

**MINUTES**



## REGULAR SESSION BOARD MEETING

DATE: July 18, 2019  
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  
Armando Fontoura, Member (excused at 11:39 a.m.)  
Michael H. Gluck, Esq., Member  
Michael Griffin, NJ State Treasurer's Representative (via phone)  
Woody Knopf, Member  
Steven Plofker, Member  
Anthony Scardino, Member  
Louis J. Stellato, Member  
Robert Yudin, Member

### Absent:

Michael Gonnelli, Member  
Robert J. Dowd, Member  
Andrew Scala, Member

### Also Attending:

Christine Sanz, Senior Vice President/Chief Operating Officer  
Frank Leanza, Senior Vice President/Chief of Legal & Regulatory Affairs  
Adam Levy, Vice President of Legal & Regulatory Affairs  
John Yarenis, Director of Finance/Accounting  
Sara Sundell, Director of Land Use Management and Chief Engineer  
Steven Cattuna, Chief of Staff  
Lisa LeBoeuf, Senior Legal Specialist  
Lauren LaRusso, Assistant Counsel, Governor's Authorities Unit  
Christine Ferrante, Executive Assistant/Paralegal

Chairman Ballantyne called the meeting to order.

- I. Pledge of Allegiance
- II. Opening Statement – Chairman Ballantyne read the Notice of Meeting required under the Sunshine Law.

Chairman Ballantyne welcomed the new Commissioners:

- Chairman Ballantyne introduced Commissioner Knopf. The Chairman stated that Commissioner Knopf is the former Chairman of Knopf Automotive Parts and is a former member of the United States Army Reserve. He went on to say that Commissioner Knopf completed his advanced infantry training at Fort Bragg, North Carolina and attended Quartermaster School at Fort Lee, Virginia, where he achieved distinguished graduate status. Commissioner Knopf proudly served in the Army Reserve for six years and attained the rank of staff sergeant. Chairman Ballantyne indicated that Commissioner Knopf has a degree in economics from Brooklyn College and earned an MBA in Finance from Fordham University and upon graduation, he joined M&M Knopf Automotive Parts in Brooklyn. He went on to say that with his father Max and brothers, Michael and Marshall, he helped grow the business to be the largest core supplier in the world. The Chairman stated that from 2012 to 2017, Knopf served on the board of directors of MERA - The Association for Sustainable Manufacturing and in April 2018, he received the prestigious Michael Cardone Leadership Award, recognizing him for his vision, passion, innovation, and excellence in the automotive aftermarket. Commissioner Knopf served on Georgetown University's McDonough School of Business Parent Council, as well as Georgetown College's Parent Council. He also started and chaired the Parents Leadership Council at Fairfield University. The Chairman stated that since 2015, Knopf has been a member of the Monmouth Medical Center Board of Trustees, where he actively serves on the nominating and development committees. His keen insight and perspective in the areas of commerce and green initiatives make him a fantastic addition to the NJSEA and Meadowlands residents. Commissioner Knopf resides in Rumson
- Chairman Ballantyne introduced Commissioner Stellato. The Chairman stated that Commissioner Stellato was born, raised and resides in Lyndhurst, and that Commissioner Stellato is a true public servant of the Meadowlands. Chairman Ballantyne also stated that the Commissioner served on the Board of Commissioners of the Township of Lyndhurst from 1982-1997 and as Mayor from 1989-1997. Commissioner Stellato was a Trustee on the Lyndhurst Board of Education from 1973-1980, including three years as President. Prior to serving his community Commissioner Stellato proudly served his country as a member of the United States Air Force. The Chairman indicated that the Commissioner has served on and founded many charitable organizations and that he has been a member of the Lyndhurst Chapter of Unico National for 42 years and is a Past President. The Chairman indicated that Commissioner Stellato is a member of the Lyndhurst B.P.O. Elks Lodge, the Lyndhurst Knights of Columbus, the American Legion, AMVETS and the Rotary Club. He founded Lyndhurst's Municipal Substance Abuse Committee, Free Food Farm and Crisis Intervention Committee, among other groups. The Chairman stated that the Commissioner is President of Stellato Funeral Homes and manager of the Lyndhurst location. He is a 1970 graduate of the University of Minnesota with a B.S.M.S. in Medical Science and a Major in Mortuary Science. Commissioner Stellato received his PhD in Funeral Service Education from the National Academy of Funeral Service. The Chairman also stated that he is a member of the National Funeral Directors Association, New Jersey State Funeral Directors Association, Preferred Funeral Directors and Bergen County Funeral Directors, where he served as president and as a member of the Board of Directors. Chairman Ballantyne commented that his dedication to and knowledge of the Meadowlands District is a great asset to this Board.

