

MINUTES



REGULAR SESSION BOARD MEETING

DATE: March 15, 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)
Vincent Prieto., President and Chief Executive Officer
John Ballantyne, Member
Robert J. Dowd, Member
Armando Fontoura, Member
Michael H. Gluck, Esq., Member
George Kolber, Member
Michael Griffin, NJ State Treasurer's Representative (via phone)
Andrew Scala, Member
Anthony Scardino, Member
Robert Yudin, Member

Absent:

Joseph Buckelew, Vice Chairman
Steven Plofker, Member
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 Yarents, 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
Steven Cattuna, Chief of Staff
Lisa LeBoeuf, Senior Legal Specialist
Lauren Nathan-LaRusso, Assistant Counsel, Governor's Authorities Unit
Christine Ferrante, Executive Assistant/Paralegal

Commissioner Scardino called the meeting to order.

Commissioner Scardino 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.

Commissioner Scardino noted that Chairman Ferguson and Treasury Representative Michael Griffin were participating via phone. He also noted that Vice Chairman Buckelew is not in attendance as his wife Carol recently passed away.

I. APPROVAL OF MINUTES

Commissioner Scardino presented the minutes of the Regular Session Board Meeting held on February 15, 2018.

Upon motion made by Commissioner Ballantyne and seconded by Commissioner Gluck, the minutes of the Regular Session Board Meeting held on February 15, 2018 were approved.

II. PUBLIC PARTICIPATING ON RESOLUTIONS - None

III. APPROVALS

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

Commissioner Scardino presented the report of cash disbursements over \$100,000 and Professional Invoices for the month of February 2018.

Upon motion by Commissioner Yudin and seconded by President Prieto, the cash disbursements over \$100,000 for the month of February 2018 were approved.

Resolution 2018-10 Resolution Authorizing the Changes to Signatories for Bank Accounts.

Commissioner Scardino presented Resolution 2018-10. Upon motion by Commissioner Ballantyne and seconded by President Prieto, proposed Resolution 2018-10 was unanimously approved by 10-0 vote.

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

Ms. Sundell stated that Vedant Hospitality, LLC, has submitted a zoning certificate application proposing the construction of a 72-room hotel on the property located at 70 and 82 County Avenue in Secaucus. Ms. Sundell explained that since the property is located in the District's Neighborhood Commercial zone, it is subject to the site suitability process under the Interim Policies. Ms. Sundell indicated that neighboring properties include a diner, a car wash, and an NJ Turnpike maintenance facility located along the rear of the property, which includes a large salt dome and parking for highway snowplows and heavy equipment. She also indicated that the property fronts along County Avenue, which is a heavily-traveled, major thoroughfare for regional commercial, industrial and commuter traffic. Ms. Sundell stated that staff evaluated the site and prepared a suitability review indicating that the subject property at 70 and 82 County Avenue is recommended to be deemed unsuitable for housing. The reasons for this recommendation include that the adjacent NJ Turnpike maintenance facility, which operates continuously throughout the day and night, would expose future residents of the subject property to significant noise, vibrations and pollution. Also, the facility's high

lighting levels necessary for night-time operations would not be compatible with adjacent residential dwellings. In addition, the site's narrow depth limits the ability to construct a vegetative buffer to provide a screen to protect residents from surrounding traffic noise and other impacts from surrounding commercial, warehouse and industrial uses.

Commissioner Scardino presented Resolution 2018-11. Upon motion by Commissioner Gluck and seconded by President Prieto, proposed Resolution 2018-11 was unanimously approved by 10-0 vote.

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 Ridgefield.

