John Yarenis  
Christine A. Sanz  
Edward H. Bulmer

**NOW THEREFORE BE IT RESOLVED**, the Board of Commissioners of the New Jersey Sports and Exposition Authority hereby authorizes the aforementioned signatories to the bank accounts; and

**BE IT FURTHER RESOLVED**, that the Authority conferred upon the above named signatories shall remain in full force and effect until written notice of revocation.

I hereby certify the foregoing to be a true copy of the resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of March 15, 2018.

  
Ralph J. Marra, Jr. Esq.  
Assistant Secretary



**RESOLUTION 2018-11**

**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. 17-185, Vedant Hospitality LLC/Comfort Inn and Suites -  
New Building & Variances  
BLOCK 33, LOTS 10 and 11  
IN THE TOWN OF SECAUCUS**

WHEREAS, in a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing; and

WHEREAS, on July 25, 2007, the Commission adopted Resolution No. 07-68, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing"; and

WHEREAS, on May 6, 2008, COAH adopted new rules, which became effective upon publication in the New Jersey Register on June 2, 2008 and, in addition, adopted new rules on September 22, 2008, which became effective on October 20, 2008; and

WHEREAS, on July 17, 2008, P.L. 2008, Chapter 46 became law, revising various parts of the statutory law concerning affordable housing; and

WHEREAS, on July 23, 2008, the Commission adopted Resolution No. 08-80, which approved the "*Interim Policies Governing Affordable Housing Development in the Meadowlands District*," in order to govern the review of and restraints upon applications for further development in the Meadowlands District in a manner consistent with these regulatory and statutory changes, prior to the implementation of new regulations regarding same; and

WHEREAS, pursuant to Public Law 2015, Chapter 19, the New Jersey Meadowlands Commission (NJMC) has become part of the New Jersey Sports and Exposition Authority (NJSEA), effective February 5, 2015; and

WHEREAS, the *Interim Policies*, last revised by Resolution No. 11-29 on July 27, 2011, govern all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a

redevelopment plan pertaining to new proposed uses or changes to existing uses, received on or after July 24, 2008, and remain in effect until the NJSEA promulgates new regulations concerning affordable housing, or the *Interim Policies* are withdrawn or rescinded by Commission action or court order, whichever occurs first; and

**WHEREAS**, the *Interim Policies* set forth the criteria for a Review Team, comprised of three NJSEA staff members including one New Jersey-licensed professional engineer and one New Jersey-licensed professional planner, and also a professional planner representing the municipality in which the proposed development is located, to review each applicable application to determine the suitability of the subject site for residential use; and

**WHEREAS**, a zoning certificate application was submitted to the NJSEA on November 9, 2017, by Kenny Desai, on behalf of Vedant Hospitality, LLC, and Charles Warth, for the premises identified as 70 and 82 County Avenue, Block 33, Lots 10 and 11, in the Town of Secaucus, New Jersey, which is located in the Neighborhood Commercial zone; and

**WHEREAS**, the subject application proposes the construction of a 40,454-square-foot, 3-story, 72-room hotel, and, as such, is not exempt from the *Interim Policies*; and

**WHEREAS**, the application was forwarded to the Review Team for review of the application in accordance with the *Interim Policies*; and

**WHEREAS**, the Review Team evaluated the suitability of the subject property; and

**WHEREAS**, a suitability review, dated February 28, 2018, and attached hereto, has been prepared, indicating the recommendation of the Review Team in this matter; and

**WHEREAS**, the suitability review recommends that the subject property is unsuitable for residential use; and

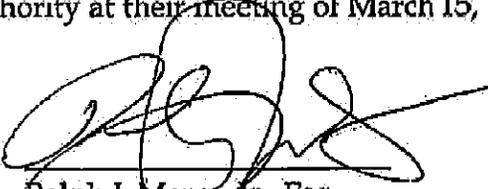
**WHEREAS**, the Board of Commissioners of the NJSEA has reviewed the suitability review and recommendation prepared by the Review Team, regarding the subject property; and

**WHEREAS**, the Board of Commissioners of the NJSEA concurs with the recommendation of the Review Team; and

**WHEREAS**, the Board of Commissioners of the NJSEA hereby determines that the subject property is unsuitable for residential use.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the New Jersey Sports and Exposition Authority that the property located at 70 and 82 County Avenue, Block 33, Lots 10 and 11, in the Town of Secaucus, New Jersey, is deemed to be unsuitable for residential use.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of March 15, 2018.



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



## MEMORANDUM

**To:** NJSEA Board Members and Vincent Prieto, President/CEO

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**From:** Sara J. Sundell **Date:** March 15, 2018

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**Subject:** Site Suitability Recommendation for Block 33, Lots 10 and 11, in Town of Secaucus (File No. 17-185)

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In a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC or Commission) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing. The Commission followed up by adopting Resolution No. 07-68, on July 25, 2007, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing." Thereafter, on July 23, 2008, the Commission adopted Resolution No. 08-80, which approved the "*Interim Policies Governing Affordable Housing Development in the Meadowlands District*," which was last revised by Resolution No. 11-29 on July 27, 2011, in order to govern the review of and restraints upon applications for further development in the Meadowlands District in a manner consistent with regulatory and statutory changes regarding affordable housing, prior to the implementation of new regulations regarding same.

Pursuant to Public Law 2015, Chapter 19, the New Jersey Meadowlands Commission (NJMC) has become part of the New Jersey Sports and Exposition Authority (NJSEA), effective February 5, 2015.

The Interim Policies apply to all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a redevelopment plan pertaining to new proposed uses or changes to existing uses, received on or after July 24, 2008, and will remain in effect until the NJSEA promulgates new regulations concerning affordable housing, or the Interim Policies are withdrawn or rescinded by Authority action or court order, whichever occurs first. The *Interim Policies* set forth the criteria for a Review Team, comprised of three NJSEA staff members, including one New

Jersey-licensed professional engineer and one New Jersey-licensed professional planner, and also a professional planner representing the municipality in which the proposed development is located, to review each applicable application to determine the suitability of the subject site for residential use.

The NJSEA received an application for the construction of a 40,454 square foot, 3-story, 72 room hotel, on the premises identified as 70 and 82 County Avenue, Block 33, Lots 10 and 11, in Secaucus, New Jersey. The subject property is located within the District's Neighborhood Commercial zone.

The matter was forwarded to the Review Team for review of the proposed site in accordance with the *Interim Policies*. A suitability review, dated February 28, 2018, has been prepared, indicating that the Review Team recommends that the subject property is not suitable for residential use.

At this time, the NJSEA staff is recommending that the members of the NJSEA concur with the site suitability recommendation prepared by the Review Team, which determines that the subject property is not suitable for residential use.