### III. Roll Call

#### IV. SPECIAL PRESENTATION

Chairman Ballantyne announced that in keeping with the agency's commitment to inform the public about the ongoing progress at the Keegan Landfill, there will be a special technical presentation by SCS Engineers on the progress of the Gas Collection System. He stated that Ms. Wilkinson will be speaking about the ongoing construction of the Gas Collection System which began on June 24 and is now in its 4<sup>th</sup> week. The Chairman noted that weekly construction updates along with the presentation will be posted on the website. The Chairman introduced Lisa Wilkinson.

Ms. Wilkinson presented and explained the following regarding the gas collection system:

##### Summary of Work Update:

June 18 - resolution for Construction Contractor; June 24 - Contractor begin mobilization to the site; June 27 - Solid Waste Disruption Permit issued; June 28- Survey layout; July 1 - Begin excavation of horizontal collectors; July 16 Begin excavation of header trench.

##### Gas Collection System Construction Schedule:

Mobilization - June 24 (5 days); Horizontals (5 installed) - July 1 (13 days); Piping installation - July 16 (46 days); Vertical Well Drilling - tentative July 29 (10 days); Flare Skid Installation - tentative September (3 days); System Startup - tentative September 16 (2 days).

##### Gas Collection and Control System:

Vertical gas extraction wells - drilled; horizontal collectors; HDPE laterals and headers; blower to extract gas from the wells; flare to combust collected gas and Goal: maximize LFG collection to reduce odors.

##### Horizontal Collectors:

Approximately 2300 linear feet installed; production of 200 lf/day and solid and perforated pipe.

##### Photos:

Trenching for horizontal collector; placement of solid pipe; perforated pipe placement; geotextile over stone; backfill with waste and soil; waste not placed back in trench to fill area and covered with soil; plastic tarp covers end of trench at end of work day; odor neutralizer regularly applied to trench and waste and 4 gas meter used for worker safety.

##### Odor Control Plan:

##### Odor Management During Construction:

Hourly checks or monitoring station data; neighborhood monitoring rout - before, midday and end of construction day; No exceedances of 30ppb for 30 minutes at any station; No neighborhood odors detected; NJDEP reported increased inspectors presence - no odors detected.

##### Public Available Updates:

Information on [www.njsea.com](http://www.njsea.com) - Keegan Landfill Info & Updates  
Keegan Daily Air Monitoring Reports; Keegan Landfill Gas Collection system Construction Updates; Weekly Construction Activities; Daily Air Monitoring Reports.

##### Upcoming Activities:

##### Gas Collection System Construction:

Header trenching on landfill side slopes; low point and condensate drain installation; well drilling - tentative July 29; continue hourly checks of

monitoring station; continue neighborhood odor checks and continue odor neutralizer application.

Commissioner Fontoura asked about the odor neutralizer application. Ms. Wilkinson responded that it is applied and sprayed during construction hours - for example when there is odor coming from a trench or hole. She explained that it is used at least 3-4 times during the day and then again at the end of the day. Commissioner Fontoura also asked what if there is odor detected in the neighborhood. Ms. Wilkinson replied that if odor is detected in neighborhood they would evaluate the site area and if a trench is open and actively admitting gas they would stop operation and cover the area. Chairman Ballantyne asked if the odor control masks the odor or is it a neutralizer. Ms. Wilkinson explained that it is a neutralizer and how it works.

## V. APPROVAL OF MINUTES AND CASH DISBURSEMENTS

- Chairman Ballantyne presented the minutes of the Regular Session Board Meeting held on June 20, 2019.

Upon motion made by Commissioner Plofker and seconded by Commissioner Scardino, the minutes of the Regular Session Board Meeting held on May 16, 2019 were unanimously approved.

- Chairman Ballantyne presented an amendment to the April 11, 2019 regular session board meeting minutes to reflect comments made by John Pinho as reflected in the April 11, 2019 transcript beginning on page 137 line 8 through page 151 line 2.

Upon motion made by Commissioner Scardino and seconded by Commissioner Gluck, the amended minutes of the Board Meeting held on April 11, 2019 were unanimously approved.

- Chairman Ballantyne presented the report of cash disbursements over \$100,000 and Professional Invoices for the month of June 2019.

