

Board Meeting

Thursday, May 17, 2018

10:00 a.m.



**AGENDA
REGULAR SESSION**

Thursday, May 17, 2018 - 10:00 a.m.
Two DeKorte Park Plaza, Lyndhurst, NJ

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

- Approval of Regular Session Meeting Minutes of April 19, 2018.

II. **SPECIAL PRESENTATIONS**

- Rutgers University-Meadowlands Environmental Research Institute (MERI)
- Triple 5 – American Dream Project

III. **PUBLIC PARTICIPATION ON RESOLUTIONS**

IV. **APPROVALS** – (Action)

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

Resolution 2018-19 Consideration of a Resolution Authorizing a Partnership Between the New Jersey Sports and Exposition Authority and the Meadowlands Environmental Research Institute for the Construction and Use of a Greenhouse.

V. **PUBLIC PARTICIPATION**

VI. **EXECUTIVE SESSION**

Resolution 2018-20 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**

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<http://www.njsea.com/njmc/about/commission-meetings.html>***

PLEASE CONTACT THE NJSEA OFFICE (201-460-1700) PRIOR TO MEETING IF
SPECIAL REQUIREMENTS ARE NEEDED UNDER ADA

MINUTES



REGULAR SESSION BOARD MEETING

DATE: April 19, 2018
TIME: 10:00 a.m.
PLACE: 2 DeKorte Park Plaza - Lyndhurst, NJ
RE: **REGULAR SESSION MEETING MINUTES**

Members in Attendance:

John Ballantyne, Chairman
Joseph Buckelew, Vice Chairman
Vincent Prieto, President and CEO
Robert J. Dowd, Member
Michael Ferguson, Member
Armando Fontoura, Member
Michael H. Gluck, Esq., 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
George Kolber, 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
Sharon Mascaro, Deputy Director of Land Use Management and Deputy 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
Wayne Hasenbalg
Lisa LeBoeuf, Senior Legal Specialist
Lauren Nathan-LaRusso, Assistant Counsel, Governor's Authorities Unit
Christine Ferrante, Executive Assistant/Paralegal

Chairman Ballantyne called the meeting to order.

Chairman Ballantyne 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.

Chairman Ballantyne noted Treasury Representative Michael Griffin is participating via phone.

Chairman Ballantyne thanked Mike Ferguson for his time spent as the Chairman of the NJSEA board and for his kind counsel to the board. Chairman Ballantyne also expressed his appreciation for the smooth transition.

Commissioner Ferguson spoke of his delight with Chairman Ballantyne's new leadership role and how he has been an important Commissioner to the board for a number of years. Commissioner Ferguson stated that it has been privileged to Chair the board and to work with Wayne Hasenbalg as CEO and his team. Commissioner Ferguson thanked President and CEO, Vinny Prieto for taking on the leadership role at the NJSEA.

President Prieto thanked Commissioner Ferguson for his service to the board and for the help during the transition. President Prieto was happy to see that Commissioner Ferguson will remain on the board. President Prieto welcomed Chairman Ballantyne and spoke on how the Chairman is one who really wants to get into the weeds of things. President Prieto stated he is looking forward to his perspective and working together.

I. APPROVAL OF MINUTES

Chairman Ballantyne presented the minutes of the Regular Session Board Meeting held on March 15, 2018.

Upon motion made by Commissioner Scardino and seconded by Commissioner Dowd, the minutes of the Regular Session Board Meeting held on March 15, 2018 were approved with Commissioner Buckelew abstaining.

II. PUBLIC PARTICIPATING ON RESOLUTIONS - None

III. APPROVALS

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

Chairman Ballantyne presented the report of cash disbursements over \$100,000 and Professional Invoices for the month of March 2018.

Upon motion by Commissioner Plofker and seconded by Commissioner Dowd, the cash disbursements over \$100,000 for the month of March 2018 were approved.

Resolution 2018-15 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. 18-083, 1290 Wass St. Properties LLC/New Building Block 230, Lot 2 in Lyndhurst.