## **Suitability Review - Summary**

*File No. 17-185*

*Vedant Hospitality LLC/Comfort Inn and Suites - New Building & Variances*

*Block 33, Lots 10 and 11, in the Town of Secaucus*

*February 28, 2018*

The NJSEA received a zoning certificate application for the proposed construction of a 40,454-square-foot, 3-story, 72-room hotel on the premises identified as 70 and 82 County Avenue, Block 33, Lots 10 and 11, in the Town of Secaucus, New Jersey. The existing structures on the subject properties are proposed to be demolished. The subject property is currently located in the Neighborhood Commercial zone and, as such, is not exempt from the site suitability review process. In keeping with the review process, the site characteristics of the property have been evaluated in accordance with the "Interim Policies Governing Affordable Housing Development in the Meadowlands District," adopted by the NJMC on July 24, 2008, and last revised on July 27, 2011.

**In accordance with Section IV(c)1 of the Interim Policies, the criteria to deem a site suitable for housing are as follows:**

- i. **The site is adjacent to compatible land uses and has access to appropriate streets.**
  - The subject property is located within the Neighborhood Commercial zone. The adjacent land uses on the east side of County Avenue are a diner to the north and a carwash to the south. An NJ Turnpike maintenance facility is located directly to the east of the subject property and includes a large, domed salt storage structure and parking for highway snowplows and other heavy equipment associated with the maintenance of the NJ Turnpike. Directly behind the public works facility is the Eastern Spur of the NJ Turnpike. Looking across County Avenue to the west, there are several warehouse and distribution buildings and two bus garages. In addition, two single-family detached residential dwellings are located across County Avenue from the subject property. These two dwelling structures are situated on very small lots that are located in front of industrial facilities and pre-date much of the commercial and industrial development in the area.



- County Avenue is a major thoroughfare for regional commercial, industrial and commuter traffic in the southern portion of Secaucus. The roadway is in constant use and is heavily travelled during the morning and evening peak hours.
  - The surrounding development pattern is not compatible with the development of residential uses, due to the heavy reliance by industrial, warehouse and distribution uses in the area on trucking services to move products. As a result, there is a significant amount of truck traffic, including the inherent noise and pollution associated with heavy vehicle usage.
  - The trucks, plows and heavy construction equipment stationed at the NJ Turnpike maintenance facility, located to the rear of the subject property, can generate significant noise, vibrations and pollution during continuous day and night operations. The facility also requires the high lighting levels necessary for night-time operations associated with maintaining the NJ Turnpike that would not be compatible with adjacent residential dwellings.
  - The subject property is relatively narrow, reducing the ability to buffer residents from traffic noise from County Avenue and the outdoor operations at the NJ Turnpike maintenance facility. There is no significant presence of open space surrounding the property that could buffer potential residents from these characteristics associated with the intensity of the uses of the surrounding land use pattern.
- ii. The site has access to water and sewer infrastructure with sufficient capacity.
- This criterion is met by the subject property.
- iii. The site can be developed consistent with the rules of the NJSEA.
- This criterion is met by the subject property.
- iv. Former and existing land uses, either on the site or in the vicinity, may not expose residents to environmental hazard. Alternatively, the site shall be remediated to NJDEP residential standards as a condition of the Board's approval.
- This criterion is met by the subject property.
- v. The size, shape, or layout of any existing structure that shall remain, or



**other physical limitation(s) not listed previously, do not preclude residential use.**

- This criterion is met by the subject property.

**vi. The site is suitable for residential use pursuant to sound planning principles.**

- The NJ Turnpike maintenance facility located adjacent to the subject property would expose any future residents of the subject property to noise, vibrations and pollution generated during continuous day and night operations. High illumination levels necessary for safe night-time operations of the maintenance facility would not be compatible with adjacent residential dwellings.
- Elements of the commercial, warehouse and distribution businesses in the vicinity of the subject site are also potentially detrimental to residents. Noise generated from open loading docks, trucks maneuvering on neighboring sites, and heavy traffic in the streets render this site unfavorable to residential uses.
- The subject property is relatively narrow, reducing the ability to construct a sufficient vegetative buffer to provide a visual screen and sound wall to protect residents from traffic noise, from both County Avenue and the outdoor operations at the NJ Turnpike maintenance facility.
- With the exception of the two single family dwellings on the opposite side of County Avenue, there are no nearby residential or other supportive uses that could, from a planning perspective, create a cohesive neighborhood. The site is remote from public schools, recreation areas, and other public amenities.
- The surrounding commercial, warehouse and industrial uses, as well as the NJ Turnpike maintenance facility, generate truck traffic, noise and associated pollution both day and night, which would be detrimental to the quality of life and long-term safety of residents on the subject property.

In summary, only four (4) of the above criteria, as per Section IV(c)1 of the Interim Policies, apply to the subject property.



### **Conclusion**

The subject property, located at 70 and 82 County Avenue, Block 33, Lots 10 and 11, in the Town of Secaucus, is recommended to be deemed unsuitable for housing.

Contingent upon the approval of this recommendation by the NJSEA Board of Commissioners, the review of the submitted zoning certificate application for the proposed 72-room hotel may proceed for this site. As a condition of any zoning certificate approval, the applicant shall be required to satisfy the project's affordable housing requirements as per Section VII(a) of the Interim Policies or as required by law.

**RESOLUTION 2018-12**

**RESOLUTION ISSUING A  
DECISION ON THE VARIANCE APPLICATION  
SUBMITTED AS PART OF FILE NO. 17-407  
PSE&G/BERGEN SWITCHING STATION - SECURITY FENCING/WALLS -  
SPECIAL EXCEPTION & VARIANCES  
BLOCK 4014, LOT 4, IN THE BOROUGH OF RIDGEFIELD**

**WHEREAS**, an application for one special exception and two bulk variances has been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Public Service Electric and Gas Company (PSE&G) for the premises located along Hendricks Causeway and identified as Block 4014, Lot 4, in the Borough of Ridgefield, New Jersey; and

**WHEREAS**, the premises is located within three zones on the Official Zoning Map, specifically the District's Public Utilities, Environmental Conservation, and Light Industrial B zones; and

**WHEREAS**, the special exception is sought in connection with the applicant's proposal to install an 8-foot-high chain link fence and a 37-foot-high Forevergreen fence and construct a 32-foot-high ballistic-rated security wall within the Environmental Conservation-zoned portion of the subject premises; and

**WHEREAS**, the bulk variances are sought in connection with the applicant's proposal to install an 8-foot-high decorative fence and construct a 37-foot-high ballistic-rated security wall within the Public Utilities and Light Industrial B-zoned portions of the subject premises; and

**WHEREAS**, the applicant requested special exception approval from N.J.A.C. 19:4-5.10(a)5, in which structures and improvements essential for and used solely in conjunction with a permitted use are listed as a special exception use in the Environmental Conservation zone, whereas the proposed fences and wall are associated with existing public utility equipment located in the Environmental Conservation-zoned portion of the site; and