Upon motion by Commissioner Plofker and seconded by Commissioner Fontoura, the cash disbursements over \$100,000 for the month of June 2019 were unanimously approved.

## VI. PUBLIC PARTICIPATING ON RESOLUTIONS

- Captain Bill Sheehan, Riverkeeper spoke on Resolution 2019-25. Captain Sheehan stated that compliance with FEMA is important and should also coincide with the Master Plan revisions. He indicated that he spoke with Ms. Sundell and that she explained that the two plans will work together. The Captain also welcomed the two new Commissioners.

## VII. APPROVALS

Resolution 2019-25 Resolution authorizing the Publication of a Notice of Adoption for New Rules and Amendments to the NJSEA Floodplain Management Regulations and the Adoption of FEMA's Revised

Ms. Sundell stated that since the NJSEA is a participating community in the FEMA's National Flood Insurance Program (NFIP), the agency is required to amend its Flood Plain Management regulations at N.J.A.C. 19:4-9 for consistency with NJDEP's model Flood Damage Prevention Ordinance and to adopt FEMA's newly revised FIRM panels and Flood Insurance Study report, prior to FEMA's deadline of August 28, 2019. She also stated that at its March meeting, the Board passed Resolution 2019-09, which authorized Staff to file a Notice of Proposal and hold a public hearing on amendments to the Flood Plain Management Regulations and the adoption of new FEMA Flood Insurance Rate Maps (FIRMs). Ms. Sundell explained that staff held a public hearing on June 11<sup>th</sup> and also accepted comments on the matter during the public comment period, which closed on July 5<sup>th</sup>. She noted that three comments were received from members of the public. She stated that a Notice of Adoption for this rulemaking matter, which includes a response to the comments, has been prepared by Staff. She also stated as required by statute, the Notice of Adoption has been forwarded to the HMMC for their decision. Ms. Sundell stated that staff is requesting Board authorization to file a Notice of Adoption in accordance with the requirements of the NJ Office of Administrative Law for publication in the New Jersey Register.

Chairman Ballantyne presented Resolution 2019-25. Upon motion made by Vice Chairman Buckelew and seconded by Commissioner Fontoura. Resolution 2019-25 was unanimously approved by a vote of 11-0.

Resolution 2019-26 Resolution issuing a decision on the Variance Application submitted as part of File No. 14-641 Union Meadows/ENER-G Rudox - Renovation & Addition - Block 106.02, Lot 3 in East Rutherford.

Ms. Sundell stated that ENER-G Rudox submitted a zoning certificate application proposing the construction of a 4,500 square foot building addition to its existing facility at 180 East Union Avenue in East Rutherford. She further stated that based on the FEMA FIRM mapping, the required minimum floor elevation for new substantial improvements at this location is elevation 9.0 (NAVD 88). Ms. Sundell explained that the applicant submitted an Appraisal Report, which valued the proposed construction at less than fifty percent of the assessed value of the existing structure, thereby meeting the criteria under FEMA's National Flood Insurance Program's regulations for the project to be deemed a non-substantial improvement. Therefore, the NJSEA approved the applicant's renovation project with an addition having a finished floor elevation of 7.8 (NAVD 88). She further explained that after the addition was constructed, the applicant was required to submit a post-construction report and actual invoices to the NJSEA. The Revised Appraisal Report indicated that the proposed construction was not a non-substantial improvement, but was a substantial improvement in accordance with FEMA's regulations. Ms. Sundell explained that thereafter, the applicant submitted a request for a variance to allow the proposed addition to be constructed with a finished floor elevation of 7.8 feet (NAVD88). She stated that for the reasons stated in the recommendation, Staff is recommending the conditional approval of this variance, wherein the applicant will be required to dry floodproof both the existing building and the new addition to the required lowest floor elevation of 9.0 (NAVD 88) and provide a Flood Emergency Plan to address the operations, maintenance and inspection of the

floodproofing measures. Ms. Sundell stated that the applicant will also be required to file a deed restriction to ensure that future property owners will be responsible for floodproofing the facility in accordance with the Flood Emergency Plan, and additionally, any future lessees will also be required to comply with the Flood Emergency Plan.

Commissioner Yudin asked about flood levels. Ms. Sundell responded that the agency is requiring them to flood proof the building above elevation 9.0 by installing flood panels to all openings and raising doorway thresholds.