Ms. Mascaro stated that 1290 Wall Street Properties, LLC has submitted a zoning certificate application proposing the construction of a 90,680-square-foot warehouse on Wall Street West in Lyndhurst. She explained 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. She also explained that the properties that are immediately adjacent to the subject site include office and institutional uses, with warehouse uses just beyond the adjacent properties. While there are several existing residential

developments in the area, all of these developments have some type of buffer along several sides, including open space, creeks, ditches, and highway ramps, where they are not located directly adjacent to industrial and commercial uses. Ms. Mascaro indicated that staff evaluated the site and prepared a suitability review indicating that the subject property at 1290 Wall Street West is recommended to be deemed unsuitable for housing and that reasons include that elements of the warehouse and distribution businesses in the vicinity of the subject site are potentially detrimental to residents, due to the significant amount of truck traffic, noise and pollution on the adjacent roadways, which would present challenges with respect to the circulation, safety, and quality of life of residents. Ms. Mascaro requests that the Board concur with the Review Team's recommendation that the subject property be deemed not suitable for residential use.

Chairman Ballantyne presented Resolution 2018-15. Upon motion by President Prieto, and seconded by Commissioner Scardino, proposed Resolution 2018-15 was unanimously approved by 12-0.

Resolution 2018-16 Resolution Issuing a Decision on the Variance Application submitted as part of File No. 17-153 Wy Industries – Addition & Variance Block 449.02, Lot 3.04 in North Bergen.

Ms. Mascaro stated that WY Industries submitted an application to construct a two-story addition that will result in an additional 57,024 square feet of warehouse and light industrial space at their existing facility located on Secaucus Road in North Bergen. She explained that the site is located within the District's Intermodal B zone. She also explained that the applicant has requested two bulk variances as part of their application. Ms. Mascaro indicated that the first variance is to provide a lot coverage of 56.67 percent, where the existing on-site pre-existing non-conforming lot coverage is 47.3 percent and the maximum permitted lot coverage is 40 percent. The second variance is to provide 140 parking spaces, of which 25 spaces are proposed to be land-banked, where a total of 159 parking spaces are required for the facility's uses, which include warehouse, light industrial, and office. She spoke that there were no objections to the variances provided in writing or at the public hearing and that there are no residential uses in the area. Ms. Mascaro stated that staff is recommending the approval of the bulk variance for lot coverage for the reasons stated in the recommendation, which include that the applicant has demonstrated that their request to expand their building footprint, by incorporating space for additional warehousing on the second story of the addition, is the minimum deviation from the regulations that will afford relief, and in addition will not result in any detrimental impacts on neighboring properties. She also indicated that with respect to the second variance request for parking, the applicant is proposing to provide only 140 parking spaces, of which the area for 25 vehicle spaces will be set aside as land-banked open space to be constructed at a future date. The applicant testified that the expansion is anticipated to result in 10 new jobs, which would still leave a surplus of parking spaces on-site prior to the construction of the proposed land-banked spaces. In addition, a 2013 subdivision that resulted from a legal settlement reduced the property by 1.5 acres, effectively reducing the area of the site available to provide additional on-site parking. For these reasons, this variance is recommended to be approved conditioned upon the applicant's filing of a deed restriction for the land-banked parking area with the Hudson County Register.

Chairman Ballantyne presented Resolution 2018-16. Upon motion by Commissioner Scala and seconded by Commissioner Gluck, proposed Resolution 2018-16 was unanimously approved by 12-0 vote.

IV. AWARDS/CONTRACTS

Resolution 2018-17 - Resolution Authorizing the Award of a Contract for Audit Services.

Mr. Yarenis stated that the resolution presented is for the award of the contract for auditing services for NJSEA, MCT and the DEP Keegan Closure Fund for the period of 2017, 2018 & 2019. Mr. Yarenis indicated that the selection process was performed in accordance with Executive Order 122 (2004). He stated that a public notice was made in the required newspapers announcing the RFP on Oct. 17, 2017. A mandatory pre-bid meeting was held on Oct. 24, 2017, at which 7 firms attended and of the 7 in attendance, 4 submitted bids. He went on to explain that an evaluation committee was established to review and rank the proposals based on the criteria established in the RFP and that upon completion, the audit committee received a written report summarizing the evaluation committee's rankings. Mr. Yarenis stated that their findings showed the proposal provided by Mercadien P.C. ranked highest in the evaluation process. Mr. Yarenis stated that if approved, the resolution would authorize the NJSEA to enter into a 3-year contract with Mercadien P.C. at a cost not to exceed \$440,002.