**WHEREAS**, the applicant requested relief from N.J.A.C. 19:4-8.10(a)1, which prohibits fences or screening walls in excess of 24 inches in required front yards, whereas a decorative fence and a ballistic-rated security wall are proposed to be located within the required front yard facing Hendricks Causeway; and

**WHEREAS**, the applicant has also requested relief from N.J.A.C. 19:4-8.10(a)1, which prohibits fences or screening walls in excess of 24 inches in required front yards, whereas an 8-foot-high decorative fence and a 37-foot-high ballistic-rated security wall are proposed within the required front yard facing Hendricks Causeway, in excess of the maximum permitted height; and

**WHEREAS**, notice of the requested special exception and bulk variance relief was given to the public and all interested parties as required by law and was published in The Record newspaper; and

**WHEREAS**, a public hearing was held in the Office of the NJSEA on Tuesday, December 12, 2017, before Sara Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Sharon Mascaró, P.E., Deputy Director of Land Use Management and Deputy Chief Engineer; Mia Petrou, P.P., AICP, CFM, Principal Planner, and Ronald Seology, P.E., P.P., Principal Engineer; and

**WHEREAS**, a comprehensive report dated February 21, 2018, has been prepared indicating the recommendations of the Director of Land Use Management and the Senior Vice President of Legal and Governmental Affairs in this matter; and

**WHEREAS**, a copy of the recommendation and comprehensive report was provided to the applicant on February 21, 2018; and

**WHEREAS**, the report recommends the approval of the requested special exception from N.J.A.C. 19:4-5.10(a)5, to install an 8-foot-high chain link fence and a 37-foot-high Forevergreen fence and construct a 32-foot-high ballistic-rated security wall within the Environmental Conservation-zoned portion of the subject premises; and

**WHEREAS**, the report recommends the approval of the requested bulk variance from N.J.A.C. 19:4-8.10(a)1, to install a decorative fence and construct a ballistic-rated security wall within the required front yard facing Hendricks Causeway; and

**WHEREAS**, the report also recommends the approval of the requested bulk variance from N.J.A.C. 19:4-8.10(a)1, to install an 8-foot-high decorative fence and a 37-foot-high ballistic-rated security wall within the required front yard facing Hendricks Causeway, in excess of the maximum permitted height; and

**WHEREAS**, the Board of Commissioners of the NJSEA has reviewed the full record, including the transcripts of the public hearings, recommendations on the application by the Director of Land Use Management and by the Senior Vice

President of Legal and Governmental Affairs, and the submissions of the applicant; and

**WHEREAS**, the Board of Commissioners concurs with the recommendations of the Director of Land Use Management and the Senior Vice President of Legal and Governmental Affairs; and

**WHEREAS**, the Board of Commissioners hereby determines that the requested special exception application to install an 8-foot-high chain link fence and a 37-foot-high Forevergreen fence and construct a 32-foot-high ballistic-rated security wall within the Environmental Conservation-zoned portion of the subject premises conforms with the standards for approving applications for special exceptions as set forth in N.J.A.C. 19:4-4.13(e); and

**WHEREAS**, the Board of Commissioners hereby determines that the requested bulk variance application to permit a decorative fence and ballistic-rated security wall within the required front yard facing Hendricks Causeway conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e); and

**WHEREAS**, the Board of Commissioners hereby determines that the requested bulk variance application to permit an 8-foot-high decorative fence and a 37-foot-high ballistic-rated security wall within the required front yard facing Hendricks Causeway in excess of the maximum permitted height also conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e).

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the PSE&G/Bergen Switching Station - Security Fencing/Walls - Special Exception & Variances application to install an 8-foot-high chain link fence and a 37-foot-high Forevergreen fence and construct a 32-foot-high ballistic-rated security wall within the Environmental Conservation-zoned portion of the subject premises, is hereby **APPROVED** for the reasons set forth in the recommendation dated February 21 2018.

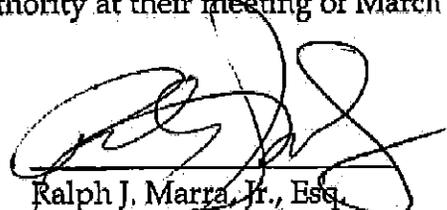
**BE IT FURTHER RESOLVED**, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the PSE&G/Bergen Switching Station - Security Fencing/Walls - Special Exception & Variances application to permit a decorative fence and ballistic-rated security wall within the required front yard facing Hendricks Causeway, is hereby **APPROVED SUBJECT TO THE FOLLOWING CONDITION** for the reasons set forth in the recommendation dated February 21, 2018:

1. Evergreens or other plants deemed suitable for screening as per the NJSEA's Recommended Plant List shall be provided to sufficiently screen the proposed ballistic-rated security wall from the adjacent Hendricks Causeway right-of-way. If feasible, the applicant shall remove the portion of the existing fence located to the north of the proposed ballistic-rated security wall along Hendricks Causeway, in order to provide additional unobstructed area for an effective landscape screen.

**BE IT FURTHER RESOLVED**, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the PSE&G/Bergen Switching Station - Security Fencing/Walls - Special Exception & Variances application to permit an 8-foot-high decorative fence and a 37-foot-high ballistic-rated security wall within the required front yard facing Hendricks Causeway, in excess of the maximum permitted height, is hereby **APPROVED SUBJECT TO THE FOLLOWING CONDITION** for the reasons set forth in the recommendation dated February 21, 2018:

1. Evergreens or other plants deemed suitable for screening as per the NJSEA's Recommended Plant List shall be provided to sufficiently screen the proposed ballistic-rated security wall from the adjacent Hendricks Causeway right-of-way. If feasible, the applicant shall remove the portion of the existing fence located to the north of the proposed ballistic-rated security wall along Hendricks Causeway, in order to provide additional unobstructed area for an effective landscape screen.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of March 15, 2018.



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



## MEMORANDUM

**To:** NJSEA Board Members and Vincent Prieto, President/CEO

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**From:** Sara J. Sundell **Date:** March 15, 2018

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**Subject:** Variance Recommendation - PSE&G/Bergen Switching Station - Security Fencing/Walls - Special Exception & Variances (File No. 17-407)

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An application for one special exception and two bulk variances has been filed with the NJSEA by Public Service Electric and Gas Company (PSE&G) for the premises located along Hendricks Causeway and identified as Block 4014, Lot 4, in the Borough of Ridgefield, New Jersey. The subject premises is located within the three zones in the District, specifically the Public Utilities, Environmental Conservation and Light Industrial B zones.

The special exception is sought in connection with the applicant's proposal to install an 8-foot-high chain link fence and a 37-foot-high Forevergreen fence and construct a 32-foot-high ballistic-rated security wall within the Environmental Conservation-zoned portion of the subject premises. The two bulk variances are sought in connection with the applicant's proposal to install an 8-foot-high decorative fence and construct a 37-foot-high ballistic-rated security wall within the Light Industrial B-zoned portion of the subject premises.