Chairman Ballantyne presented Resolution 2019-26. Upon motion made by Commissioner Scardino and seconded by Commissioner Yudin. Resolution 2019-26 was unanimously approved by a vote of 11-0.

### VIII. PUBLIC PARTICIPATION

Chairman Ballantyne stated that many people are here today to speak on the Keegan Landfill and as always the Board is here to listen and take questions and concerns seriously. The Chairman also stated that due to ongoing litigation the Board members will not be responding to any comments or questions related to the Keegan Landfill. He did, however indicate that as part of the NJSEA's commitment to keeping the public informed, previously asked questions which the board is able to respond have been posted on the website. The Chairman stated that the agency will continue to keep the public informed about the progress of the construction of Gas Collection System both on the website and through Ms. Wilkinson's presentations.

- Cristina Montague, Kearny resident demanded that the Keegan Landfill be permanently shut down with an impermeable cap. She stated that a gas collection system is not sufficient to address the elimination of hydrogen sulfide emissions. She expressed her concern that the agency has been negligent in the operation of the landfill and that sheet rock continued to be accepted. Ms. Montague stated that within 69 days there were 62 violations with H<sub>2</sub>S readings exceeding the 30 minute/30ppb, which levels were set by the DEP because of health impacts. Ms. Montague went on to list the dates and readings. Ms. Montague stated that the agency is poisoning the community and only cares about profits.
- Alberto Santos, Mayor of Kearny spoke about the DEP June Notice of Violation to NJSEA and the Order to immediately cease emitting hydrogen sulfide in concentrations exceeding 30ppb average over any 30 minute period at or beyond the property line. Mayor Santos went on the talk about each exceedance and SCS Engineers' creative responses to DEP. The Mayor wants accountability and closure and capping of the landfill. Mayor Santos spoke about dangers and risks of hydrogen sulfide migration. He also spoke about risk of fire like last night's lightning strike at MSL 1D and the danger of that happening at Keegan during an H<sub>2</sub>S spike. He indicated that hydrogen sulfide is flammable and toxic if ignited. The Mayor asked that the NJSEA agree with the town to shut down landfill properly, install synthetic cover and look elsewhere for revenue. The Mayor indicated that he would work with appropriate legislators and the Governor's office to fund the agency and the good things that it does do. He wants the agency to stop exposing residents to toxic chemicals on a daily basis and to close landfill so that residence can feel safe again.

- Ken Pincus, Health Officer and Director of Kearny Health Department spoke about how visitors enjoying DeKorte Park have no worries about the air they are breathing without knowing that the agency is collecting tipping fees while poisoning Kearny residents. He also spoke about the Kearny parks and nature trails in environmentally protected areas and how Kearny residents need to be concerned about the toxic H<sub>2</sub>S emissions. Mr. Pincus stated that he recently had to close Harvey Field due to elevated H<sub>2</sub>S emissions from the Keegan landfill. He commented that since the beginning 2019, when complaints starting coming in, the NJSEA refused to take corrective action. He also commented that Kearny had collected evidence that Keegan Landfill was the source. He spoke about those residents who may not have been aware of the emissions and are potentially more susceptible to the harmful hydrogen sulfide due to weaker or developing immune system. Mr. Pincus stated that we need to stop the chronic H<sub>2</sub>S emissions for good and that he will not allow the town to be the next Flint Michigan and will see the NJSEA in court on July 25.
- Santos Murillo, Kearny resident commented that he was pleased that the agency responded to the DEP and initiated corrective action. Mr. Murillo asked if contracts will continue to 2024. He also asked about the height of the landfill. Mr. Murillo asked how is it determined whether a truck has no more than 20% drywall and if it does, what is done. Mr. Murillo asked about answers to questions being posted on the website. It was indicated that answers to questions have been posted on the NJSEA website. Mr. Murillo also asked if the 28 pipes being put in are being placed retrospective or prospective and if what is being done now will still make sense for when the landfill is at 100 feet. Mr. Murillo asked what inspection methods are in place if contractors grind up the sheet rock to bring into the landfill? He stated that safeguards need to be put in place now. Mayor Santos commented that there were never any controls on the landfill. Mr. Murillo indicated that if you continue to dump the problem will continue until 2029.
- Gerald Ficeto, Kearny Councilman stated that the Board is not being respectful of the Town of Kearny or its residents. He spoke about the answers to questions on website and that the residents are looking for raw data and the truth not sanitized answers. He also spoke about the monitoring during work hours and that the monitors are going off regularly with readings over 30ppb that the engineers are not recognizing. He asked if the agency would supply the 4 gas safety meters that the workers wear to all Kearny residents. Mr. Ficeto commented that if the agency thinks the health of the community is important, they should close the landfill with a impermeable cap and complete the gas collection system now. Councilman Ficeto invited the board to have their September meeting at the landfill.
- Melanie Ryan, Kearny resident stated that readings from the monitoring systems that are on the website are delayed 24-72 hours and that it is not helpful when determining if it is safe to let kids out to play. Ms. Ryan also spoke about the tarp that is being put down on the landfill during construction being similar to the one that was struck by lightning and caught fire at the 1D landfill. Ms. Ryan asked the following questions:
  - What fire safety equipment is at the Keegan Landfill versus the Town of Kearny's vehicles and emergency response people having to get there quickly and how much is released before they get there?
  - Is the safety material used at the 1D landfill the same material being used on Keegan?
  - Is there a record being kept on the website of how many calls have been made to the DEP and how they have been responded to?