Chairman Ballantyne presented Resolution 2018-17. Upon motion by Vice-Chairman Buckelew and seconded by Commissioner Yudin proposed Resolution 2018-17 was unanimously approved by 12-0 vote.

V. PUBLIC COMMENTS

- Marvin Donadic, Cliffside Park resident spoke of his concerns:
 - Bridgegate - asking for leniency for Bridget Kelly.
 - NY Grand Prix in New Jersey – no New York events should be held in New Jersey.
 - Asking that the board acknowledge an incident that occurred in December in Jersey City at an interfaith gathering.
 - Asking that the President/CEO accomplish something (since he is being paid anyway) for the community, Meadowlands and New Jersey.

VI. EXECUTIVE SESSION

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

Resolution 2018-18 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.

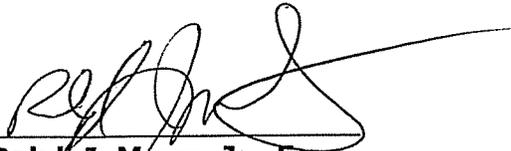
Upon motion made by Commissioner Ferguson and seconded by Commissioner Dowd Resolution 2018-18 was approved by a vote of 12-0.

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 Plofker and second by Commissioner Scardino with all in favor.

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 April 19, 2018.



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

April 19, 2018

Commissioner	Roll Call	2018-15	2018-16	2018-17	2018-18			
Ballantyne, Chairman	P	Y	Y	Y	Y			
Buckelew, Vice Chairman	P	Y	Y	Y	Y			
Prieto	P	Y	Y	Y	Y			
Dowd	P	Y	Y	Y	Y			
Ferguson	P	Y	Y	Y	Y			
Fontoura	P	Y	Y	Y	Y			
Gluck	P	Y	Y	Y	Y			
Gonnelli	--	--	--	--	--			
Kolber	--	--	--	--	--			
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
APRIL 2018

EAST RUTHERFORD - SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF EAST RUTHERFORD	2,037,529.04	I	PAYMENT IN LIEU OF TAXES: 2ND QUARTER 2018
PUBLIC SERVICE ELECTRIC & GAS COMPANY	194,590.56	J/L	ELECTRIC TRANSMISSION: MAR 2018
SPORTS ARENA EMPLOYEES RETIREMENT FUND LOCAL 137	306,598.02	A	PENSION WITHDRAWAL LIABILITY PAYMENT: FEB 2018 - APR 2018
STATE OF NEW JERSEY TREASURY DEPARTMENT	216,335.17	A	WORKERS' COMPENSATION COVERAGE: 3RD QTR FY2018
EAST RUTHERFORD - SC TOTAL	<u>2,755,052.79</u>		

MONMOUTH PARK RACETRACK REAL ESTATE TAXES

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF OCEANPORT	473,835.72	I	REAL ESTATE TAXES: 2ND QTR 2018
MP REAL ESTATE TAXES TOTAL	<u>473,835.72</u>		

LYNDHURST

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
WASTE MANAGEMENT OF NEW JERSEY	214,448.12	A	OPERATIONS CONTRACT - KEEGAN LANDFILL: MAR 2018
LYNDHURST TOTAL	<u>214,448.12</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 2018-19

RESOLUTION AUTHORIZING A PARTNERSHIP BETWEEN THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY AND THE MEADOWLANDS ENVIRONMENTAL RESEARCH INSTITUTE FOR THE CONSTRUCTION AND USE OF A GREENHOUSE

WHEREAS, the New Jersey Sports and Exposition Authority (NJSEA) and the Rutgers University-Meadowlands Environmental Research Institute (MERI) share a common interest to promote and advance scientific and ecological research in the Meadowlands region; and

WHEREAS, the NJSEA and MERI currently work together to promote scientific research, among other related services to the region pursuant to a Memorandum of Understanding ("MOU") dated September 29, 2016; and