Specifically, the applicant is requesting special exception approval pursuant to:

1. N.J.A.C. 19:4-5.10(a)5, in which structures and improvements essential for and used solely in conjunction with a permitted use are listed as a special exception use in the Environmental Conservation zone; whereas the proposed fences and wall are associated with existing public utility equipment located in the Environmental Conservation-zoned portion of the site.

In addition, the applicant is requesting bulk variance relief from the following:

2. N.J.A.C. 19:4-8.10(a)1, which prohibits fences or screening walls in excess of 24 inches in required front yards; whereas a decorative fence and a

ballistic-rated security wall are proposed within the required front yard facing Hendricks Causeway.

3. N.J.A.C. 19:4-8.10(a)1, which prohibits fences or screening walls in excess of 24 inches in required front yards; whereas an 8-foot-high decorative fence and a 37-foot-high ballistic-rated security wall are proposed within the required front yard facing Hendricks Causeway, in excess of the maximum permitted height.

A public hearing was held in the Office of the NJSBA on Tuesday, December 12, 2017.

In a comprehensive report dated February 21, 2018, the Director of Land Use Management and the Senior Vice President of Legal & Regulatory Affairs recommended the approval of the special exception requested above in Item 1 and the conditional approval of the bulk variances requested above in Items 2 and 3. A copy of the comprehensive report and special exception use and variance recommendation was provided to the applicant on February 21, 2018.

At this time, the Board of Commissioners is required to issue a decision on the special exception use and variance application described above. A resolution requesting the same is attached for your consideration.

**RECOMMENDATION ON THE VARIANCE APPLICATION OF  
PSE&G/Bergen Switching Station - Security Fencing/Walls - Special Exception  
& Variances**

**FILE # 17-407**

**I. INTRODUCTION**

An application for one special exception and two bulk variances has been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Public Service Electric and Gas Company (PSE&G) for the premises located along Hendricks Causeway, identified as Block 4014, Lot 4, in the Borough of Ridgefield, New Jersey. The subject premises is located within three zones on the Official Zoning Map of the Hackensack Meadowlands District (District), specifically the Public Utilities, Environmental Conservation, and Light Industrial B zones. The special exception and bulk variances are sought in connection with the applicant's proposal to make security improvements to the subject property, including the installation of fencing and a 32-foot-high ballistic-rated security wall.

Specifically, the applicant is requesting special exception approval pursuant to:

1. N.J.A.C. 19:4-5.10(a)5, in which structures and improvements essential for and used solely in conjunction with a permitted use are listed as a special exception use in the Environmental Conservation zone; whereas the proposed fences and wall are associated with existing public utility equipment located in the Environmental Conservation-zoned portion of the site.

In addition, the applicant is requesting bulk variance relief from the following:

1. N.J.A.C. 19:4-8.10(a)1, which prohibits fences or screening walls in excess of 24 inches in required front yards; whereas a decorative fence and a ballistic-rated security wall are proposed to be located within the required front yard facing Hendricks Causeway.
2. N.J.A.C. 19:4-8.10(a)1, which prohibits fences or screening walls in excess of 24 inches in required front yards; whereas an 8-foot-tall decorative fence and a 37-foot-high ballistic-rated security wall are proposed within the required front yard facing Hendricks Causeway, in excess of the maximum permitted height.

Notice was given to the public and all interested parties as required by law. The public notice was published in The Record newspaper. No written objections were received. A public hearing was held in the Office of the Commission on Tuesday, December 12, 2017. All information submitted to the Division of Land Use Management relative to this application is made part of the record of this recommendation.

**II. GENERAL INFORMATION**

**A. Existing and Proposed Use**

The subject property is a 78.24-acre parcel with frontage on Hendricks Causeway to the north and Victoria Terrace to the west. The site is currently improved with an electrical switching station and electric transmission towers with overhead wiring. The subject property is located within three zones on the District's Official Zoning Map, specifically the Public Utilities, Environmental Conservation and Light Industrial B zones. The substation is located on the northerly portions of the site within the Public Utilities and Light Industrial B zones, adjacent to Hendricks Causeway. Gravel covers most of the surface area within the substation. Approximately 60 acres of the site consist of wetlands and are located in the Environmental Conservation zone. Bellman's Creek traverses

this portion of the property from west to east. Several electric transmission towers with overhead wiring are located throughout the entire site.

The proposed project involves security improvements required by the North American Electric Reliability Corporation (NERC), a not-for-profit authority operating with oversight by the Federal Energy Regulatory Commission (FERC), whose mission is to assure the reliability and security of the bulk power system in North America. NERC's Critical Infrastructure Protection Committee 014 security requirements (CIP-014-R2) mandate that transmission owners and operators protect critical transmission stations and substations, and their associated primary control centers, from potential physical attack. FSE&G is required to identify their critical facilities, evaluate security risks and vulnerabilities to those identified facilities, and implement measures to mitigate the risk of physical attack. As a result, FSE&G is proposing to install fencing, consisting of an 8-foot-high chain link fence and a 37-foot-high "Forevergreen" fence, as well as a 32-foot-high ballistic-rated security wall within the Environmental Conservation-zoned portion of the subject premises, which require special exception approval. The two bulk variants are sought in connection with the applicant's proposal to install, within both the Public Utilities and Light Industrial B-zoned portions of the subject premises, fencing and walls that exceed the maximum permitted height of eight feet within the 35-foot required front yard along Handricks Causeway.

**B. Response to the Public Notice**

No written objections were received prior to the public hearing.

**III. PUBLIC HEARING (December 12, 2017)**

A public hearing was held on Tuesday, December 12, 2017. NJSEA staff in attendance were Sara J. Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Sharon Mascaro, P.E., Deputy Director of Land Use

Management and Deputy Chief Engineer, Mia Petrou, P.P., AICP, CFM, Principal Planner, and Ronald Seeley, P.E., P.P., Principal Engineer.

**A. Exhibits**

The following is a list of the exhibits submitted by the applicant at the public hearing and marked for identification as follows:

Number	Description
A-1	"Site Plan," Sheet 1 of 2, prepared by PSBG Services Corporation on September 28, 2017, last revised November 6, 2017.
A-2	"Site Plan," Sheet 2 of 2, prepared by PSBG Services Corporation on September 28, 2017, last revised November 6, 2017.
A-3	"Renderings," Drawing No. 001, prepared by Architectural Precast Innovations, Inc. on December 1, 2017.
A-4	"Security Wall Sections A-A thru J-J," Drawing No. 309875, prepared by Black & Veatch on September 20, 2017, last revised November 3, 2017.
A-5	"Security Wall Section and Swing Gate Design Details," Drawing No. 309877, prepared by Black & Veatch on September 20, 2017.
A-6	"Security Wall Sliding Gate Design Details," Drawing No. 309878, prepared by Black & Veatch on September 20, 2017.