- Is there a reason why we are getting readings three times during the day (morning, lunch and end of work day) when the majority of complaints are being reported to the DEP in the evening?
- If 30ppb is dangerous for adults what is dangerous for children?

Ms. Ryan commented that answers on the website are partial and not complete. She also indicated that having questions answered on the website does not allow for follow-up questions until next board meeting. Ms. Ryan also commented that there should be a Commissioner on the Board to represent the west end of Hudson County.

- Lauren Britt, Kearny resident holding her daughter spoke of her concern regarding the effects the toxic waste will have on the health of her child. She begged the Board to shut the landfill down.
- John Downey, Kearny resident stated the Town has had enough and asked that a vote be put on the agenda to close the landfill.
- Mayor Santos spoke about the risks of the chemical Neutrolene that is being used for odor control during construction of the gas collection system.
- Michael Fernandez, Kearny resident stated that Kearny residents have been coming to meetings for several months with their health concerns. He commented that the board has not addressed these concerns and would like assurance that the health of his family and Kearny residents are not at risk. Mr. Fernandez indicated that he has been feeling better and that he has not smelled the odors as much since the landfill has been closed. Mr. Fernandez also asked if board members read the 2016 Oxford Study that addresses health issues of seniors and children. Chairman Ballantyne noted that staff has pulled the Study. Mr. Fernandez commented about the April 27 gypsum board falling off the truck and that there is no record of that truck or it being fined. He also commented about the agency not overseeing the landfill properly. Mr. Fernandez asked the agency to pull out at the July 25 court date and close and cap the landfill and stop putting his family and Kearny residents at risk.
- Tom Bruinooge, local attorney representing the Meadowlands Regional Chamber welcomed Commissioner Stellato and Commissioner Knopf Mr. Bruinooge commented that the Chamber is committed to working with the Authority and that it is actively engaged with staff with respect to the new Master Plan.

## VIII. 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 2019-27 Resolution Authorizing the NJSEA to Conduct a Meeting to which the General Public Shall Not Be Admitted.

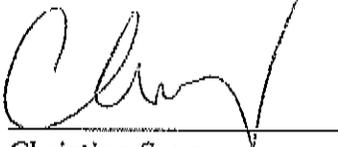
Chairman Ballantyne presented Resolution 2019-27. Upon motion made by Commissioner Scardino and seconded by Commissioner Vice Chairman Buckelew Resolution 2019-27 was carried by a vote of 11-0.

Entered Executive Session 11:22 a.m.  
Returned to open session 12:27 p.m.

## XI. ADJOURNMENT

With no further business, Chairman Ballantyne adjourned the meeting.  
Meeting adjourned at 12:28 p.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 July 18, 2019.



Christine Sanz  
Assistant Secretary

July 18, 2019

Commissioner	Roll Call	2019-25	2019-26	2019-27
Ballantyne, Chairman	P	Y	Y	Y
Buckelew, Vice Chairman	P	Y	Y	Y
Prieto	P	Y	Y	Y
Dowd	--	--	--	--
Fontoura	P	Y	Y	Y
Gluck	P	Y	Y	Y
Gonnelli	--	--	--	--
Knopf	P	Y	Y	Y
Plofker	P	Y	Y	Y
Scala	--	--	--	--
Scardino	P	Y	Y	Y
Stellato	P	Y	Y	Y
Yudin	P	Y	Y	Y
Treasury Rep Griffin	P (via phone)	Y	Y	Y

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