WHEREAS, MERI seeks to enter into a separate MOU with NJSEA, pursuant to and contingent on a grant from Stevens Institute of Technology (SIT) to MERI for the construction of an approximately 30' wide by 38' long (1,440 sq. ft.) research grade greenhouse on the grounds of the NJSEA campus for joint use by personnel from SIT, MERI and NJSEA; and

WHEREAS, SIT has up to \$100,000 in grant-funds to be committed by June 2018 for the construction of a research grade greenhouse that would be used to conduct environmental and botanical research. Greenhouse space for research is limited in Northern New Jersey to scientists conducting environmental/ecological research in rivers, estuaries, and urban areas. SIT indicated it is severely limited for space on its campus to construct such a facility, and noted MERI's mutual need for a greenhouse to conduct similar research; and

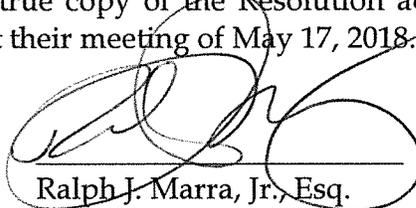
WHEREAS, NJSEA has sufficient land on its DeKorte Park campus, specifically an approximately 1,800 square-foot plot that is connected with utilities and a drainage system that could be utilized for a greenhouse. Personnel from MERI and NJSEA would also have access to the greenhouse to study, promote, and reestablish native grasses, flowers, and shrubs in a controlled environment for future marsh restoration projects in the Meadowlands. Additionally, the reestablishment of native plants is seen as an effective way to increase opportunities for pollinators, which are highly impaired in New Jersey; and

WHEREAS, the greenhouse would attract additional grants centered on environmental remediation and ecological restoration that would open further opportunities for education and student training grants, as well as experiential learning and training opportunities for SIT and Rutgers Newark-MERI students.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the NJSEA hereby authorizes the President and CEO of the Authority to execute a Term Sheet to be followed by a formal MOU with MERI memorializing the partnership and the following terms, among others:

1. The MOU between MERI and NJSEA will be for a term of 10 years, renewable with the written consent of both parties. The MOU is contingent upon MERI receiving grant monies from SIT for the construction and joint use of a research grade greenhouse.
2. NJSEA will provide a 1,800 square-foot plot of land, connected to utilities and a drainage system, for the construction of an approximately 1,440 square-foot research grade greenhouse.
3. NJSEA will own the greenhouse. A 70/30 split (SIT and MERI/NJSEA, respectively) in floor space will be designated for research/horticultural activities during the MOU term.
4. MERI will be responsible for the procurement of the prefabricated greenhouse and its construction, including the securing of all proper permits for the building, electrical and plumbing services. MERI is required by law to pay prevailing wage for the greenhouse construction.
5. MERI is responsible for outfitting and replacement of all items associated with the greenhouse, as well as all maintenance of the structure during the term of the MOU which will include, but is not limited to, cleaning the greenhouse glass, maintenance and replacement of all fans and lights, extermination services, maintenance of the irrigation system, maintenance of the heating system, if installed, maintenance of any computer or software used to control the greenhouse, and maintenance or replacement of any insect control screens.
6. NJSEA will pay for the greenhouse dumpster relocation (on plot site), security fencing, landscaping, signage, and utilities up to \$20,000 for the 10 year term. In any future grants that will utilize the greenhouse, MERI agrees to budget for and reimburse NJSEA for its associated costs of the greenhouse space.
7. The agreement will also consider the installation of photovoltaic cells on an adjacent NJSEA building to power the greenhouse.

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 May 17, 2018.


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

EXECUTIVE SESSION

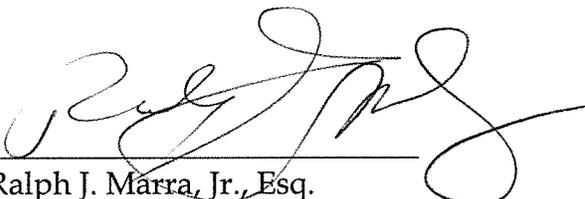
RESOLUTION 2018-20

**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 May 17, 2018.



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