**B. Testimony**

Gleem C. Kiess, Esq., of the Weimer Law Group, LLP, represented the applicant at the hearing. The following witnesses testified in support of the application:

fence, as well as the construction of a 32-foot-high ballistic-rated security wall, within the Environmental Conservation-zoned portion of the subject premises will contribute to and promote the welfare and convenience of the public, as the proposed improvements are required to be installed to comply with Federally-mandated security protocols applicable to electric utilities. The proposed improvements are necessary in nature to the existing switching station improvements on the site, and the proposal will be consistent with the character of these existing improvements. All relevant District performance standards enumerated at N.J.A.C. 194-7, including requirements for noise, glare, vibrations, airborne emissions, and hazardous materials, will be met. The general welfare and convenience of the public will benefit from the expanded security measures that will allow FSE&G to safely meet the demand for electricity, an essential public commodity, in the region.

2. *The proposed special exception use will not cause substantial injury to the value of other property in the neighborhood.*

The proposed 8-foot-high chain link fence, 37-foot-high "Forevergreen" fence, and the 32-foot-high ballistic-rated security wall located within the Environmental Conservation zone portion of the property will not cause substantial injury to the value of other properties in the neighborhood. The subject 78.24-acre property is very large in comparison to neighboring parcels, and its large size provides sufficient area to accommodate the proposed improvements while providing adequate distance to neighboring properties. The area in which the subject property is located consists primarily of heavy industrial uses. A privately-owned electrical substation is situated to the east of the site.

1. Tom Mullarney, FSE&G;
2. Nicholas Gaspat, P.E., Black & Veatch;
3. William F. Masters, Jr., P.P.;
4. Jeffrey Herbert, FSE&G; and
5. Eric Zimmermann, FSE&G.

Staff findings and recommendations are based on the entire record. A transcript of the public hearing was prepared and transcribed by Beth Calderone, Certified Shorthand Reporter.

#### C. Public Comment

No members of the public were present at the public hearing.

#### IV. RECOMMENDATION(S)

A. Standards for the Granting of a Special Exception to Permit Fences and a wall associated with existing public utility equipment located in the Environmental Conservation-zoned portion of the site as per N.J.A.C. 194-5.10(a).

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 194-4.13(e) state in part that a special exception use shall not be granted unless specific written findings of fact are made based upon the evidence presented that supports the following conclusions:

1. *The proposed special exception use at the specified location will contribute to and promote the welfare or convenience of the public.*

The granting of the requested special exception to permit the installation of an 8-foot-high chain link fence and a 37-foot-high "Forevergreen"

3. The special exception use will not dominate the immediate neighborhood in a manner that could prevent development and use of neighboring properties in accordance with the applicable regulations, in consideration of the following:

i. The location and size of the special exception use;

The location and size of the proposed chain link fence, Forevergreen fence, and ballistic-rated security wall within the Environmental Conservation zone portion of the property will not dominate the immediate area or neighborhood and will not prevent development in accordance with District zoning regulations. The proposed fencing and security wall are similar in nature and arrangement to the existing security measures on the site, as well as to the fencing and wall sections proposed on the portions of the property within the Public Utilities and Light Industrial B zones. The portion of the site zoned Environmental Conservation is located principally toward the interior of the property; therefore, the lengths of fencing and security wall requiring special exception approval are proposed to be located at a sufficient distance from the public right-of-way and neighboring properties so as to not be visually intrusive to other facilities in the neighborhood. The height of the fencing and security wall are necessary to provide Federally-mandated security measures for the electric utility equipment on the site.

ii. The nature and intensity of the operation of the special exception use:

The existing operations of the electric utility on the site will remain unchanged from current operations. The proposed improvements

will not expand the footprint of the existing electric switching station, and present staffing levels will remain the same. The proposed fencing and security wall are intended to ensure the continuity of existing site operations. Therefore, the intensity of the existing use will not be increased.

iii. The location of the site with respect to access and circulation:

The installation of the proposed fencing and security wall within the portion of the site zoned Environmental Conservation will not impact access from and circulation on Hendricks Causeway. Adequate area will remain available for parking for PSE&G personnel. On-site operations and circulation routes will remain unchanged. Therefore, the proposed special exception will not dominate the neighborhood or impact the use of surrounding properties with respect to circulation.

iv. The location, nature, and height of structures, walls and fences on the site; and

The location, nature, and height of the proposed fencing and security wall in the portion of the property zoned Environmental Conservation will not dominate the surrounding area. The fencing and security wall have been designed to the required height to safeguard the existing electric switching station equipment.

v. The nature and extent of landscaping and screening on the site.

The site is presently well-maintained and landscaped in an appropriate manner. The proposed fencing and wall will serve to provide additional screening to utility improvements while ensuring their security. The use of a "Forevergreen" fence, as opposed to an open-slat chain link fence, will promote aesthetics on the site. No additional landscaping or screening will be required.

4. *Adequate utilities, drainages and other necessary facilities have been or will be provided.*

The requested special exception on the subject premises will not detrimentally impact the existing utility infrastructure. Rather, the proposed fencing and security wall will assist in safeguarding electrical service to the region. The subject property is currently developed with an electric switching station and contains all required utilities. The existing PSE&G electric switching station in operation on the site will continue to function at this location. The proposed fencing and security wall will not affect the ability of the existing on-site drainage system to perform in a safe and efficient manner. Additionally, the existing utility infrastructure, including electric, water, sanitary sewer and gas, is adequate to meet the requirements of the uses on site.

5. *Adequate access roads and drive aisles have been or will be provided and shall be designed to prevent traffic hazards and minimize traffic congestion.*

The neighborhood's existing roadway network will not be detrimentally affected by the proposed fencing and security wall located within the portion of the site zoned Environmental.

Conservation. The proposed improvements are intended to safeguard existing utility equipment, and will not result in an intensification of the existing operations on the site. The proposed fencing and security wall will not impact site circulation, nor will it cause any additional congestion in the area.

6. *The special exception use will not have a substantial adverse environmental impact.*

The granting of the requested special exception to permit the installation of the fencing and security wall on the portion of the subject premises in the Environmental Conservation zone will not result in any substantial environmental impacts. No disturbances of wetlands is proposed. The nature of the proposed improvements are limited to fencing and walls proposed to screen existing development the proposal will not result in any expansion of the utility use further into the Environmental Conservation zone beyond existing areas of disturbance. District environmental performance standards for noise, vibration, glare, air emissions and hazardous and radioactive materials will not be exceeded.

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 17:27.10(a), which prohibits fences or screening walls in excess of 24 inches in required front yards; whereas a decorative fence and a ballistic-rated security wall are proposed within the required front yard facing Hendricks Causeway on the Public Utilities and Light Industrial B-zoned portions of the subject premises.