Ms. Sundell stated that PSE&G submitted an application to install certain security improvements at their existing electrical switching substation on Hendricks Causeway in Ridgefield. Ms. Sundell explained that the improvements include the installation of an 8-foot-high chain link fence and a 37-foot-high screening fence and the construction of two security walls with a maximum height of 37 feet. She indicated that the subject lot is located within three zones in the District, specifically, the Public Utilities, Environmental Conservation and Light Industrial B zones. Ms. Sundell explained that the applicant requested special exception approval for the placement of proposed fences and walls in the Environmental Conservation-zoned portion of the site that are necessary for protection of existing public utility equipment. She further explained that the applicant has also requested two bulk variances as part of their application. The first variance request addresses the location of the proposed fence and security wall within the required front yard, since fences or screening walls are prohibited in the required front yard. The second variance request addresses the height of the proposed eight-foot-high fence and 37-foot-high security wall, since fences or screening walls in excess of 24 inches are prohibited in the required front yard. Ms. Sundell stated that there were no objections to the variances provided in writing or voiced at the public hearing. She also stated that the site is surrounded by commercial properties and there are no residences in the area. Ms. Sundell indicated that the special exception and variance requests are driven by PSE&G's need to meet a federal mandate that requires protection of critical transmission stations and substations. Placing the fencing and security wall within the Environmental Conservation-zoned portion of the site and within the front yard of the Public Utilities- and Light Industrial B-zoned portions of the property will provide security for the existing substation equipment, thus safeguarding the reliability of the bulk power system. The proposed heights of the fencing and security wall are required due to the location of the existing public utility improvements on the site and their unique public safety and security concerns. Industry standards dictate minimum distances that need to be maintained between the electrical equipment and structures for safety and security purposes. If the security wall and fence were moved beyond the required front yard, they would conflict with existing electrical equipment and foundations in addition to PSE&G's substation operations. Ms. Sundell stated that for these reasons, staff is recommending approval of the special exception request, as well as the conditional approval of the two variance requests for the location and heights of the fencing and security wall. The proposed variance conditions are related to the planting of vegetative screening in front of the security wall and the removal of a portion of the decorative fence in front of the wall to provide area to plant an effective landscape screen.

Commissioner Yudin expressed his concern with the 37-foot height of the wall. It was noted that there were no objections from the public or the municipality. It was also noted that there is no residential in the area. Ms. Sundell explained that the wall height is a federal mandate. Commissioner Yudin stated that he is not against the wall, but opposed to voting blindly to accept the requirements. Commissioner Yudin requested the opportunity to read the government report to understand the justification on how they came up with the height. Commissioner Yudin also requested that the resolution be tabled. Commissioner Scardino stated that the resolution would not be tabled.

Commissioner Scardino presented Resolution 2018-12. Upon motion by Commissioner Gluck and seconded by President Prieto, proposed Resolution 2018-12 was approved by 9-0 vote with a no vote from Commissioner Yudin.

Resolution 2018-12 Roll Call:

Chairman Ferguson	Yes
President Prieto	Yes
Commissioner Ballantyne	Yes
Commissioner Dowd	Yes
Commissioner Fontoura	Yes
Commissioner Gluck	Yes
Treasury Rep. Griffin	Yes
Commissioner Kolber	Yes
Commissioner Scardino	Yes
Commissioner Yudin	No

IV. AWARDS/CONTRACTS

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

Mr. Marra explained that the NJSEA rents the complex parking lot for Saturday flea markets. He indicated that the resolution is for a renewal of the contract. Mr. Marra stated that a RFP was issued. He also stated that one bid was received which was from the current operator. Mr. Marra thanked Paula Speers, head of procurement, for negotiating the price. He indicated that the term is for three years in the amount of \$440,000 per year with a percentage of the receipts over \$440,000.

Commissioner Scardino presented Resolution 2018-13. Upon motion by Commissioner Fontoura and seconded by Commissioner Ballantyne proposed Resolution 2018-13 was unanimously approved by 10-0 vote.

V. PUBLIC COMMENTS - None

VI. EXECUTIVE SESSION

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

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 Ballantyne and seconded by Commissioner Fontoura Resolution 2018-14 was approved by a vote of 10-0.

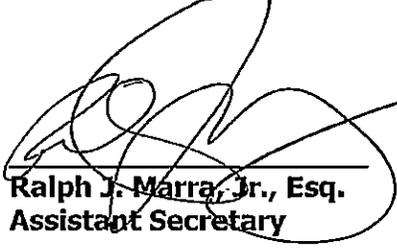
Motion to enter into open session was made and seconded.

VII. MOTION TO ADJOURN

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

Meeting adjourned at 10:30 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 March 15, 2018.


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

March 15, 2018

Commissioner	Roll Call	2018-10	2018-11	2018-12	2018-13	2018-14		
Ferguson	P (via phone)	Y	Y	Y	Y	Y		
Buckelew	--	--	--	--	--	--		
Hasenbalg	P	Y	Y	Y	Y	Y		
Ballantyne	P	Y	Y	Y	Y	Y		
Dowd	P	Y	Y	Y	Y	Y		
Fontoura	P	Y	Y	Y	Y	Y		
Gluck	P	Y	Y	Y	Y	Y		
Gonnelli	--	--	--	--	--	--		
Plofker	--	--	--	--	--	--		
Scala	--	--	--	--	--	--		
Scardino	P	Y	Y	Y	Y	Y		
Yudin	P	Y	Y	N	Y	Y		
Treasury Rep Griffin	P (via phone)	Y	Y	Y	Y	Y		

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