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 17:27.10(e) state in part that a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...

1. Concerning bulk variances:

i. *The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zone, and is not created by any action of the property owner or the applicant.*

The subject property consists of approximately 78.24 acres and is located within three separate zones on the Hackensack Meadowlands District Official Zoning Map, specifically the Environmental Conservation, Public Utilities and Light Industrial B zones. Nearly 80 percent of the site is located within the Environmental Conservation zone and is comprised primarily of wetlands. Upland portions of the subject property are currently improved with an existing electric switching station, including a GIS Hall and electrical equipment. Multiple driveways provide access to the site from Hendricks Causeway.

The proposed project involves security improvements to the property required by NERC's CIP-014-R2 security requirements.

As part of the federally-mandated security upgrades, PSE&G proposes a decorative fence in the front yard, at a minimum setback of 15 feet, and a concrete foundation for a ballistic-rated wall, at a minimum setback of 22.4 feet, from the northerly property line abutting Hendricks Causeway. The placement and configuration of the fencing and security wall on the site is dictated by the location of the existing electrical equipment and NERC's regulatory requirements. Therefore, the variance request to place a security wall and fence within the required front yard access from conditions that are unique to the property in question and were not created by any action of the property owner.

ii. *The granting of the variance will not adversely affect the rights of neighboring property owners or residents.*

The decorative fence is proposed to be installed within the 35-foot required front yard facing Hendricks Causeway, in line with the existing perimeter fence on the site, at a minimum setback of 15 feet. The concrete ballistic-rated security wall foundation is proposed to be located a minimum of 22.4 feet from the northerly property line along Hendricks Causeway. The proposed wall will measure 235 feet in length, occupying only approximately 20 percent of the site's extensive 1,170-foot frontage along Hendricks. The site is an unmanned electrical switching station that requires only occasional visits by PSE&G personnel. Existing site and maintenance operations will be maintained at their present levels. Additionally, while the principal purpose of the wall is to protect the equipment on the site, a secondary public benefit will be realized from the additional visual screening of the equipment that

will result from the wall's installation. Therefore, no significant adverse visual impacts are anticipated.

The proposed variance will not impact the ability of neighboring properties to function as intended. Rather, the proposed improvements will safeguard critical energy-producing facilities at risk of physical attack, which will benefit the immediate neighborhood and area energy customers. In addition, there are no residences in the general vicinity of the site. Therefore, the granting of the requested variance will not adversely affect the rights of neighboring property owners or residents.

iii. *The strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.*

The strict application of the 35-foot minimum required front yard setback within the portions of the subject property located in the Public Utilities and Light Industrial B zones will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner. If the variance were not granted to permit the installation of the fencing and ballistic-rated security wall, PSE&G would not be able to comply with the federally-mandated NERC and CIP-014-R2 security requirements. The switching station must be safeguarded against a physical attack that could possibly damage critical facilities. The specific location of the proposed fence and wall was determined by a risk assessment of the facility performed by TRC Solutions. The location of the new security measures on the site is constrained by

the location of the existing improvements, whose function must be maintained, as well as regulatory requirements of NERC and its CIP-014-R2 security protocols. Therefore, the existing site conditions present exceptional practical difficulties with regard to the applicant's ability to comply with the front yard setback requirements.

iv. *The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.*

Approval of the requested variance to permit a minimum 15-foot-wide front yard setback for the proposed decorative fence and a minimum 22.4-foot-wide front yard setback for the proposed ballistic-rated security wall, whereas a minimum front yard setback of 35 feet is required within portions of the property located in the Public Utilities and Light Industrial B zones, will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. The proposed switching station security upgrades will promote the general welfare by protecting critical power-producing facilities from physical attack, thereby ensuring a reliable power capacity to the public customers of PSE&G that are served by this switching station. The proposed improvements will blend in with the character of the existing switching station. During testimony, the applicant stated that the proposed extension of the existing perimeter fence along Hendricks Causeway could be relocated to fit into the proposed ballistic-rated security wall to allow for the planting of landscaping that would

further screen the wall from the Hendricks Causeway right-of-way. Therefore, no adverse visual impacts are anticipated. All relevant District performance standards as enumerated in NJLAC 1947 will be met.

v. *The variance will not have a substantiated adverse environmental impact.*

The granting of the requested variance to permit a minimum front yard setback of 15 feet for the proposed decorative fence, and a minimum front yard setback of 22.4 feet for the proposed ballistic-rated security wall, whereas a minimum setback of 35 feet is required, will not have a substantial adverse environmental impact. No wetlands or open space will be disturbed during the construction of the decorative fence and ballistic-rated security wall. The fence and wall are proposed within the developed footprint of the existing electrical substation on the site. Additionally, the District's environmental performance standards for noise, glare, vibrations, airborne emissions, hazardous materials and water quality will not be exceeded.

vi. *The variance represents the minimum deviation from the regulations that will afford relief.*

The proposed project involves the installation and construction of security measures at an existing electric switching station as part of a federally-mandated initiative to protect critical utility infrastructure. The particular characteristics of the property, including the abundant presence of wetlands and the location of existing improvements to be secured, constrain the ability of the

proposed decorative fence and ballistic-rated security wall to comply with the minimum 35-foot front yard setback requirement of both the Public Utilities and Light Industrial B zones. The location of the wall and fence is dictated by the location of the existing electrical processing equipment on the site. A compliant 35-foot front yard setback would conflict with the location of existing utility improvements on the site. The proposed setback is the minimum setback necessary to accomplish the site's security mandates without affecting the site's existing operations.

These conditions represent exceptional practical difficulties in the accommodation of the federally-mandated security measures at the switching station. The proposed decorative fence will be installed in line with the existing switching station security perimeter fence located along Hendricks Causeway. The proposed concrete ballistic-rated security wall and its foundation occupy only a small portion of the property's northerly front yard. Adequate light, air and open space will continue to be provided.

Therefore, the requested variance represents the minimum deviation from the regulations that will afford relief.

vii. *Granting the variance will not substantially impair the intent and purpose of these regulations.*

The granting of the requested variance to permit a minimum 15-foot-wide front yard setback for the proposed decorative fence and a minimum 22.4-foot-wide front yard setback for the proposed ballistic-rated security wall, whereas a minimum front yard setback

of 35 feet is required, will not substantially impair the intent and purpose of these regulations. Due to the configuration of the property and the location of the existing improvements, including the presence of wetlands covering approximately 80 percent of the property, the site is constrained with respect to meeting the required front yard setback. The proposed security wall and fence will occupy only a small portion of the site's frontage on Hendricks Causeway, thus ensuring sufficient light, air and open space will continue to be provided. The District Zoning Regulations are also intended to provide for infrastructure and utility improvements and to promote the efficient use of the land. Therefore, the requested variance will not substantially impair these purposes.

C. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19A-8.10(a)1, which prohibits fences or screening walls in excess of 24 inches in required front yards; whereas an 8-foot-high decorative fence and a 37-foot-high ballistic-rated security wall are proposed within the required front yard facing Hendricks Causeway in the Public Utilities- and Light Industrial B-zoned portions of the subject premises, exceeding the maximum permitted height

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 19A-4.14(e) state in part that, a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...

1. Concerning bulk variances:

- i. The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zone, and is not created by any action of the property owner or the applicant.

The requested variance to permit an eight-foot-high decorative fence and a 37-foot-high ballistic-rated security wall within the required front yard setback along Hendricks Causeway arises from conditions that are unique to the site. The subject property consists of approximately 78.24 acres, fronting Hendricks Causeway to the north and Victoria Terrace to the west, and is located within three zones on the District's Official Zoning Map, specifically the Environmental Conservation, Public Utilities and Light Industrial B zones. Nearly 80 percent of the site is located within the Environmental Conservation zone and is made up primarily of wetlands. Upland portions of the subject property are currently improved with an existing electric switching station, including a GIS Hall and electrical equipment. The fence is proposed to be located a minimum of 15 feet from the Hendricks Causeway right-of-way, while a minimum setback of 22.4 feet is proposed to the foundation of the security wall, and 24 feet to the wall itself.

The proposed project involves security improvements to the property required by NERC's CIP-014-R2 security requirements. As part of the federally-mandated security upgrades, PSE&G proposes an eight-foot-high decorative fence and a 37-foot-high ballistic-rated wall within the required front yard along the northealy property line abutting Hendricks Causeway. The placement, height and configuration of the fencing and security wall on the site are dictated by the location of the existing electrical equipment and NERC's regulatory requirements. The property is configured and improved in a way that limits potential locations for the fence and wall to be constructed in compliance with NISEA requirements restricting the placement of fences and walls within

required front yards. The applicant is proposing to install the proposed fence as a continuation of the existing switching station security perimeter fence located along Hendricks Causeway. The proposed ballistic-rated security wall will be constructed behind the existing security perimeter fence. The proposed locations and heights of the fence and wall will allow the established operations to be maintained on the site. These circumstances are unique to the property in question.

ii. *The granting of the variance will not adversely affect the rights of neighboring property owners or residents.*

The granting of the requested variance to permit an eight-foot-high decorative fence and 37-foot-high ballistic-rated security wall within the required front yard setback along the Hendricks Causeway right-of-way will not adversely affect the rights of neighboring property owners or residents. The site is located within a fully developed industrial area. Properties immediately located to the east, west and south of the premises are zoned Heavy Industrial, Light Industrial B, and Intermodal B, respectively, and consist of a variety of industrial and public utility uses. There are no residential properties located within the immediate vicinity of the subject premises.

The proposed 8-foot-high fence, which will be set back approximately 15 feet from the front property line along Hendricks Causeway, will be partially screened from the road by existing landscaping that has been planted as part of a prior approval for an expansion of the existing switching station. The applicant testified

that the existing perimeter fence can be relocated to tie into the proposed ballistic-rated security wall to allow for the planting of landscaping that would further screen the proposed 37-foot-high security wall from the Hendricks Causeway right of way. The proposed fence and wall will not create any negative visual impacts to the neighboring properties or impede their ability to function as intended. Therefore, the granting of the variance will not adversely affect the rights of neighboring property owners or residents.

iii. *The strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.*

The strict application of the regulations will result in peculiar and exceptional practical difficulties to, and exceptional and undue hardship upon, the property owner. The easterly portion of the site in the vicinity of Hendricks Causeway was recently improved by PSE&G as part of an expansion to the existing electrical switching station. The strict application of the required minimum 35-foot front yard setback would result in the placement of the fence and wall in a location that would bisect equipment associated with the switching station operations, thus obstructing site operations and rendering the switching station essentially unsecured. The proposed location and height of the fence and wall will allow the site to continue to function as intended, while maintaining the aesthetics of the neighborhood and the security of PSE&G's utility equipment.

iv. *The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.*

There will be no substantial detriment to the public good and no adverse effects to the public health, safety, morals, order, convenience, prosperity or general welfare by the granting of the requested variance. The surrounding neighborhood properties principally consist of heavy industrial and public utility uses. The applicant proposes to construct an eight-foot-high decorative fence and 37-foot-high ballistic-rated security wall within the required front yard along Hendricks Causeway. The fence is proposed to be set back a minimum of 15 feet from the front property line, minimizing any potential line of sight issues for vehicular traffic exiting the site. The location and type of material of the proposed fence will match the existing switching station security fence. Likewise, no adverse line-of-sight concerns for existing vehicular traffic are expected by the siting and height of the proposed ballistic-rated security wall at a setback of 24 feet from the Hendricks Causeway right-of-way.

v. *The variance will not have a substantial adverse environmental impact.*

The granting of the requested variance to permit an eight-foot-high decorative fence and 37-foot-high ballistic-rated security wall within the required front yard setback will not have any adverse environmental impacts. The location and height of the proposed fence and wall within the required front yard along Hendricks Causeway will not violate District performance standards

regarding noise, vibrations, airborne emissions, hazardous materials, glare or water quality. In addition, no environmentally sensitive areas will be disturbed by the placement of the fence and wall.

vi. *The variance represents the minimum deviation from the regulations that will afford relief.*

The requested variance represents the minimum deviation from the regulations that will afford relief. The proposed project involves the installation and construction of security measures at an existing electric switching station as part of a federally-mandated initiative to protect critical utility infrastructure. The location and height of the wall and fence are dictated by the location of the existing electrical processing equipment on the site. The fence is proposed to be set back a minimum of 15 feet from the property line at its closest point, with the proposed wall to be set back to 24 feet, providing adequate line of sight for vehicular traffic exiting the site. The proposed concrete ballistic-rated security wall and fence will only occupy a small portion of the property's northerly front yard and adequate light, air and open space will continue to be provided. Potential alternative locations to provide a fence and wall around the essential equipment without altering the safe operation and layout of the switching station are not available. The proposed setbacks and heights of the wall and fence represent the minimum dimensions required to safely and efficiently secure the site per federal requirements without affecting the existing facility's operations.

vi. Granting the variance will not substantially impair the intent and purpose of these regulations.

The requested variance to permit an eight-foot-high decorative fence and a 37-foot-high ballistic-rated security wall within the required front yard setback along Hendricks Causeway will not impair the intent and purpose of the regulations. One intent of prohibiting fences and walls in required front yards is to minimize the visual impacts to neighboring properties. The portion of the property in question in the vicinity of Hendricks Causeway is located in the Public Utilities and Light Industrial B zones, which allow for various public utility, industrial and commercial uses. Although the fence and wall will be located within the required front yard setback, the heights of the fence and wall will be screened by landscaping that helps to minimize the visual impact to the surrounding area. Further, the fence and wall at the proposed locations will provide for a federally mandated level of security for FSE&G while maintaining overall logistical functionality of the site.

V. SUMMARY OF CONCLUSIONS

A. Standards for the Granting of a Special Exception to permit fences and a wall associated with existing public utility equipment located in the Environmental Conservation-zoned portion of the site as per N.J.A.C. 19A-5.10(a)5.

Based on the record in this matter, the special exception application to install an 8-foot-high chain link fence, a 37-foot-high Forevergreen fence, and a 32-foot-high ballistic-rated security wall on the Environmental Conservation-zoned portion of the subject premises is hereby recommended for APPROVAL.

APPROVAL 2/20/18 Date  
Recommendation on Special Exception Request

  
Sara J. Sundell, P.E., P.F.  
Director of Land Use Management

CANDY DALLABONOLA 2/21/18 Date  
Recommendation on Special Exception Request

  
Ralph J. Mauro, Jr.  
Senior Vice President  
Legal & Governmental Affairs

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 194-8.10(a), which prohibits fences or screening walls in excess of 24 inches in required front yards, whereas a decorative fence and a ballistic-rated security wall are proposed within the required front yard facing Hendricks Causeway on the Public Utilities- and Light Industrial B-zoned portions of the subject premises.

Based on the record in this matter, the bulk variance application to install a decorative fence at a minimum setback of 15 feet and a ballistic-rated security wall at a minimum setback of 22.4 feet within the required front yard facing Hendricks Causeway on the Public Utilities- and Light Industrial B-zoned portions of the subject premises is hereby recommended for APPROVAL SUBJECT TO THE FOLLOWING CONDITION:

1. Evergreens or other plants deemed suitable for screening as per the NJSEA's Recommended Plant List shall be provided to sufficiently screen the proposed ballistic-rated security wall from the adjacent Hendricks Causeway right-of-way. If feasible, the applicant shall remove the portion of the existing fence located to the north of the proposed ballistic-rated security wall along Hendricks Causeway, in order to provide additional unobstructed area for an effective landscape screen.

CONVENTIONAL APPROVAL 2/21/18  
 Recommendation on Date Sara J. Sundell, P.E., P.P.  
 Variance Request Director of Land Use Management

CONVENTIONAL APPROVAL 2/21/18  
 Recommendation on Date Ralph J. Marra, Jr.  
 Variance Request Senior Vice President  
 Legal & Governmental Affairs

C. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 194-8.10(a), which prohibits fences or screening walls in excess of 24 inches in required front yards, whereas an 8-foot-high decorative fence and a 37-foot-high ballistic-rated security wall are proposed within the required front yard facing Hendricks Causeway on the Public Utilities- and Light Industrial B-zoned portions of the subject premises, exceeding the maximum permitted height

Based on the record in this matter, the bulk variance application to install an eight-foot-high decorative fence and a 37-foot-high ballistic-rated security wall within the required front yard facing Hendricks Causeway on the Public Utilities- and Light Industrial B-zoned portion of the subject premises is hereby recommended for APPROVAL SUBJECT TO THE FOLLOWING CONDITION:

1. Evergreens or other plants deemed suitable for screening as per the NJSEA's Recommended Plant List shall be provided to sufficiently screen the proposed ballistic-rated security wall from the adjacent Hendricks Causeway right of way. If feasible, the applicant shall remove the portion of the existing fence located to the north of the proposed ballistic-rated security wall along Hendricks Causeway, in order to provide additional unobstructed area for an effective landscape screen.

CONVENTIONAL APPROVAL 2/21/2018  
 Recommendation on Date Sara J. Sundell, P.E., P.P.  
 Variance Request Director of Land Use Management

CONVENTIONAL APPROVAL 2/21/18  
 Recommendation on Date Ralph J. Marra, Jr.  
 Variance Request Senior Vice President  
 Legal & Governmental Affairs

# **AWARDS/ CONTRACTS**

**RESOLUTION 2018-13**

**RESOLUTION AUTHORIZING THE PRESIDENT AND CEO TO ENTER INTO A CONTRACT FOR OUTDOOR MARKET OPERATORS**

**WHEREAS**, the New Jersey Sports and Exposition Authority requires an Operator to conduct the Outdoor Market located in East Rutherford, NJ; and

**WHEREAS**, the NJSEA issued a Request for Proposal ("RFP") dated January 3, 2018 for the Outdoor Market in East Rutherford, NJ for a three-year period with an option to renew for two (2) additional one-year terms; and

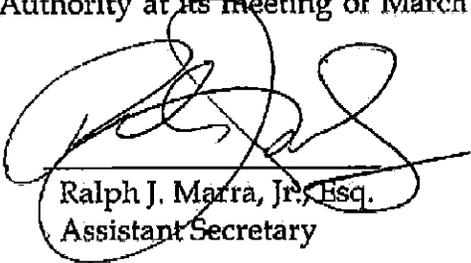
**WHEREAS**, in response to the RFP, one (1) proposal was submitted on January 23, 2018 by State Fair Amusement Corp; and

**WHEREAS**, an evaluation committee comprised of the Sr. VP of Sports Complex Operations and Facilities, Director of Site Operations and Dep. Dir. of Finance/Assistant CFO, reviewed the proposal based on established criteria; and

**WHEREAS**, the committee is recommending the award of an annual minimum license fee to conduct the Outdoor Market to State Fair Amusement Corp for a three (3) year term in the amount of \$440,000 per year, with an option to renew for two (2) one-year terms.

**NOW THEREFORE BE IT RESOLVED** that the President and Chief Executive Officer is hereby authorized to enter into a contract with State Fair Amusement Corp to operate the Outdoor Market for an annual minimum license fee in the amount of \$440,000 and the percentage fee of 30% of the gross receipts over the minimum fee of \$440,000.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at its meeting of March 15, 2018.

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

# **EXECUTIVE SESSION**

**RESOLUTION 2018-14**

**RESOLUTION AUTHORIZING THE  
NEW JERSEY SPORTS AND EXPOSITION AUTHORITY  
TO CONDUCT A MEETING TO WHICH  
THE GENERAL PUBLIC SHALL NOT BE ADMITTED**

**BE IT RESOLVED** by the New Jersey Sports and Exposition authority ("Authority") that it shall conduct a meeting to which the general public shall not be admitted to discuss personnel matters, the status of pending and anticipated litigation and other matters within the attorney client privilege, contract negotiations, and, if necessary, to act upon pending contracts.

**BE IT FURTHER RESOLVED** that the time when such discussions may be disclosed to the public shall be when and as such disclosure may be made without adversely affecting the Authority's pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by the statute.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of March 15, 2018.

A handwritten signature in black ink, appearing to read 'R. Marra, Jr.', written over a horizontal line.

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